THE CODE

PARTS I, II, and III

PRESBYTERIAN CHURCH OF AUSTRALIA
IN THE STATE OF NEW SOUTH WALES

PUBLISHED BY

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Preface

The Code Book of the Presbyterian Church in New South Wales is the compilation of the agreed basis on which the Church operates.

This present edition of The Code incorporates amendments approved by the General Assembly immediately before the publication date of this edition.

Part I consists of the Standing Orders of the General Assembly, Part II consists of the Standing Laws which have been approved under Barrier Act procedure, and Part III contains Regulations prescribed and Constitutions granted by the Assembly.

Declaratory Acts declaring how the Assembly understands the law of the Church are included together with an Appendix containing Forms which are in use in the Church and an Index.

After each Assembly amendments will be made which have been approved by the Assembly and published in its Blue Book following its established procedures.

JOHN IRVIN
Clerk of Assembly

Introduction

THE CHURCH

The Presbyterian Church of Australia in the State of New South Wales is part of the Church Catholic, a constituent part of the Presbyterian Church of Australia, and in historic continuity with the Church of Scotland, reformed in 1560.

The Presbyterian Church in New South Wales had its beginning on the banks of the Hawkesbury River near Sydney in 1803. Various sections of Presbyterianism which were functioning in New South Wales united in 1865 to form the Presbyterian Church of New South Wales. In 1901 the Presbyterian Church of Australia was constituted by the Union of the Presbyterian Churches of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia.

POWERS AND DUTIES

As a constituent part of the Presbyterian Church of Australia, the Church in New South Wales has and exercises such powers, discharges such duties, and enjoys such rights and privileges as are provided for in the Basis of Union and the Articles of Agreement of the Deed of Union of the 24th July, 1901 and in subsequent amendments.

The Church in New South Wales has full autonomy in all matters except in so far as power relative to any particular matter has been assigned to the General Assembly of the Presbyterian Church of Australia under the Basis of Union and the Articles of Agreement of the Deed of Union. Matters in respect to which the powers of the Presbyterian Church in New South Wales are modified in more or less degree by those of the Presbyterian Church of Australia are:

The Doctrine, Worship and Discipline of the Church, World Mission, Training of Students for the Ministry, Reception of Ministers from other Churches, Christian Education, Home Missions, the publication of a National Journal and several other functions assigned by the State Churches to the Presbyterian Church of Australia.

DOCTRINE

The Supreme Standard of the Church is the Word of God contained in the Scriptures of the Old and New Testaments, and which this Church regards as the only rule of faith and practice.

The Subordinate Standard of the Church is the Westminster Confession of Faith as amended by the General Assembly of Australia and read in the light of the Declaratory Statement contained in the Basis of Union.

WORSHIP

"Worship" the Book of Common Order of the Presbyterian Church of Australia (published 1998) has been approved as a guide for the kind of services the Assembly commends as an expression of the purity of worship practiced in the Church.

DISCIPLINE

Discipline is exercised for the spiritual good of the offender, the purity of the Church and the glory of God by those appointed to rule in the Church and is administered in a spirit of faithfulness, love and tenderness. The processes of discipline are set out in "Constitution, Procedure and Practice" of the Presbyterian Church of Australia.

GOVERNMENT

The only King and Head of the Church is the Lord Jesus Christ from whom its powers and prerogatives are derived, so that all its functions are to be exercised in his Name, under the guidance of his Word and Spirit, and in subjection to his authority alone.

The spiritual oversight of the Church is vested in duly ordained presbyters, chosen by the communicants, and sitting in representative courts, designated sessions, presbyteries and general assemblies in gradation of authority in the order named.

The temporal affairs of the Church are administered by office-bearers, chosen by the members.

CHURCH CREST

The crest in use by the church consists of the words "Presbyterian Church of Australia" and "nec tamen consumebatur" and incorporates the Burning Bush, St. Andrew's Cross, the Southern Cross, a Latin Cross, the Rose, the Thistle and the Shamrock.

CHURCH LOGO

In 2001 the General Assembly of Australia resolved (Min. 87(i)) that without discounting the current Crest(s), to approve and adopt as another visual emblem of the Church, a logo generally described as follows:

A vertical contrasting, stylised cross surrounded by five 5-pointed stars in the form of the Southern Cross, positioned in a solid oval angled at 30˚ right from the vertical.

PART I

STANDING ORDERS

Standing Orders

DEFINITIONS

1. Definitions.

(a) "Assembly" means the General Assembly in session.

(b) "Court" means General Assembly, or Presbytery, or Session.

(c) "House" means a Court, either in session or in Committee of the Whole.

(d) "Chair" means either the Moderator or the Chairman of the Committee of the Whole.

(e) "Leave of the House" means leave by a majority of the House.

THE GENERAL ASSEMBLY

2. Quorum. No business shall be transacted in the General Assembly except in the presence of at least sixteen members, representing at least four presbyteries, and at least one-half of whom are ministers; in presbyteries, except in the presence of three members, two of whom are ministers of charges or colleagues or associate ministers or in special appointments to pastoral ministries, provided that these two ministers shall be assessors or shall be serving separate pastoral charges; in sessions, except in the presence of the Moderator and two elders. [2020]

3. Constitution of meetings. All meetings of the General Assembly and its committees shall be opened and closed with prayer, and the fact of their having been so opened and closed shall be recorded in the minutes.

4. Sittings of inferior courts. No inferior court of which a member has been commissioned to the General Assembly shall sit during the sittings of the General Assembly, except by permission of the General Assembly.

5. Moderator. The General Assembly shall be presided over by a moderator, duly elected, who shall have a casting vote but no deliberative vote.

6. Moderator absent. In the General Assembly the Moderator for the current term shall preside, or in his absence the chair shall be taken by the ex-Moderator or, if he also should be absent, by a predecessor, or a member appointed by the court.

7. Recognising the Chair. In the General Assembly members and associated members may, when entering the House, passing the chair, or retiring,

bow to the chair.

8. Clerk. See 3.01 to 3.04.

9. Associated members. See 3.19.

10. Privileges of Associated Members. Associated members shall have all the rights and privileges of members except that they shall not move or second a motion or an amendment, vote on any question, or occupy the chair.

11. Minutes confirmed. When the minutes are submitted for confirmation, no question shall be raised regarding them except such as concerns their accuracy as a record of the proceedings.

12. Permanent Records. The permanent records of the General Assembly shall be those confirmed in the presence of the court.

13. Extract Minutes. See 3.09.

BUSINESS PROCEDURE

14. Order of Business. In the General Assembly after the first sederunt the order of business shall be:

(a) At a morning sederunt:
- (i) Approval of the minutes of the proceedings of the previous day.
- (ii) Reasons of dissent from any of the decisions recorded in the minutes so approved, and the necessary procedure connected therewith.
- (iii) Notices of motion relative to matters to be brought forward at some future sederunt.
- (iv) The various items of business in the order arranged by the Business Committee and approved by the court.
- (v) Applications from presbyteries for authority to meet, and the announcement of meetings of committees.

(b) At an evening sederunt:
- (i) Report of Business Committee relative to next day.
- (ii) Notices of motion.
- (iii) Business as previously arranged by the Business Committee and approved by the court.
- (iv) Announcements relative to presbyteries and meetings of committees.

15. Orders of the Day. The items of business, as arranged by the

Business Committee and approved by the Assembly, shall constitute the Orders of the Day.

16. Variation of Orders of the Day. The Assembly may, from time to time during a sederunt, if it deem it necessary, vary the Orders of the Day for that sederunt by a motion, without notice and without debate.

17. Order of the Day varied. A motion to vary the Orders of the Day may be made only at the interval between items of business.

18. Order of the Day called. When the Order of the Day is reached, it shall be called for by the Moderator.

19. Business called for by Moderator. No business shall be introduced to the Assembly by any member until it is called for by the Moderator.

20. Reports and Deliverances. Committees of the General Assembly shall submit to the Assembly a written report; recommendations for action shall be appended in a proposed deliverance; such reports and proposed deliverances shall be printed and circulated among members of the Assembly at least one day before they are considered.

21. Recommendations. No recommendation in any report shall be held as adopted unless it shall have been definitely set forth in the deliverance and approved by the Assembly.

22. Printed Reports. Printed reports shall be held as read unless the Assembly desire otherwise.

23. Questions. Relevant questions may be put by any member through the Moderator to the convener of a committee when

(a) the report is before the Assembly, or

(b) the Moderator rules that matters not contained in the report have been introduced by a notice of motion or an amendment to a clause of a deliverance, or

(c) the deliverance as a whole has been moved and seconded.

Relevant questions may also be put to the mover of a substantive motion after the motion has been moved and seconded.

MOTIONS AND AMENDMENTS

24. Substantive Motion. A substantive motion refers to business which

does not arise from the report of any committee. It shall be written and handed to the Business Convener normally at least one sederunt before it is considered by the Assembly. A substantive motion may, by leave of the House, be moved without notice.

25. Character of Motions. Motions shall be considered as belonging to one of the following categories, and shall be dealt with as prescribed, namely:

(a) the original motion,

(b) counter-motions - being motions contradictory or negative of the original motion or of a substantial part of the original motion, and

(c) amendments - being motions not substantially contradictory of the original motion or counter-motion, but for:

(i) leaving out certain words,

(ii) leaving out certain words in order to insert or add other words, or

(iii) inserting or adding certain words.

The Moderator shall be the judge of the character to which any motion shall be considered to belong, and shall rule accordingly.

26. Procedure for Voting on Motions. After all amendments, if any, have been disposed of, the Moderator shall take a vote between all motions in categories (a) and (b) of Standing Order 25, and in doing so shall adopt the following procedure:

(a) A vote shall be taken between all the motions in the order as determined by the Moderator, beginning at the first.

(b) Each Commissioner may vote for one motion only.

(c) If on the vote being taken, one motion has obtained a clear majority of votes, all the other motions shall fall.

(d) If no motion has obtained a clear majority, the motion having the smallest number of votes shall be disregarded and a vote taken between the remaining motions.

(e) The same procedure shall continue until one motion receives a clear majority on a vote.

(f) The motion which has received a clear majority shall then be put by the Moderator to the Assembly, and shall be voted on "For" or "Against". If a majority vote for it, the motion shall become the judgment of the Assembly. If a majority vote against it the motion shall fall, and further procedure in the matter shall be as the Assembly may determine.

27. Incompetent Amendments. No amendment shall be proposed in any part of a motion after a later part has been amended, or in any words the House

has resolved shall stand part of a motion, or has inserted in or added to a motion, except the addition of other words thereto.

28. Amendments to an Amendment. An amendment may be moved to an amendment that has been moved and seconded as if the first amendment were an original motion.

29. Notices of Motion. Notices of motion shall be written and handed to the Business Convener at least one sederunt before the matter to which they are related is before the Assembly. Amendments on a proposed deliverance, motion or amendment of which due notice has been given shall be printed and circulated.

30. Amendments without notice. An amendment may be moved without notice if in the opinion of the Moderator it arises in the course of the debate and does not alter the substance of the motion; should the Moderator rule that the proposed amendment affects the substance of the motion, it shall require, in addition to the Moderator's ruling that it has arisen in the course of debate, the leave of the House.

31. When seconded. Except in Committee of the Whole, a motion or amendment shall be seconded before it can be debated or put to the vote.

32. Reserving a speech. No member who moves or seconds a motion or amendment shall have the right to reserve his speech to a later stage of the debate.

33. Member giving notice absent. If, when the motion of which notice has been given is called for by the Moderator, the member who gave notice is absent, another member may move the motion; or the court may postpone the motion. Otherwise the motion lapses.

34. Motion lapses if not seconded. When the mover of the motion or amendment has finished his speech, his motion or amendment shall forthwith be seconded; if there is no seconder, it lapses and shall not be recorded in the minutes.

35. Notices withdrawn. If a member withdraws a notice of motion given in, he shall do so without remark, and such motion shall not be recorded in the minutes.

36. Motions withdrawn by leave of the House. A motion or amendment, duly made and seconded, shall not be withdrawn except by leave of the House and at the request of the mover, with the consent of the seconder, and any amendment to such motion shall first be withdrawn or negatived.

37. Motions not recorded. A motion or amendment ruled not competent shall not be recorded in the minutes, except when the ruling of the Chair has been challenged and voted on.

38. Notice changed. No change shall be made in the terms of a notice of motion after it is given in, except by leave of the House; but a member has the right to alter his motion, provided notice of the alteration be given at least one sederunt before it comes before the House.

39. No change without leave. After a motion or amendment has been moved, no change shall be made in its terms without leave of the House.

40. Amendments put first. Amendments shall be put before the motions to which they refer.

41. Debate on amendments. When an amendment is before the House, the debate shall be strictly confined to such amendment.

PROCEDURE IN DEBATE

42. Members called. When a member desires to speak, he shall rise in his place, but shall not speak until he is called on by the Chair. A member speaking in the Assembly shall address the Chair only.

43. Speak more than once. Each member may speak once to each question in debate, whether a motion or an amendment; but no member shall speak more than once to the same question, except

(a) in explanation,
(b) in stating and asking the ruling of the Chair on a point of order,
(c) in reply at the close of a debate, if he is the mover of the original motion, and
(d) in Committee of the Whole.

44. Mover of amendment. A member who has spoken to the main question shall not afterwards move an amendment on it, but he may second or speak to an amendment moved by another member.

45. Not speak to main question. A mover of an amendment shall not afterwards speak to the main question.

46. Moderator leaves the chair. The Moderator or Chairman of the Committee of the Whole shall take no part whatever in any debate. If he wishes

to speak to any question or to give in a report of a committee, he shall leave the chair. He shall also leave the chair when any case arises in which he is a party.

47. Moderator standing. When the Moderator or Chairman shall rise in his place, all members shall forthwith resume their seats and shall remain silent so that the Moderator or Chairman may be heard without interruption.

48. Interruptions. No member shall interrupt a speaker except for one or other of the following purposes to:

(a) state a point of order and to ask for a ruling of the Chair on it;
(b) call attention to a breach of the privileges of the House;
(c) make a personal explanation;
(d) move that the House sit in private;
(e) move the adjournment of the debate;
(f) move the "Previous Question";
(g) object to language deemed objectionable or reflecting on character.

49. Points of Order. Points of order must refer strictly to the order of the proceedings of the House. A member raising a point of order shall simply state it and no other member shall speak at this stage. The Moderator shall then

(a) forthwith rule on the point;
(b) ask certain members whom he selects to state their view on it, and afterwards rule on the point; or
(c) refer it to the House for decision by debate and vote.

50. Ruling of the Chair challenged. When the ruling of the Chair is challenged, the member who questions the ruling may be heard for not more than five minutes and, the Moderator or Chairman having been heard in reply, the vote shall be taken without further discussion.

51. Privilege. Questions of privilege take precedence over all other business and may at any time be brought forward by any member. Questions of privilege must refer strictly to matters directly affecting the privileges of the Court or its members, which matters have recently emerged and call for present interposition. If a question of privilege is brought forward in Committee of the Whole, the Committee shall forthwith report it to the court which alone can deal with questions of privilege.

52. "Previous Question". The "Previous Question" may be moved at any stage in a debate after the motion in debate has been moved and seconded, but not by anyone who has spoken to the main question or to an amendment thereupon. The "Previous Question" shall be moved and seconded without debate and shall

forthwith be put to the vote. The "Previous Question" refers to the motion (and any amendment in connection with it moved or of which notice has been given) then in debate. It cannot be moved in a Committee of the whole House or in a select committee.

53. "Previous Question" carried. The carrying of the "Previous Question" shall mean that the court does not consider it expedient to discuss further, or to make a decision on the motion before the House; and the effect shall be that the court forthwith departs from that motion and takes up the next motion or Order of the Day.

54. "Previous Question" negatived. The negativing of the "Previous Question" shall not preclude its being moved again during the same debate.

55. Adjournments. A motion for the adjournment of (a) the debate, or (b) the court, or a motion in the Committee of the Whole "that the Committee report" may be made at any time and without notice. Such a motion shall be put to the vote without debate. The negativing of such motion shall not preclude its being moved again during the same debate or sederunt. The adjournment of a debate may be moved by any member, including the member who is at the time speaking to the question in debate.

56. Adjourned debate resumed. When an adjourned debate is resumed, the right of speaking first shall belong to the member whose speech was interrupted by the adjournment. If no speech was interrupted, the right of speaking first shall belong to the mover of the adjournment, provided that he has not already spoken to the question, whether a motion or an amendment, which was in debate when the adjournment was moved.

57. Motion of Procedure. A motion of procedure, by which the House determines in what manner and/or when a question then in debate shall be dealt with, may be moved without notice at any stage in a debate and may itself be debated and amended.

58. Closed doors. The General Assembly may at any time close its doors and sit in private in consequence of a ruling by the Chair, or of a motion made, seconded and put to the vote without debate; but cases or questions which have been discussed with closed doors in a lower court shall be so discussed in higher courts unless a motion to the contrary, duly made and seconded and put to the vote without debate, is carried. The negativing of such motions shall not preclude their being moved again during the same debate or sederunt.

59. Character affected. In dealing with cases or questions which have

been declared by the Chair to affect character or partake of the nature of personal disputes or misunderstandings, the House shall deliberate and decide thereon in private unless a motion to the contrary, duly made and seconded, is carried; and every such motion shall be put to the House without discussion.

60. Personal explanation. A member may at any time make a personal explanation.

61. Explanation in debate. If a member makes an explanation during a debate, it shall refer exclusively to some statement or statements made by himself which, in his opinion, one or more of the speakers in the debate have misapprehended. No other matter whatsoever shall be introduced into an explanation during a debate.

62. Objectionable language. Language ruled objectionable shall be forthwith withdrawn and apologised for by the speaker and in a manner satisfactory to the House. When language used in debate seems to any member to be objectionable, he may forthwith, but not later, raise a point of order concerning it and ask for the ruling of the Chair. He may also demand that the words be taken down. The Moderator or Chairman shall, without debate, forthwith put the question, "that the words objected to be taken down", and, if this question is resolved in the affirmative, he shall direct the Clerk to take them down as grounds for such further action as the House may think fit to take.

63. Laws not to be reflected on. No member is allowed to reflect on any law or decision of the Assembly except for the purpose of moving in a legitimate form that it be altered or rescinded.

64. Speech in reply. After the speech in reply, which shall contain no new matter, there shall be no further debate. Before the speech in reply is begun, the Moderator shall distinctly declare that it is to be a reply on the debate, and that thereafter the debate will be closed. Any member entitled to speak has then an opportunity of speaking to the main question before the speech in reply is begun. There shall be no speech in reply to any debate involving counter motions.

65. Closure. When it shall appear to the Moderator or Chairman, during any debate, that the motion or any amendment on it, has been adequately discussed and that it is the evident sense of the House that the question be now put, he may so inform the House, distinctly stating at the same time whether it is to the debate on the amendment only or to the debate on both the amendment and motion that the closure is to be applied. A motion "That the question be now put" may then, but not till then, be made and seconded without any remark or discussion. The Moderator or Chairman shall forthwith put this motion and, if the same be carried

by a majority of at least two-thirds, the Moderator or Chairman shall call on the mover of the original motion to give a speech in reply if desired, and then put to the vote the motion, or the amendment only, or the amendment and the motion, as the case may be, without further debate.

66. Mode of taking the vote. The Moderator or Chairman shall endeavour to put the question at every convenient opportunity. He shall state the motion or amendment or shall cause it to be stated by the Clerk. Any member not distinctly hearing the motion or amendment so stated may require it to be stated again.

67. Moderator interrupted. When the Moderator or Chairman shall rise in his place to state or put the question, he may be interrupted by, and shall give way to, any member who wishes to speak to the question, except when the debate has been closed by a speech in reply or by the application of the closure. A member may so intervene up to the moment when the Moderator or Chairman utters the word "Aye" in putting the question to the voices.

VOTING

68. Member's vote. A member may vote on a motion though he has not voted on any amendment to it.

69. Electronic Voting. Voting by electronic means in real-time is permitted when it is available to all members of the court.

(a) The Moderator or Chairman shall first put the question in this form: "The question is: Shall this motion (or amendment) pass? Please submit your vote." Once voting is closed and the result known, he shall say "The 'Ayes' (or the 'Noes', as the case may be) have it", and the motion or amendment is passed or lost accordingly. Should there be no dissentient vote a unanimous vote may be recorded.

(b) If the Assembly so determines at any time, the numbers “for” and “against” shall be recorded in the minutes. In addition, on the demand of five members the names of those voting are also recorded. [2024]

70. Non-electronic voting. In the event that electronic voting is not available, the procedure for voting shall be governed by the following.

(a) (i) By the voices.
The Moderator or Chairman shall first take the vote by the voices. He shall put the question in this form: "The question

is: Shall this motion (or amendment) pass? All who are of that opinion say 'Aye'." The "Ayes" shall then respond. The Moderator or Chairman shall further say, "All who are of the contrary opinion say 'No'." The "Noes" shall then respond. The Moderator or Chairman shall then say, as the case may appear to him to be, "I think the 'Ayes' (or the 'Noes') have it." If his opinion is acquiesced in by the silence of the House, he shall say "The 'Ayes' (or the 'Noes', as the case may be) have it", and the motion or amendment is passed or lost accordingly. Should there be no dissentient voice a unanimous vote may be recorded.

(ii) By show of hands.

If his opinion is challenged by one or more members saying "No", the vote shall be further taken by a show of hands and the numbers shall not be recorded.

(iii) By division or ballot.

If the opinion of the Moderator is further challenged, or if the Assembly so determines at any time, the vote may be taken by either division or ballot.

(b) Vote by ballot.

A motion that the vote be taken by ballot shall be put without discussion and decided by a show of hands "for" or "against". Should a motion be carried, it precludes the taking of the vote by a division. The result of a vote by ballot as reported to the Moderator in writing and declared by him to the House shall be final. The numbers shall be recorded in the minutes.

(c) Vote by division.

When a motion that the vote be taken by ballot has not been moved and carried any five members may demand a division. The names of those voting are recorded on the demand of five members, but numbers are recorded in any case. When the vote is about to be taken by division, the bell shall be rung and after a lapse of two minutes the doors shall be locked and no one shall be allowed to enter or leave the House till the vote is taken. Two tellers on each side shall be appointed. Those "for" the motion or amendment shall go to the right and those "against" to the left of the Chair. The result of the division, as reported in writing to the Moderator and declared by him to the House, shall be final. [2024]

71. Casting vote. In the case of an equality of votes the Moderator or Chairman shall have a casting vote, but he usually votes so as to leave the matter voted on open for further consideration. He has no deliberative vote.

72. Rescinding a Motion. No resolution of a court, committee, etc., can

be rescinded, unless notice of motion to that effect has been given at a previous meeting or by circular to all the members.

73. Decision reconsidered and rescinded. Unless in a case of discipline, or when sitting as an appellate court, a decision may be reconsidered and rescinded at the same meeting or session of the court at which it has been given, but only by "leave of the house", and provided the motion to reconsider and rescind be made and seconded by members who were in the majority.

74. Dissents. See 3.38 to 3.44.

COMMITTEE OF THE WHOLE

75. Resolved into a Committee of the Whole. By a motion put to the vote a court may resolve itself into a Committee of the Whole.

(a) All members of the court shall likewise be members of the Committee of the Whole.
(b) The court shall appoint the Chairman of the Committee.
(c) Separate minutes shall be kept of the proceedings.
(d) A motion need not be seconded.
(e) A member may speak more than once to the same question.
(f) No member may dissent from any resolution of the Committee.
(g) The proceedings shall be closed by the carrying of a resolution to report to the court on the matter committed, or to report progress and ask leave to sit again.
(h) The court shall forthwith resume, and the report of the Committee shall be given in.
(i) The report may be adopted with or without amendment, rejected, postponed, recommitted, or otherwise dealt with as the court sees fit. At this stage any member may exercise his privilege of dissent.
(j) Any of the other Standing Orders which are literally applicable to the proceedings of the court in session only shall, when applied to the proceedings of the Committee of the Whole, be read along with and be modified by the provisions of this section.

OVERTURES, PETITIONS, REFERENCES, ETC.

76. Papers transmitted. All overtures, returns on remits, and all papers transmitted by the inferior courts shall be in the form of Certified Extracts from the minutes of the said courts.

77. Questions. Relevant questions may be put by any member through the Moderator to:

(a) overturists,
(b) petitioners,
(c) parties stating references, and
(d) parties in any case when they shall have completed their respective statements.

78. Parties at the Bar. Overturists who are not members of the Assembly, petitioners, and parties duly commissioned to state References, Complaints and Appeals shall take their places at the bar when called by the Moderator, and they shall not leave the bar until they are formally dismissed from it by the Moderator.

79. Two heard. References shall be stated, and overtures and petitions supported, by not more than two persons in each case.

80. Procedure in Dissents and Complaints, and Appeals. See 3.38 to 3.63.

81. "Sustain" or "Dismiss". If a motion dealing with an overture, reference, complaint or appeal is negatived, the matter is still before the House, and shall be disposed of by another motion. For instance, if a motion to "sustain" or "dismiss" is negatived, it shall be followed by another motion to "dismiss" or "sustain", or by any other relevant and competent motion, until the matter is disposed of.

82. Reference dismissed. If a reference is informal or frivolous, or if it clearly appears that the inferior court has not exhausted all its resources in the matter, the Assembly may dismiss the reference without entering upon the consideration of the substance of the reference.

83. Petitions. A motion to grant the prayer of a petition (which prayer includes the words "or do otherwise as the Assembly in its wisdom may deem fit") means that the court considers there are sufficient grounds in the petition to justify deliberation and decision. If the motion is approved, it is followed by another motion giving effect to the court's decision. If it is negatived, it is followed by a motion to "dismiss" the petition.

84. Documents in a case. All overtures, petitions, references, complaints and appeals, with all necessary relative papers, shall be printed and circulated among the members of the General Assembly at least one day before the business is taken up for discussion in the House. No other document shall be

deemed part of the record unless it is expressly so ordered by a resolution duly moved, seconded and voted on. In appeals, complaints and petitions the expense of printing or copying is, in the first instance, borne by the Assembly Fund, and by the party losing when the case is finally decided, subject to the Assembly taking into consideration the losing party's ability to pay, unless remitted or distributed by the Assembly.

COMMITTEES AND COMMISSIONS

85. Committees. The General Assembly shall appoint Ordinary and Special Committees and the conveners thereof.

(a) Three members of a committee shall constitute a quorum.

(b) Motions need not be seconded.

(c) A member may speak more than once to the same question.

(d) The convener, without leaving the chair, may speak to a question and may move motions or amendments, and he shall have both a deliberative and a casting vote.

(e) A committee may, however, at any time resolve to be guided strictly by the formal Rules of Debate.

(f) Any member of a court has a right to be present at a meeting of any of its committees, whether ordinary or special, and may be associated.

(g) Reports of the proceedings of the committees shall not be published without their consent.

(h) Any of the other Standing Orders which are literally applicable to the proceedings of a court shall, if applied to the proceedings of an ordinary or special committee, be read along with, and be modified by, the provisions of this section. [2019]

86. Commission. The General Assembly may appoint a Commission of one or more persons with full powers to deal with all matters submitted to it and any other urgent matters which may arise from time to time. When a Commission consists of two or more members, the Assembly appoints the chairman.

STANDING ORDERS

87. Suspension of Standing Orders. These Standing Orders may be suspended in whole or in part

(a) in the General Assembly by a motion, notice of which shall have been given at a previous sederunt, duly moved, seconded and carried, or by a motion without notice if the court be unanimous,

(b) in presbyteries and sessions by a motion without notice carried by a two-thirds majority of those present.

The purpose or purposes for which it is proposed that the Standing Orders be suspended shall be distinctly stated.

88. Amendment of Standing Orders. Any proposal to amend or add to these Standing Orders shall be introduced to the General Assembly by overture only.

PART II

STANDING LAWS

1

THE CONGREGATION

DEFINITIONS

1.01. Congregation. A congregation is a company of persons, including children, associated in a particular place for Christian worship, instruction, fellowship and work, and which congregation is sanctioned by the presbytery.

1.02. Pastoral charge. A pastoral charge which may consist of one or more congregations is a sphere of pastoral duty to which a minister or ministers may be inducted by a presbytery.

1.03. Home Mission Station. A home mission station which may consist of one or more congregations is a sphere of pastoral duty to which a minister or commissioned gospel worker may be appointed by the presbytery. [2023]

MEMBERS

1.04. Members. A congregation consists of communicants and adherents, whose names are on the rolls authorised by the session. Separate rolls shall be kept by the session for each congregation. A communicant or adherent is entitled to have his name on the roll of one congregation only.

1.05. Duties of members. It is the duty of communicants and adherents to give faithful attendance on gospel ordinances, to give their ministers all due respect, encouragement and obedience in the Lord, to submit to the session as over them in the Lord, to cherish a brotherly spirit among themselves, and to promote the peace and prosperity of the congregation. It is also the duty of communicants and adherents to take a lively interest in all that concerns the welfare of the whole church, to contribute heartily, as the Lord shall enable them, for the maintenance of the ministry and for the furtherance of the gospel at home and abroad and to manifest a Christian spirit in all relationships of life.

1.06. Communicant. A communicant of a congregation is a baptised person who associates regularly with the congregation in worship and who, on profession of faith, has been admitted by the session to participation in the Lord's Supper and thereby into full communion with the Presbyterian Church of Australia or whose name has been added to the communicants' roll by transference certificate or by resolution of session and whose name has not been removed subsequently from the roll.

1.07. Rights of communicants. Communicants, unless under process of discipline, have the right to have their name inscribed on the roll of communicants and, if not less than sixteen years of age, to take full part including voting in congregational meetings. Communicant members alone elect elders and ministers except in the case of the first election of a minister in a newly established pastoral charge.

1.08. Adherent. An adherent to a congregation is a person who associates regularly with the congregation in worship and whose name appears on the adherents' roll by resolution of the session.

1.09. Rights of adherents. On the occasion of the first election of a minister in a newly established pastoral charge all adherents, not less than sixteen years of age, unless under a process of discipline are eligible to vote. Enrolled adherents have a vote in the election of managers and at all meetings affecting the temporal affairs of the congregation and are also entitled to signify their concurrence in a call to a minister or licentiate.

1.10. Transference of members. A communicant or adherent desirous of transferring membership to another congregation is entitled, on application, to a transference certificate from the session unless the member is under discipline or unless there are matters connected with the member's conduct which seem to the session to call for inquiry. In the latter case the member has a right to demand that inquiry be entered upon and brought to a conclusion without delay or a certificate granted. The session should notify the session of the congregation which the transferring member wishes to join and such notification should be acknowledged. Responsibility rests upon the member to present the transference certificate to the session of the congregation which he wishes to join.

FORMATION

1.11. Formation of congregation. A new congregation may be formed by the presbytery on its own initiative or at the request of a session or on application from those who declare adherence to the principles of the church. The presbytery, before taking this action, consults with the session of any congregation likely to be affected by the formation of the new congregation. The presbytery shall place the new congregation under the supervision of an interim session appointed by the presbytery.

1.12. Trans-Presbytery Congregational Activity. Where an existing congregation wishes to establish a new congregation within the bounds of another presbytery or to relocate its meeting place inside the bounds of another presbytery,

the proposed action must be approved by the presbytery which holds jurisdiction over the initiating congregation as well as the presbytery within whose bounds the proposed action is to take place.

1.13. Continuance of congregation. When a session or committee of management is considering the cessation of a congregation the matter shall be reported to the presbytery by the session. The presbytery, which may on its own initiative institute inquiries, consults with the session and committee of management regarding the circumstances. If it is found that the congregation cannot be continued the presbytery shall make suitable provision for the supply of gospel ordinances to members of the church in the district. Arrangements should also be made for the care or disposal of the property of the congregation in accordance with the Property Trust Act.

1.14. Variation of status. A presbytery may, after consultation with the congregation or congregations concerned and with the approval of the committee on Ministry and Mission, divide, amalgamate or create pastoral charges and home mission stations. The presbytery shall:

(a) declare to which pastoral charge the minister is to continue to be attached,
(b) appoint the moderator/s or interim moderator/s,
(c) record in its minutes the names of those who are to form the session/s or interim session/s.

1.15. Closure of a congregation. Where a presbytery has determined that a congregation is unable to constitute for a congregational meeting, or the presbytery decides that it is inexpedient because of a lack of members for a congregation to continue, it may close that congregation after consultation with the session and the remaining members of the congregation. Appropriate action shall be taken to ensure that all funds and property of the discontinued congregation are dealt with according to the Property Trust Act.

1.16. Supervision of home mission stations. The spiritual supervision of home mission stations and of the appointed minister or commissioned gospel worker belongs to the presbytery. [2023]

MEETINGS

1.17. Meetings convened. Meetings of the congregation are convened by session and for temporal purposes may, with the consent of session, be

convened by the committee of management. The presbytery may, when it sees cause, convene a meeting of the congregation and may appoint one of its own members to preside.

1.18. Notice of meeting. Meetings of the congregation are called by intimation during public worship. Not less than eight days' notice of a meeting and the purposes for which it is being called shall be given.

1.19. Joint meeting. Where there are two or more congregations within a pastoral charge or home mission station separate meetings must be held for each congregation except that the congregations may meet conjointly to determine matters affecting the common interests of the congregations concerned.

1.20. Quorum. The quorum of a meeting of the congregation, including communicants and adherents, is one-tenth of the number on the roll of communicants of the congregation, but not less than five.

1.21. Chairman. At a meeting of the congregation called for spiritual purposes the chair is taken by the moderator of session or by a minister appointed by the moderator or by an elder of the congregation appointed by the moderator. If the meeting is for purposes of ordinary finances of the congregation or the care of the church property the chair is taken by the moderator of session or by a minister appointed by the moderator or by an elder or member of the congregation appointed by the moderator and failing such appointment the meeting may elect any member to the chair.

1.22. Minutes. The minutes of a meeting of the congregation are entered in the session records and copies of resolutions dealing with financial matters and property shall be forwarded to the committee of management for insertion in its minutes.

ANNUAL MEETING

1.23. Annual meeting. Congregations hold an annual meeting convened on the authority of the session as soon as practicable after the close of the financial year for the following purposes:

(a) considering of the annual report and financial statement submitted by the committee of management,
(b) determining a limit on expenditure by the committee of management, and
(c) appointing an auditor or auditors for the ensuing year.

1.24. Report of committee of management. The meeting having heard

the report of the committee of management, or having taken it as read if it has been printed and circulated, and having received it, deals similarly with the financial statement which is received only when it is certified by the congregation's auditor or auditors as having been audited and found correct or, if defective, when it has been rectified.

1.25. Review by session. A written review by the session of the life and work of the congregation may be presented at this meeting for the information of the congregation. There may also be presented in whole or in part such of the reports of the congregational organisations together with their relevant financial statements as the session sees fit. Neither these nor the session's own review are received by this meeting nor are they otherwise dealt with, unless the session, in any matter, specifically seeks the mind of the congregation thereon. Any complaints or recommendations concerning the report or financial statement of a congregational organisation are referred to the session for consideration.

1.26. Altered financial arrangements. The annual meeting considers the terms of settlement of the minister. When a motion affecting the established financial arrangements of the congregation is submitted without due notice the matter may be discussed but shall not be finally disposed of at that meeting. The committee of management after considering its bearing on the financial state of the congregation shall submit a report to a subsequent meeting. Altered financial arrangements proposed in the committee of management's report may be finalised at the annual meeting.

1.27. Terms of Settlement. Terms of Settlement shall refer to the entitlements of a particular pastoral charge. Except where the Assembly shall determine new stipends and travelling allowance, in which case these terms shall have effect from the date determined by the Assembly, terms of settlement shall not be effective until they have been proposed by the congregation and approved by both the presbytery and the Ministry and Mission Committee. As a minimum, terms of settlement must include all of the following:

(a) All costs of removal of the minister’s family and goods to their new place of residence, except that the presbytery acting with the Ministry and Mission Committee may approve a variation in special circumstances.

(b) Rent-free occupation of a suitable residence which should include, at least, floor-coverings, front door security screen, window blinds, curtains, refrigerator, washing machine, hot water, and adequate bookshelves in the study, or an allowance and/or non-cash benefit sufficient to rent or purchase a suitable dwelling within the pastoral charge.

(c) A stipend at least equal to the basic stipend declared by the

General Assembly from time to time unless both the presbytery and the Ministry and Mission Committee determined that there are special circumstances warranting terms less than the minimum terms of settlement.

(d) An allowance and/or non-cash benefit sufficient to meet all travelling expenses.

(e) Payment of all professional expenses for the conduct of church business including telephone rental and calls, stamps and stationery.

(f) Four weeks annual leave including four Sundays (the cost of pulpit supply to be provided by the congregation).

(g) One week's study leave per annum cumulative to a maximum of four weeks.

(h) Superannuation Fund and Long Service Leave contributions as for terms of settlement for full-time calls and appointments.

(i) Personal Accident and All Illness Insurance.

1.28. Stipend Increases. The sum declared by the Ministry and Mission Committee to be the stipend of a pastoral charge shall be for all official purposes the stipend of that charge. When the finances of a pastoral charge may justify an increase in the stipend, the committee of management shall ask the session to call a meeting of the congregation to decide the matter if authority to act has not already been given to the committee of management by the congregation. Except as provided in 1.27, no variation to stipend shall be effective until approved by the presbytery and the Ministry and Mission Committee.

1.29. Terms less than Minimum. A pastoral charge may offer terms of settlement which do not meet the minimum requirements if it can satisfy the presbytery and the Ministry and Mission Committee that special circumstances exist to justify this situation. Any charge seeking terms of settlement below the minimum standards shall apply to the presbytery by petition. If the presbytery approves the application, it shall forward the petition with any relevant comments to the Ministry and Mission Committee for approval. Any approval shall be for a period of 12 months subject to renewal by the presbytery and the Ministry and Mission Committee only after the pastoral charge shall have reported to the presbytery and the Ministry and Mission Committee on the financial affairs of the pastoral charge and the reasons for the renewed application.

1.30. Election of committee of management. The annual meeting elects the committee of management for the ensuing year if this has not been done by a special meeting called for that purpose and transacts such other business as may have been duly intimated.

1.31. Expenditure limit. The annual meeting shall set a limit on expenditure by the committee of management for a single purpose or project. Any proposed expenditure (which has not previously been approved by the congregation whether in an annual budget or otherwise) must be approved by a congregational meeting, provided that such limit shall be less than the provision applicable from time to time under the Property Trust Regulations for approval in respect of expenditure on congregational property by congregations and the Presbytery. If in any year the congregational meeting fails to set such a limit, the amount shall be deemed to have been set at $10,000.

1.32. Auditor. At the annual meeting one auditor being a member of the Institute of Chartered Accountants in Australia or of the Australian Society of Certified Practising Accountants or of the Institute of Public Accountants is elected who, previous to next annual meeting, examines the treasurer's books, vouchers, securities and other records and reports thereon. If no such accountant be available then two auditors shall be elected. If an auditor for any reason is unable to act the committee of management appoints another in his place. No elder or manager may serve as auditor of the accounts of the committee of management of which he is a member, but a member of a joint committee of management may serve as auditor of the accounts of a congregation other than his own. Provided that in no case shall a business partner or member of the family of the treasurer of the committee of management act as an auditor to the said committee. With the concurrence of the elected auditor the accounts of any congregational organisation may be audited independently. They must be submitted to the congregational auditor for approval. Notice in writing on the prescribed form duly signed by the session clerk setting out the name, address and qualifications of the auditor with certification that he is not disqualified from acting in terms of the previous paragraph shall be sent to the Trustees who shall determine from time to time a form of report to be made by auditors appointed under this rule.

1.33. Financial statement. Copies of the audited financial statement together with a signed copy of the report of the auditor shall be forwarded to the presbytery and to the Trustees who shall determine from time to time a form of financial statement.

1.34. Several congregations. Where there are two or more congregations in a pastoral charge or home mission station having separate committees of management, each of these shall hold an annual meeting to receive the report and audited financial statement of its committee of management, to elect a committee of management for the ensuing year, to appoint auditors and to hear and discuss such other of the matters referred to in the preceding paragraphs as the session may authorise.

1.35. Dissatisfaction with decision. Any communicant or adherent of a congregation who is dissatisfied with a decision or resolution of a congregational meeting against which at the time the communicant or adherent voted and entered dissent may petition the presbytery to review such decision or resolution. The petitioner, on request, shall be furnished by the secretary of the meeting with extract minutes relative to the matter dissented from. At least ten days before the meeting of the presbytery to which the petition is to be presented copies of the petition must be sent by personal delivery or by certified mail to the session clerk, to the clerk of the presbytery and to any other persons whose interests are affected.

RESPONSIBILITY TO CHURCH COURTS

1.36. Returns. Congregations are required to give full information and make accurate returns respecting their affairs whenever they may be called upon to do so by the presbytery or the Assembly.

1.37. Sites and plans of buildings. A congregation before proceeding to erect buildings or to add to or alter existing buildings at a cost exceeding the sum determined by the Assembly from time to time shall obtain the express consent of the presbytery and of the Trustees of the site, plans, specifications and estimated cost. Extract minutes of the decisions of the congregational meeting shall accompany the applications to presbytery and Trustees for approval. The congregation shall also submit a statement as to how the liabilities to be incurred are to be met.

1.38. First charges on funds. The minister's stipend and the assessments levied by the presbytery and the Assembly are the first charges on the funds contributed in the congregation for the support of religious ordinances.

1.39. Payment of Stipend. A congregation shall pay the stipend of the minister at least monthly and in such manner as the Ministry and Mission Committee approves.

1.40. Supplement to Stipend. A congregation supplementing the stipend of the minister by any money payment direct or deferred shall notify the Ministry and Mission Committee immediately. All such payments when not actual expenses shall be regarded as stipend in computing assessments.

1.41. Non-fulfilment of Terms. Should a congregation finds that it is unable to fulfil the terms of settlement approved by the Ministry and Mission Committee or to pay the stipend at least monthly, the committee of management shall report such inability or failure to the presbytery. Should the presbytery be unable to rectify the matter speedily it shall promptly inform the Ministry and

Mission Committee. That Committee shall thereupon take all steps which it judges necessary to correct the situation. On the advice of the Ministry and Mission Committee the presbytery may take such further action as authorised by The Code. Should a committee of management fail to make a report, as above, within three months, the minister shall report the circumstances to the presbytery and any minister neglecting to do so shall forfeit any claim to accumulated arrears exceeding the arrears due for the six months immediately preceding the date of reception of such report by the clerk of the presbytery.

1.42. Action by presbytery. Should the presbytery be unable speedily to rectify any failure by a congregation to fulfil the approved terms of settlement it shall promptly inform the committee on Ministry and Mission. The committee shall thereupon take all steps which it judges necessary to correct the situation. Should it be unable to do so it shall advise the presbytery. Upon receiving such report the presbytery;

(a) shall take the steps which are thought most expedient either to have the amount of the stipend reduced or to recommend and assist in the relocation of the minister to a new sphere of labour, or

(b) may, subject to complaint to the Assembly, resolve to dissolve the pastoral tie, or

(c) if the unsatisfactory condition of the pastoral charge is found to be due to the action of any office-bearer may remove such office-bearer from office in the particular congregation as the interest of the congregation may require, or

(d) should the circumstances render such a course desirable, the presbytery may dissolve the existing session and/or committee of management and make provision for a fresh election. The members of the existing session or committee of management shall be eligible for re-election unless removed from office under the provisions of this rule.

Similar action may be taken when it has been determined by the presbytery that the vital interests of the congregation necessitate such action except that in matters involving moral character or doctrine procedures in regard to discipline shall be followed.[1]

[1] See Declaratory Act, 1991, p.119

2

DEACONS and THE COMMITTEE OF MANAGEMENT [2021]

DEACONS [2021]

2.01 Deacons. The office of deacon is an office of service, including care and administration, distinct from both the office of elder and the role of manager, designed to assist the church in its God-given mission to proclaim the gospel.

2.02 Qualification of Deacons. A deacon must:

(a) have a living faith in Christ;

(b) hold firmly to the truths of the faith as stated in the confession of the Church;

(c) be a mature Christian, who demonstrates exemplary Christ-like character as defined by the Scriptures (1 Tim. 3:8-13);

(d) be a communicant member of the congregation who consistently attends worship, participates in the congregation's life, and contributes to its funds;

(e) have appropriate skills in management, care, or other relevant areas of service;

(f) be willing and able to serve as a deacon, co-operating with the session in the life of the congregation;

(g) comply with all requirements of the Conduct Protocol Unit.

2.03 Duties and appointment of Deacons. Deacons cannot be appointed to the committee of management by the session. Persons who are deacons may serve on the committee of management when regularly elected by the congregation. Deacons are appointed by the session to other specific areas of responsibility. These areas may include but are not limited to:

(a) Working with the minister(s) and elders in providing pastoral care for the congregation, with a special focus on the vulnerable, weak, and poor, as a tangible demonstration of God's love and as a witness to the gospel. In this work, the deacons operate under the direction of the session, within the budget set by the committee of management, and following the biblical principle of providing first for believers within the local congregation, second, for other believers, and third, for all people.

(b) Providing support for the work of the minister(s) and elders, or to facilitate the church's ministries in other ways determined by the session. In such roles, deacons serve under the direction of the session.

2.04 Session discretion. The Session may, at its own discretion, move to the election, ordination, and appointment of deacons, when it judges that this will be advantageous to the ministry of the gospel in and through the congregation. Sessions are not required to establish deacons in any congregation.

2.05 Election and ordination of Deacons. The session determines when there shall be an election of deacons and the number required. Deacons are elected by the communicants of the congregation from among the communicants of the congregation in which they are to serve. The manner of election is determined and overseen by the session. Admission to the office of deacon, after proper election, is by means of ordination, which ordination is for life unless voided by resignation or deposition. The procedure for ordination of deacons is the same as for elders. [2025]

2.06 Term of appointment and induction of deacons. Entry into the exercise of the office of deacon may be by:

(a) Induction, whereby induction is for life unless voided by resignation or deposition; or

(b) Appointment by the Session for a specified period of time to be determined by the Session, with deacons eligible for reappointment.

A deacon on joining another congregation is not entitled to appointment as a deacon unless determined by the session of that congregation. [2025]

2.07 Dismissal of Deacons. The session deals with the resignation of a deacon, may terminate the appointment of a deacon, and may remove a deacon from office in accordance with the rules of the Church.

2.08 Transition for deacons. A deacon holding office at 9 July 2021 is not affected in the holding of office and has tenure in that congregation for which the deacon was inducted.

COMMITTEE OF MANAGEMENT

2.09 Committee of Management. The temporal affairs of each congregation are administered by a committee of management, which consists of the managers and the members of session by virtue of their office.

2.10 Qualifications of Managers. A manager must:

(a) be a communicant or adherent of the congregation, who has a living faith in Christ, holds firmly to the truths of the faith, demonstrates exemplary Christ-like character, and consistently attends worship and participates in the life of the congregation;

(b) have appropriate skills in management;

(c) be willing and able to serve as a manager, co-operating with the session in the life of the congregation;

(d) comply with all requirements of the Conduct Protocol Unit.

2.11 Election of Managers. Managers are elected at a congregational meeting by the communicants and adherents of the congregation from among the communicants and adherents of the congregation in which they are to serve. The number of managers elected by the congregation may be determined by session but shall not be less than three. The manner of election is determined and overseen by the session. Deacons may also be elected to serve as managers.

2.12 Tenure of Managers. All managers retire annually and are eligible for re-election. Vacancies occurring during the year may be filled by the committee.

2.13 External expertise. Committees of management are free to seek expert advice and assistance from those outside their number. All decisions of the committee remain the sole prerogative of the committee itself.

MEETINGS

2.14. Calling of meetings. The committee of management meets at least once every quarter. Meetings are called by intimation during public worship or by notice duly given to the individual members. The chairman is bound to convene a special meeting whenever required in writing to do so by at least one-third of the members of the committee of management and the chairman must detail the business of any such special meeting.

2.15. Joint meetings. Where there is more than one congregation in a pastoral charge or home mission station each congregation may appoint a committee of management to deal with local matters and the committees will meet jointly to deal with matters affecting the pastoral charge or home mission station as a whole.

2.16. Single committee. Congregations within a pastoral charge or home mission station may determine to administer their temporal affairs by a

single committee of management provided that separate financial records shall be maintained for each congregation.

2.17. Quorum. Three members of a committee of management form a quorum.

OFFICE-BEARERS

2.18. Chairman. The moderator of the session is chairman of the committee of management. The moderator may delegate the commissioned gospel worker, or any member of the committee to preside. In the absence of any delegation, the committee shall appoint the commissioned gospel worker, or any member of the committee to preside. [2023]

2.19. Secretary. The committee elects a secretary annually. The secretary records for confirmation the minutes of the proceedings of the committee and takes charge of all documents and papers except those entrusted by the committee to the treasurer.

2.20. Treasurer. The committee elects a treasurer annually. The treasurer receives and accounts for all moneys under the care of the committee of management. A financial statement is submitted to the committee of management at least once a quarter.

DUTIES

2.21. Duties. The committee of management

(a) has charge of the funds belonging to the congregation and applies the same to the purposes for which they have been contributed,

(b) manages the property and insures, repairs and maintains it under the Property Trust Act and its regulations,

(c) makes the financial arrangements in connection with the service of worship,

(d) appoints the caretaker and any other employees fixing their salaries and conditions of service, and

(e) exercises oversight in the administration of the temporal affairs of the congregation.

2.22. Records. The committee of management is responsible to the presbytery for the regular and faithful keeping of its records and these must be produced to the presbytery and to the Assembly when called for.

2.23. Extract minutes. The committee of management is entitled to certified extract minutes of the session in so far as these may affect its officials or duties and such extracts must be entered in the committee's records.

2.24. Annual report. A report is submitted on the committee's administration of the temporal affairs of the congregation to the annual meeting of the congregation. An audited statement of receipts and expenditure for the year is presented to the annual meeting of the congregation.

FINANCE

2.25. Finance. All matters of finance in connection with any organisation of the congregation likely to affect the general revenue of the congregation have to be submitted to the committee of management for its approval.

2.26. Banking. All money received by the treasurer for the committee must be kept in a banking account identified as belonging to the congregation. It must not be placed in any private banking account. This rule applies to the funds of all organisations of a congregation.

2.27. 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.

2.28. Cheques. Cheques shall normally be signed by the treasurer and by one other member of the committee of management duly appointed to do so or by any two members of the committee of management so appointed. The bank statement or pass book shall be exhibited at each ordinary meeting of the committee. These procedures shall be followed by all the organisations of a congregation.

2.29. Remittance of money. It is the duty of the treasurer to remit promptly to the proper authority all regular presbytery and assembly assessments and other contributions and payments due from the congregation. The treasurer shall also ensure that both employer and member contributions for superannuation are paid by the due dates. [2021]

2.30. Vacancy finance. When a vacancy occurs in the pastorate the committee prepares a financial statement for the guidance of the congregation in determining the stipend to be promised and the allowance for travelling expenses

incurred while ministering to the congregation. The committee also completes the Terms of Call Form of the committee on Ministry and Mission.

2.31. Pulpit supply. Congregations receiving pulpit supply are required to pay at the rates fixed by the Assembly.

2.32. Alteration in stipend. The committee when it has not been authorised by the congregation to vary the stipend submits any proposed variation of the stipend to the congregation. Any decision to vary the terms of settlement of the minister shall be reported through the session to the presbytery and to the committee on Ministry and Mission.

2.33. Arrears. As soon as the presbytery has reason to believe that a congregation is falling into arrears with stipend and other financial obligations, it shall institute inquiries and take such action as is necessary.

PROPERTY

2.34. Property. All matters relating to improvements of a capital nature, property repairs and alterations and all dealings with the property of congregations are governed by the Property Trust Act and its regulations.

FUND RAISING

2.35 Special efforts. When special efforts to raise funds are made by any organisation of the congregation it is advisable that when such functions are being arranged the purposes for which such funds are to be raised shall be approved by the committee of management.

2.36. Gambling. All forms of gambling on premises which are the property of the church or in connection with any function held for the church or by any committee or organisation thereof are hereby expressly forbidden.

2.37. Amusements. While the church recognises the liberty of Christians in matters not expressly forbidden by the Word of God her ministers, office-bearers and people are enjoined to discourage all forms of amusement which are injurious to the moral and spiritual life either in themselves or in their associations. They are also enjoined not to permit questionable forms of amusement to be used as a means of raising money for church purposes.

2.38. Direct giving. Direct and systematic giving for church purposes is strongly recommended.

2.39. Missionary support. Where the committee of management proposes to apply congregational funds directly for the support of missionaries, such funds should preferably be raised for this purpose by special collection. However a committee of management may apply congregational funds directly for the support of a missionary or missionaries provided that:

(a) the committee has discharged all financial duties and obligations of the congregation and the committee,

(b) the missionary to be supported is under the jurisdiction of a missionary enterprise approved by the Australian Presbyterian World Mission Committee of the Presbyterian Church of Australia, and

(c) prior to the receipt of the funds by the committee the congregation approves of the proposed allocation of funds at the annual meeting of the congregation (in respect of which Rule 1.26 applies).

2.40. Congregational approval. The committee may recommend to the annual congregational meeting an appropriate expenditure limit for the purpose of Rule 1.23(b).

2.41. Authorisation of expenditure. The committee shall not authorise expenditure for any purpose or project which has not previously been authorised by the congregation, whether in an annual budget or otherwise, of a sum exceeding the limit specified by the previous annual congregational meeting.

SPECIAL PROGRAMMES

2.42. Definitions. In this section of these rules:

"Assembly Committee" means the ordinary or special committee of the Assembly, if any, which at the relevant time has responsibility for the oversight of:

(a) in the context of an aged care Special Programme - aged care facilities and programmes within the Church, and

(b) in the context of a School - educational institutions and programmes within the Church.

"Special Programme" means a structured activity of a social welfare or educational nature intended for community, rather than exclusively pastoral charge use, such as a pre-school, long day care centre, School, retirement village and aged care facility.

"School" means a programme for the provision of school education covering any school years from Kindergarten to Year 12. [2019]

2.43. Establishment. A congregation may establish, on property owned

or leased by the Trustees on behalf of the congregation, a Special Programme. The committee of management may with the prior consent of the congregation, the presbytery and the Trustees establish a sub-committee, which may include (but not as a majority) persons who are not members of the committee of management, to undertake such functions of management of the Special Programme as the committee of management may direct. The committee of management remains fully responsible at a local level for the conduct of the Special Programme including its financial affairs and may at any time withdraw management authority from the sub-committee.

2.44. Commencing a Special Programme. The committee of management shall not commence any Special Programme without the prior consent of:

(a) the session,
(b) the congregation,
(c) the presbytery of the bounds,
(d) the Assembly Committee - in the case of a School or an aged care Special Programme,
(e) the Social Service Committee - in the case of a Special Programme in respect of which supervision is given to the Social Service Committee, and
(f) the Trustees.

In consenting to a Special Programme being established by a congregation the Trustees may impose conditions in respect of the establishment and operation of the Special Programme.

2.45. Establishment and operation of a Special Programme. In establishing and operating a Special Programme the committee of management and the session, to the extent that it is or may be involved in the supervision of the Special Programme, shall comply with:

(a) any policies relating to such Special Programmes determined by the General Assembly from time to time,
(b) any directions, either general or specific, which may be given to it by the Trustees,
(c) the directions and/or policies of any committee of the Assembly authorised by the Assembly to have supervision or oversight of programmes of which the Special Programme is an example.

2.46. Concerns by the Trustees. If the Trustees have concerns about the operation of a Special Programme by a committee of management, the Trustees may request the presbytery of the bounds to conduct a special visitation to the congregation in order to inquire into the issues. A presbytery which is so requested shall undertake the special visitation as soon as practicable and shall provide a written report to the Trustees.

2.47. Licensee. If Federal or State government requirements require a nominated licensee for a Special Programme, the Trustees shall be that licensee unless:

(a) the Trustees otherwise decide, and
(b) the relevant government authority so allows.

2.48. Functions of management. The committee of management, in managing a Special Programme, is exercising functions of management of the property of the congregation as that expression is used in Section 18 of The Presbyterian Church (New South Wales) Property Trust Act, 1936. The committee of management may exercise such functions of management in respect of the Special Programme so long as the Trustees are satisfied with the management of the Special Programme by the committee of management. If at any time the Trustees form the opinion that the powers of the committee of management to manage the Special Programme should be suspended the Trustees may by resolution so suspend the management function of the committee of management in relation to the Special Programme and the property of the congregation which is used for the purposes of the programme. Unless there are in the opinion of the Trustees special circumstances the Trustees will not take such action without first requesting and considering a report from the presbytery as provided for in Rule 2.45.

3

GENERAL RULES

CLERK

3.01. Clerk. Every court shall have its clerk who is usually but not necessarily a member of the court and who shall keep an accurate record of its proceedings and supply extracts of the proceedings when duly called for.

3.02. Tenure of office of clerk. A clerk is appointed for a specified time or during the pleasure of the court. When it is not otherwise recorded the appointment is during the pleasure of the court.

3.03. Declaration by clerk. A clerk on accepting office shall promise to discharge faithfully the duties of the office by repeating these words: "I do solemnly affirm and declare that I will discharge faithfully the duties now entrusted to me."

3.04. Clerk pro tempore. In the absence of the clerk the court appoints a clerk pro tempore whose appointment must be recorded in the minutes and who must promise to discharge faithfully the duties of the office.

MINUTES

3.05. Confirmed minutes. When a court has been constituted the minutes of the previous ordinary meeting and of any special meetings are read or taken as read if circulated to all members, corrected if necessary, and confirmed.

3.06. Accuracy of minute. The correction of a minute does not imply any power to alter the acts or decisions of the meeting. The only question is the correctness of the minute as a true account of what was done.
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3.07. Alteration of minute. Any alteration of a minute is noted in the margin and initialled by the moderator and clerk.

3.08. Minutes signed. The confirmed minutes are signed by the presiding moderator and by the clerk.

3.09. Extracts. Extracts from the minutes of a court or certificates

regarding the resolutions of a court are given, on application, by the clerk who may refer such applications to the court for instructions. The fees to be charged for such extracts shall be fixed by the court.

3.10. Decisions operative. Notwithstanding the fact that a minute of a decision of the court has not been confirmed the decision itself becomes operative from the time it was made or ordered to take effect except that the decisions of the Assembly, unless otherwise ordered, take effect immediately upon the closing of the Assembly.

3.11. Permanent records. The permanent records of the courts of the church shall be those which have been confirmed in the presence of the court.

3.12. Deletion of minute. When the minutes of an inferior court have been confirmed no part of them shall be deleted except by authority of the immediately superior court. When a deletion is authorised or ordered a reference to the minute of the court so authorising or ordering is inserted in the margin.

3.13. Decision not recorded. It is competent for a court to resolve that certain decisions or acts shall not be recorded in the permanent record.

3.14. Record apart. To keep its ordinary record of proceedings free from the presence of undesirable matter every court keeps a separate record apart for each case where moral delinquency is alleged whether the case comes before it as the court of first instance or of appeal. The resolution to keep proceedings of a case in the record apart is minuted in the record apart and not in the ordinary record. The record apart of each such case is kept on separate sheets consecutively numbered both in figures and in words at the head and subscribed by the signature of the clerk at the foot. No entry is made in the permanent record of these courts until the case is finally disposed of.

When the judgement which finally disposes of the case, by whatever court of the church, is pronounced, then the court of first instance records in its ordinary minute book the establishment of the record apart (including the date), the libel if any, or a summary of each of the charges thereof if a libel was served, and the final judgment.

The record apart with all papers in the case is sealed up in the presence of the court, endorsed with a note of the subject matter and with the date of the final judgment, and forwarded to the Clerk of Assembly to be securely kept in retentis. The record apart can only be opened with the express permission of the court that lodged the record apart or in compliance with legal requirements.

When a case has ended in entire acquittal the person so acquitted receives a certified copy of the judgment of the court.

This rule applies to all extant records apart involving an allegation of moral delinquency. [2022]

3.15. Typed or loose-leaf minutes. When minutes are typewritten and pasted in, or when loose-leaf books are used, the pages must be numbered consecutively and each page initialled by the moderator and the clerk.

3.16 Index of minutes. Minutes must have a marginal index of subjects for the sake of reference. A general index should also be kept for each volume.

3.17. Resolution by Email. A committee, a Session, a Presbytery, a commission of any court, a board, a council, or The Property Trust (hereinafter referred to as a 'church body') may, without meeting, make a resolution by email provided that the proposed resolution is sent by email to each member of the church body in time for each member to make a considered decision and email their response to the proposed resolution. In the absence of any decision on voting deadlines set by the church body, the secretary or clerk is empowered to set the voting deadline for a specific resolution.

Each member of the relevant church body who has a right to vote may vote on the proposed resolution in the normal manner either in the affirmative or in the negative, or may abstain from voting. The resolution is declared carried after the voting deadline has expired and when the resolution has received a clear majority of all members who have a right to vote. Additionally, any such member up to the voting deadline has the right of veto over this procedure in respect of a specific resolution, which when exercised requires that the email procedure be terminated and that the proposed resolution be considered at the next meeting of the church body.

The secretary or the clerk shall promptly notify all members by email of the result of the voting. Any member of a court or commission who voted in the negative may lodge without delay with the clerk a dissent and protest for leave to complain, with reasons for the complaint lodged with the clerk within ten days not including the day of the notification of the decision or else the complaint is held to be fallen from and the court or commission proceeds as if no complaint had been taken.

The secretary or the clerk of the church body is responsible for ensuring that all resolutions adopted pursuant to this rule are fully and correctly minuted and that the minutes are placed before the next meeting of the church body for confirmation. At that time, all emails received in response to the proposed resolution shall be tabled but no further action will be necessary to ratify or confirm the resolution made by email.

ORDINARY PROCEDURES

3.18. Meeting constituted. Meetings of church courts, congregations and committees are opened and closed with prayer and both facts must be minuted. The benediction may take the place of the closing prayer.

3.19. Associate. When a member of one court is present at the meeting of a co-ordinate or inferior court the member may be associated except when a judicial process is before the court.

3.20. Rights equivalent to an associated

(a) **for commissioned gospel workers.** Commissioned gospel workers who are not acting elders are not members of the court but shall have rights equivalent to those of an associated member in the Assembly, the presbytery and the session. These privileges shall not apply when the court is sitting in private.

(b) **for key personnel.** Persons holding positions listed in the Schedule of Key Personnel and who are communicants members of the Presbyterian Church of Australia shall have rights equivalent to those of an associated member in the Assembly. These privileges shall not apply when the court is sitting in private. The Schedule of Key Personnel shall be maintained by the Business Committee and may be varied by the Assembly via a deliverance of the Business Committee. [2025 IntAuth]

3.21. Devotional exercise. Any proposal to pause in the proceedings of a court to engage in special devotional exercises shall be made by the moderator.

3.22. Incompetent motion. A motion is not competent which violates a law of the church or the decision of a superior court or infringes on the privileges of a court.

3.23. Canvassing. Canvassing on the part of a candidate for an office or appointment disqualifies the candidate for the office.

3.24. Re-opening a case by petition. Members of any court may not only dissent from its decision on a case but may petition to have the case re-opened if they can produce new evidence materially bearing on the case or if they can show to the satisfaction of the court that the rules of procedure have been so violated or departed from as to involve substantial injustice. Due notice has to be given to the court of such a petition and of the grounds on which it is based. Petitions to re-open a case without sufficient grounds are liable to be dismissed as

frivolous and vexatious.

3.25. Conciliation Committee. The Assembly shall establish a Conciliation Committee whose membership, powers and duties shall be defined by the Assembly.

3.26. Resolution of Disputes. When an appeal, a complaint, or a petition to resolve a dispute is to come before the Assembly, the Clerk shall advise the parties to enter into negotiations before the Conciliation Committee for the purpose of seeking to resolve the dispute. The content of such negotiations shall be confidential to the parties. The committee shall report to the Assembly whether negotiations were held or not held in cases of unresolved disputes.

3.27. Documents in a case. The court from which any appeal, complaint, petition or reference comes must forward to the superior court all documents relating thereto. No document shall be read or appear among the papers in an appeal, complaint, petition or reference unless it was before the court of first instance or was offered to it and rejected.

3.28. Documents not received. Every court is entitled to protect itself from evident insolence and contumacy and outside parties from unnecessary injury and may refuse to receive any documents which commit such offences.

3.29. Distribution of papers. Parties in any case are forbidden to distribute papers bearing on the case to the members of the court before which the case comes.

3.30. Party not to vote. A member of a court is not entitled to deliberate or vote in any matter in which the member is a party or in which he is a candidate for an office.

3.31. Private sitting. When parties are removed from the bar it is at the discretion of the court whether they shall hear the deliberation on their case.

3.32. Cost of Printing. In appeals, complaints and petitions the expense of printing or copying is, in the first instance, borne by the Assembly Fund, and by the party losing when the case is finally decided, subject to the Assembly taking into consideration the losing party's ability to pay, unless remitted or distributed by the Assembly.

INFERIOR COURTS

3.33. Business of inferior courts. In all meetings of inferior courts the items of business to be taken up are fixed at the commencement of the meeting and no item to which exception is taken by three members of the court can be discussed until the next ordinary meeting or until a meeting called for the purpose of considering the matter so excepted to, unless notice of the intention to have it brought forward has been given at a previous meeting or unless it arises necessarily out of the business of a previous meeting or unless it is included in the circular calling the meeting.

3.34. Order of business. The following is recommended as the order of business in inferior courts:

(a) Confirmation of the minutes of the previous ordinary meeting and of any special meetings held since the last ordinary meeting.
(b) In presbyteries, the reception of commissions and the admission of associated members.
(c) Reasons for dissent from any of the decisions recorded in the minutes and the necessary procedure connected therewith.
(d) Reception of deputations.
(e) Matters recorded in the previous minutes but not disposed of.
(f) Matters of ordinary business which have emerged between the meetings.
(g) Matters of which notice had been given at the previous meeting.
(h) Notices of motion relative to matters to be brought forward at a future meeting.

3.35. Co-ordinate courts. An inferior court does not have the right to interfere with or review the proceedings of a co-ordinate court. It may endeavour to put any matter right by friendly representation. If this is ineffectual, the court which feels aggrieved may ask through a higher court for information relative to the alleged action of the co-ordinate court.

3.36. Formulation of charge. If any charge founded on such information is brought against an inferior court it has to be definitely formulated and committed to writing and the inferior court requires to have an opportunity of meeting and appointing respondents to defend its action before the charge is taken up by the higher court.

3.37. Procedure. The charge as thus formulated is dealt with in the same manner as an appeal the members of the inferior court concerned having no right to vote or to take part in the deliberations except as appellants and respondents.

3.38. Instruction of parties. It is the duty of the inferior court, when

requested to do so or when it thinks it necessary, to instruct parties on the rules and forms of procedure applicable to their cases.

DISSENTS

3.39. Right to dissent. A member may dissent from any resolution of a court against which the member has voted and has the right to have the dissent recorded in the minutes. Dissent against an amendment or a resolution of a committee of the whole is not competent.

3.40. Moderator's rights. A moderator although without a deliberative vote may record dissent.

3.41. Effect of dissent. A member of a court who dissents from a decision is relieved from responsibility for the decision and its consequences and is protected from censure on account of it but is under obligation to comply with the decision itself unless and until it is reversed or altered.

3.42. Reasons and answers. No reasons need be given for dissent but if given forthwith are usually recorded. The court may frame answers which are recorded only if the reasons have been recorded. The court may determine to hold reasons and answers in retentis.

3.43. Reasons brief. Reasons for dissent and answers shall be brief and definite.

3.44. Reasons rejected. A court may reject reasons for dissent which are disrespectful to it or injurious to a party or involve a breach of privilege.

3.45. Not recorded. While not rejecting reasons for dissent a court may have good ground for refusing to insert the reasons in its permanent record and may simply minute the fact that the member dissented and that the reasons were ordered to be kept in retentis.

APPEALS AND COMPLAINTS

3.46. Appeal. An appeal is a signed document given in by a person who is or was a party at the bar in a case before the court. It contains the reasons which are the grounds of the appeal against a decision of the court and is designed to bring that decision under the review of a superior court. The party appealing must either give in the appeal at the time the decision is announced to him or else at that time protest for leave to appeal and an inferior court must inform any parties at its

bar of this requirement when judgment is given.

3.47. Complaint. A dissent and complaint, referred to herein as a complaint, is a signed document given in by a member of a court who neither is nor was at its bar in a case before the court. It contains his reasons for complaining against a decision of the court on which the complainant has voted in the minority and is designed to bring that decision under review by a superior court. Separate reasons for dissent are not given in. The member says: "I dissent and protest for leave to complain" and the complaint is either given in at the time or within the period hereinafter provided.

3.48. Appeals and Complaints restricted Unless special leave is granted by the General Assembly of Australia, no appeal or complaint may be received by the General Assembly of Australia against any decision over which the General Assembly of Australia has not been given supreme powers by the Articles of Agreement. [2021]

3.49. Moderator's rights. A moderator although without a deliberative vote has the right to dissent and complain.

3.50. Rights reserved. An inferior court, against whose finding an appeal or complaint has been taken, which considers that there is nothing in the subject matter or the procedure or the finding to warrant the appeal or complaint or that the appeal or complaint is frivolous or vexatious or that its finding was in the interests of the church's welfare and the higher good of the Kingdom of God may proceed without regard to the appeal or complaint but does so at its own risk, the rights of the appellant or complainant being always reserved.

3.51. Reasons lodged. A court cannot refuse leave to appeal or to complain when protested for by a qualified person. Reasons of appeal or complaint have to be lodged with the clerk of the court whose decision is appealed or complained against within ten days not including the day of decision or else the appeal or complaint is held to be fallen from and the court proceeds as if no appeal or complaint had been taken. A person who intends to appeal or complain against a decision of a court may request extracts relevant thereto and is entitled to full but not partial extracts of the proceedings and to copies of all relevant papers.

3.52. Reasons of appeal or complaint. Reasons of appeal or complaint shall include any of the following: Irregularity in the proceedings of the court, refusal of reasonable indulgence to a party in the conduct of the case, reception of irrelevant evidence, refusal to receive relevant evidence, mistake or injustice in the judgment, undue haste in proceeding to judgment, judgment against evidence

or the weight of evidence or denial of natural justice.

3.53. Respondents and appellants. When an appeal or complaint is taken against the decision of an inferior court two members of the court are appointed to act as respondents and defend its judgment. The appellant or complainant and the respondents alone have a right to present the case in the superior court.

3.54. Answers. Written answers to reasons of appeal or complaint are not required. If answers are prepared the inferior court may adjust and adopt them or it may authorise the respondents to give the answers they prepare as the answers of the court.

3.55. Effect of appeal. An appeal or complaint against the final decision or judgment on a case stays execution of the decision or judgment until the appeal or complaint is disposed of by the superior court or it is annulled by not being prosecuted. An appeal or complaint on a part of a case or on a point of procedure, unless expressly provided to the contrary, does not stay procedure nor prevent the court from prosecuting the matter and ripening it to final judgment. If there is no appeal or complaint against the final decision in a case all earlier appeals or complaints are held to be fallen from.

3.56. Papers transmitted. A court transmits to its superior court any appeal or complaint which it has received against one of its own decisions together with all records and documents connected therewith. The responsibility rests with an appellant or complainant to be satisfied that all documents necessary have been forwarded to the superior court.

3.57. Failure to appear. If an appellant or complainant fails to appear at the bar at the time appointed the appeal or complaint is held to have been fallen from unless the court for due cause shown otherwise order. Where sickness is relied upon as the reason for failure to appear a medical certificate must be produced.

3.58. Appeal or complaint fallen from. When an appeal or a complaint is not proceeded with a member of the court whose decision was appealed or complained against should take protestation in the superior court that the appeal or complaint has been fallen from and that the decision of the inferior court has become final and should request extracts. This protestation after being recorded in the minutes is supplied by the clerk as an extract minute.

3.59. Death of appellant. In the event of the death of an appellant the

appellate court may allow the representatives of the appellant or a member of the court authorised in that behalf to appear in the interests of the good name or the estate of the appellant should such matters be involved in the appeal.

3.60. Parties at the bar. An appeal or complaint places at the bar of the superior court and prevents them from voting in the case the following persons:

(a) The appellant(s) or complainant(s).

(b) The respondent(s).

(c) Those who were members of the inferior court at the time when the decision appealed or complained against was arrived at though they may in the interim have become members of another inferior court.

(d) Those who were associated with the inferior court while the matter appealed or complained against was before the inferior court.

(e) Those who have been admitted into the inferior court subsequent to its decision and before the appeal or complaint has been dealt with.

(f) Those who have been commissioned to the superior court, to represent the inferior court or pastoral charges within the bounds of the inferior court.

(g) Those who are members of a pastoral charge within the bounds of the inferior court, who have been commissioned to the superior court to represent pastoral charges from another inferior court.

3.61. Arguments. Parties in an appeal or complaint should confine their arguments to the points to which the appeal or complaint refers as set forth in the record.

3.62. Procedure. In appeals or complaints the procedure is:

(a) The minutes of the inferior court and relative documents are read.

(b) Parties are called.

(c) Previous to hearing parties in an appeal or complaint the clerk shall read the following announcement: "As the decision of the court is determined not only by the documents in the case but also by the pleadings at the bar, the members are reminded that justice requires the pleadings at the bar to be heard by all those who vote in the case and that, in particular, no member ought to vote against either party who has not heard the pleadings on that side".

(d) The parties are heard.
(e) Questions may be put through the moderator to the parties by members of the court. If the court see cause any question and answer may be recorded in the minutes.
(f) The parties are removed.
(g) The court considers the case and proceeds to judgment.
(h) Parties are recalled and the finding is intimated to them and except in the supreme court they are asked whether they acquiesce.

3.63. How dealt with. An appeal or complaint is usually sustained or dismissed in whole or in part and in either case the judgment of the inferior court may be modified or altered as the superior court may think fit. Instead of sustaining or dismissing an appeal or complaint the superior court may at any stage remit the case to a special committee for inquiry and report. If any of the parties refuse to accept the recommendations of the special committee they are entitled to be heard by the court itself before judgment is given.

3.64. Sustained. An appeal or complaint is sustained because the decision of the inferior court is disapproved or because of irregularities or informalities in the procedure of the inferior court. The sustaining of an appeal or complaint on the ground of irregularities or informalities does not necessarily imply the reversal of the decision appealed against unless it is considered that the substantial injustice has been done to the appellant or complainant through such irregularities. The superior court without entering on the merit of the decision appealed or complained against or without pronouncing any judgment in regard to it may send back the case to the inferior court with particular instruction or with instructions to have it taken up anew and disposed of in accordance with the laws of the Church.

3.65. Dismissed. The dismissing of an appeal or complaint implies approval of the procedure and confirmation of the decision of the inferior court.

OVERTURES

3.66. Overture. An overture is a formal written proposal submitted to a court;

(a) for the enactment of a new law or for the repeal or annulment of an existing law, or for a declaration or interpretation of the law on some particular point, or
(b) to have something done or declared which is for the general benefit of the Church.

Only matters of general interest may be brought by overture.

3.67. Form of overture. An overture for the enactment of a new law or the amendment of an existing law ought to set forth what is desired in the very words in which it would stand if granted. Overtures of vague indefinite proposals, although their aim may seem to be good, may be dismissed as irrelevant.

3.68. Rights of members. Members of inferior courts have a right to move that overtures be sent to the higher courts on any matter which they regard as of general importance and an inferior court in deciding to overture a higher court is required to see that the overture is in due form and properly expressed and that two members of the inferior court have been appointed to support it in the higher court.

3.69. Who may overture. An overture may be made to a court by an inferior court or to the Assembly by a committee thereof or by any seven members of the Assembly or to an inferior court by any two members of the inferior court.

3.70. Notice to be given. An overture shall not be moved in any court unless notice of it has been given at a previous sederunt of the court or intimated by circular to all members of the court previous to the meeting at which the overture is brought forward.

3.71. Session to Assembly. Any overture from a session to the Assembly shall be transmitted through the presbytery of the bounds which shall forward it with or without comment or with approval or disapproval. A presbytery is not entitled to refuse to transmit an overture which is presented in proper from. A session has liberty to transmit an overture to the Assembly direct in case of urgency when no regular meeting of the presbytery intervenes between the meeting of the session at which it was approved and the Assembly.

3.72. Presbytery to General Assembly of Australia. Similar provisions apply in the case of the transmission of an overture from a presbytery through the Assembly to the General Assembly of Australia.

3.73. Proceedings not judicial. A court when considering an overture is not exercising its judicial function and the stating of an overture does not bring parties to its bar or exclude any members of the court from participating and voting in the proceedings relative thereto.

3.74. Several overtures. If there are several overtures on substantially the same subject only one person is heard in support of each.

3.75. Receiving and stating an overture. Before an overture can be stated in the court to which it is addressed it must be formally received. Only members of the court overtured or others specifically appointed for the purpose by an inferior court from its own members may state an overture. If no one appears to state the overture it falls without motion to that effect. Once an overture is stated it is before the court and must be disposed of.

3.76. Questions and motion. After the overture has been stated members of the court may put relevant questions to the overturists through the moderator. After questions have been answered the overturists if they are members of the court overtured have the right in priority to other members

(a) to move that the overture be sustained and if the motion is approved

(b) to move that the specific action proposed in the overture be taken.

3.77. How dealt with. An overture is either sustained by the higher court and the specific matter proposed in the overture approved in its original or amended form or it is sustained and sent down to presbyteries in its original or amended form either under the Barrier Act or for consideration and report or the overture is dismissed.

3.78. Remit apart from Barrier Act. The Assembly may remit any subject to presbyteries for their suggestion, opinion and report apart from the Barrier Act. Under such a remit presbyteries may either approve or disapprove the proposal in its present form or may approve it with amendments. Upon such a remit and the returns thereon the Assembly does not pass the overture into a standing law of the church.

3.79. Remit under Barrier Act. Before an overture can pass into a standing law of the church, it must be approved by the Assembly and sent down to presbyteries under the Barrier Act. Presbyteries must either approve or disapprove the overture. Any suggestions from a presbytery of a possible reconsideration of the subject of an overture under the Barrier Act must be kept entirely distinct from the approval or disapproval of the overture. A qualified approval is reckoned as disapproval. Presbyteries not reporting are held to approve the overture. If a majority of presbyteries approve it is competent for the Assembly to pass the overture into a standing law should it see fit or it may send it again to presbyteries in the same or in an amended form.

3.80. Interim Act. If the objects of an overture transmitted to presbyteries under the Barrier Act appear to the Assembly to be of urgent practical

importance it is competent to the Assembly while transmitting the overture to presbyteries to pass it at the same time into an interim act which shall be in force until the next meeting of the Assembly.

3.81. When not Interim Act. An overture which involves an essential alteration of the existing law or practice of the church shall not be converted into an interim act except for urgent measures which may be necessary for carrying out more effectually subsisting regulations or forms of the church.

3.82. Declaratory acts. These rules regarding overtures do not prejudice the right of the Assembly to pass declaratory acts which declare what the Assembly understands the law of the church to be on any point on which questions have been raised. Such acts may be passed by the Assembly itself without reference to presbyteries.

PETITIONS

3.83. Petition. A petition is a written and signed request in approved form made to a court and usually relating only to the affairs of the petitioners. It must be in respectful language and usually includes a statement of the circumstances or reasons which are held by the petitioners to justify the specific request made.

3.84. Who may petition. Any inferior court or any congregation, committee or organisation of the church or any person or group of persons within the jurisdiction of the courts of the church has the right of approach to the appropriate court of the church by petition and such court may at its discretion receive and deal with a petition from any person other than the aforesaid.

3.85. Matter and form. Petitions must be what they profess to be. They must pray for something which could not have been or cannot be otherwise constitutionally obtained. A petition reviewing the judgment of an inferior court which might have been appealed or complained against is irregular and cannot be received. But petition may competently be used when the petitioner

(a) has been obstructed in his right of appeal or complaint in the inferior court,
(b) is not legally qualified to proceed by appeal or complaint, or
(c) being a court of the church, cannot conveniently deal with a matter before it otherwise than by petitioning the superior court to take action.

3.86. Assistance. Sessions and presbyteries should assist communicants

and adherents of the church in preparing petitions so as to prevent their being rejected on the ground of informality or other defect.

3.87. Who at bar. A petitioner is a party at the bar. If any member of a court be a petitioner to it, singly or with others, he is at the bar during that business and until it is disposed of. A member cannot present the petition of others.

3.88. Procedure. A petition is read or at least so much is read as to indicate its subject or its character. Such reading may show that it cannot competently or with propriety be received. The first question is whether it is to be received. If this requires to be discussed the petitioner ordinarily is heard but its subject or character may be such that the court may refuse to hear the petitioner even on that. When the petition has been received the court proceeds to consider its answer to the prayer of the petition.

3.89. Others concerned. When a petition affects the interests of others the petitioner must supply them in reasonable time and by either personal delivery or certified mail with

(a) a copy of the petition and

(b) notice of the time and place of the meeting of the court at which he has asked or will ask that the petition be heard and he must inform the clerk of the court in writing that he has done so.

If the court after receiving the petition is not satisfied that sufficient intimation has been given to others concerned it orders the petitioner to serve a copy of the petition on them with a citation to attend.

REFERENCES

3.90. Reference. A reference is a document containing matters of difficulty or of importance which are stated and referred by resolution of an inferior court for opinion or advice by its superior court.

3.91. How transmitted. A reference is transmitted in the form of a properly attested extract minute of the resolution to refer accompanied by all relevant documents and if there are persons who have a direct interest in the matter they must be notified by the court referring.

3.92. Reference stated. The reference when taken up is stated by a member of the court from which it has come and the statement shall show what the subject matter is and why it has been referred. No question on a point of form or order can be raised except by the moderator until the reference shall have been

stated.

3.93. How dealt with. The court may then decline to entertain the reference or it may sustain the reference which means that the matter is properly before the court and may then be discussed on its merits.

3.94. Right to vote. The members of the inferior court retain their right both to deliberate and vote.

3.95. Disapproved but taken up. A court may find that there was not sufficient ground for referring the case and that the inferior court should have addressed itself to the adjudication of the same. When any delay has created hardship to any person having a direct interest in the matter the court may proceed to determine the issue.

3.96. Further procedure. Unless the decision of the superior court determines the issue of the case the inferior court is directed to proceed in it according to the laws of the church.

CHILD SAFETY AND PROTECTION [2022]

3.97. Conduct Protocol Unit. There shall be an activity of the Presbyterian Church in New South Wales known as the Conduct Protocol Unit, under delegation from The Presbyterian Church (NSW) Property Trust (the Trustees) and the General Manager as Head of Entity in accordance with the Children's Guardian Act 2019 (NSW).

The function of the Conduct Protocol Unit shall include but not be limited to providing all congregations, presbyteries, organisations, and committees with support, advice and resources in relation to child safety and child protection issues.

3.98. Clearance to work with children. The possession of a current, valid and verified clearance under relevant child protection legislation is a pre-requisite for a person in a position of authority within the church.

Before any appointment, induction, ordination, commissioning or setting apart of a person in a position of authority within the church, presbyteries, sessions and other supervising bodies must obtain verification from the Conduct Protocol Unit, or its successors, that the person has a current and valid clearance under the relevant child protection legislation.

For the purposes of this rule 3.96 and rule 3.97, the terms ‘position of authority within the church’ and ‘supervising body’ are as defined in the documents of the Conduct Protocol Unit, or its successors, or as otherwise determined by the Trustees from time to time.

3.99. Ineligible or disqualified persons. Subject to the effect of relevant child protection legislation and the provisions of the Code of Discipline:

(a) in the event that an interim or permanent bar is placed on an individual's clearance under relevant child protection legislation, that person immediately ceases to hold a position of authority within the church, is immediately suspended from that person's role and/or office, and thereby must cease forthwith all functions pertaining to the role and/or office;
(b) a person who is notified of an interim or permanent bar is obliged to advise immediately the same to the Conduct Protocol Unit and the supervising body;
(c) such a person must submit to and comply with all instructions provided by the supervising body arising from the interim or permanent bar;
(d) in the event that the position of authority within the church provides a remuneration, such a person retains an entitlement to that remuneration in accordance with the terms and conditions of the appointment or engagement, and the rules of the Church.

3.100. Reinstatement. Subject to the effect of relevant child protection legislation and the provisions of the Code of Discipline, upon the Conduct Protocol Unit verifying that an individual's clearance under relevant child protection legislation has been reinstated, that person is restored to the office from which the person had been suspended, and may resume forthwith all functions pertaining to that person's role and/or office, but restoration to office does not void any decision of the presbytery to declare the pastoral charge vacant under rule 5.29.

4

ELDERS and SESSION

ELDERS [2022]

4.01 Elders. Under the Chief Shepherd, the Lord Jesus Christ, the minister(s) and elders of a congregation are its shepherds, who co-operate in the oversight and government of the congregation, according to the duties outlined below. The elders work together with the minister(s) to promote the congregation's maturity in Christ and mission in the world.

4.02 Qualification of Elders. An elder must:

(a) have a living faith in Christ;

(b) hold firmly to the truths of the faith as stated in the confession of the Church;

(c) be a mature Christian, who demonstrates exemplary Christ-like character as defined by the Scriptures (1 Tim. 3:1-7; Tit. 1:5-9), and over 21 years of age;

(d) be a communicant member of the congregation who consistently attends worship, participates in the congregation's life, and contributes to its funds;

(e) be competent to teach and to lead;

(f) be willing and able to take the vows required of elders, and to serve as an elder;

(g) comply with all requirements of the Conduct Protocol Unit.

4.03 Duties of Elders. According to their own gifts, and in cooperation with the minister(s), elders are to shepherd and serve the congregation by:

(a) sharing in its government through the session;

(b) praying with and for the members of the congregation, including teaching others how to pray;

(c) teaching the word of God, including correcting false teaching, equipping others to serve Christ, guiding and encouraging enquirers, and proclaiming the gospel beyond the congregation;

(d) providing care and encouragement for the members of the congregation, and their children, so that they grow together towards maturity in Christ;

(e) modelling life in Christ by setting an example of faith and repentance.

Elders must diligently attend meetings of the Session and other Courts to which they may be commissioned. Elders are to devote themselves to these duties and are encouraged to avoid being overly busy with other responsibilities, including those within the congregation.

MINISTERS [2022]

4.04 Minister. The minister is ordained and inducted by the presbytery and is directly responsible to it for the discharge of all duties of the office.

4.05 Accountable to presbytery. It belongs to the minister alone to conduct public worship and administer the sacraments and for the manner in which these functions are discharged the minister is accountable to the presbytery.

4.06 Conduct of public worship. The right of admission to the pulpit belongs exclusively to the minister except when the minister is under censure or process or when the charge is vacant and in such case the right reverts to the presbytery. In the conduct of public worship the choirmaster and organist and church officer are under the direction of the minister.

4.07 Use of church or hall. The minister has the custody of the keys and the use of the church and hall for ministerial duties and may grant or refuse the use of church or hall for any purpose of a religious character. If the use of the church or hall is asked for a lecture or other purpose not strictly religious the permission of the session to such use must first be obtained. Subject to such permission being given the application is referred to the managers. In vacant pastoral charges and home mission stations the custody of the keys belongs to the presbytery of the bounds.

4.08 Accusation against minister. No formal accusation can be entered against the minister in the session. If personal endeavours on the footing of friendship fail to put the matters right the elders may approach the presbytery by petition. If it is impracticable to resolve on a petition at a meeting of session the elders, or any of them, may petition as individuals direct to the presbytery. Due

notice must be given to the minister of the intention to bring the matter before the presbytery.

4.09 Accusation against commissioned gospel worker. No formal accusation can be entered against a commissioned gospel worker in the session. If personal endeavours on the footing of friendship fail to put the matters right the elders must consult with the moderator of the session who may report the issue to the presbytery. The right of the session to petition the presbytery is not extinguished. Due notice must be given to the commissioned gospel worker of the intention to bring the matter before the presbytery. [2023]

4.10 Prerogatives limited. A minister, unless he is acting under special commission or order of the presbytery of the bounds or of a superior court having jurisdiction shall not interfere in the work of another congregation.

4.11 No appeal to civil courts for stipend. Ministers do not proceed for their stipend in the civil courts when a guarantee has been given to the presbytery. In case of arrears ministers are required to report to their presbytery which is bound to use its utmost endeavours to secure the discharge of all financial obligations.

CONSTITUTION OF SESSION [2022]

4.12 Session. A session is a court of the church, established by the presbytery of the bounds, consisting of the minister or ministers and elders of a congregation.

4.13 Powers of session. To the session belongs the promotion and supervision of the spiritual life of the congregation in regard to worship, pastoral care, Christian education, evangelism, and mission, and the oversight of all the agencies within the congregation. Among its responsibilities the session shall:

(a) appoint the times for public worship and the celebration of the sacraments;

(b) admit to membership of the congregation, including receiving and granting certificates of membership;

(c) oversee and coordinate pastoral care of all members of the congregation;

(d) exercise discipline on erring members and restore to membership after discipline has been exercised;

(e) oversee and co-ordinate all the ministries of the congregation, including initiating and concluding ministries, such as

evangelism and mission initiatives, music ministries, Sunday schools and Christian education programs, Bible study groups, youth and children's ministries, and any other ministries or organisations;

(f) call meetings of the congregation;

(g) oversee the election of elders, examine and judge the qualifications of persons elected to eldership, and ordain and induct elders;

(h) oversee the election, ordination, appointment, and ministry of deacons;

(i) oversee the election of managers;

(j) interview applicants from the congregation offering as candidates for the ministry and report to presbytery indicating their support or otherwise of such applicants;

(k) exercise pastoral care of candidates for the ministry working with the congregation and report annually to presbytery on the involvement of such candidates in the life of the congregation;

(l) exercise pastoral care of missionary candidates and missionaries of the congregation;

(m) receive and judge on petitions from the communicants or adherents of the congregation, and;

(n) transmit all papers which are to be forwarded to the presbytery.

4.14 Right of session. The constitutional right of the session to watch over all the interests of the congregation, and to interpose whenever in its opinion the welfare of the congregation calls on it to do so by convening meetings for any purpose connected with congregational affairs or by any other competent manner is expressly reserved.

4.15 Discretionary power. In any matter of procedure not fully provided for in these rules a discretionary power is left to the session which may find guidance in the corresponding procedure applicable to superior courts. In any such case care must be taken that substantial justice is done to all concerned.

4.16 Formation. A session is formed on the authority of the presbytery and arrangements for the election and ordination of elders are made on the authority of the session. In very remote congregations and other exceptional cases presbyteries may make special arrangements and proceedings under such arrangements shall be reported to the presbytery at its next meeting.

4.17 Interim session. Where a congregation has no session, the presbytery shall appoint a session which may consist of members of presbytery or

of a minister who is a member of the presbytery and of acting elders within its bounds and is called an interim session.

Where a congregation has been declared by the Ministry and Mission Committee to be a church plant and the presbytery establishes an interim session, the presbytery may appoint to the interim session a person who participates actively in the life of the congregation and who, while not holding a current seat on a session, has been previously ordained as an elder and inducted into another session. Such a person, when appointed to the interim session, shall be deemed to be a bona fide acting elder entitled to all the rights and privileges, and subject to all of the normal responsibilities, of a member of a regular session.

4.18 Powers of interim session. Interim sessions shall have all the powers and privileges of ordinary sessions but presbyteries are required to secure as soon as possible the appointment of regular sessions within their bounds.

4.19 Moderator of session. The minister of a pastoral charge is moderator of the session. In a collegiate pastoral charge the ministers preside as may be arranged between them. When one presides the other sits as an ordinary member. The usual practice with colleagues is to preside alternately.

Where a congregation has been declared by the Ministry and Mission Committee to be a church plant, the minister appointed to the congregation will be entitled to serve as moderator of any session that might be formed, or as chairman of any steering committee that might, for a time, fulfill the functions of a session.

4.20 Interim moderator in vacancy. In a vacant pastoral charge the presbytery shall appoint one of its ministers as interim moderator of the session. The interim moderator may deputise an elder of the session including an elder who is the commissioned gospel worker appointed to the congregation to moderate meetings of the session. [2023]

4.21 Moderator home mission station. In a home mission station the presbytery shall appoint one of its ministers as moderator of the session. The moderator may deputise an elder of the session including an elder who is the commissioned gospel worker appointed to the congregation to moderate meetings of the session. [2023]

ELECTION AND ADMISSION OF ELDERS [2022]

4.22 Election of elders. Elders are elected by the communicants of a congregation from among the communicants who are appropriately qualified. When an election of an elder or elders is to take place opportunity should be taken

to direct the attention of the congregation to the scriptural qualifications and duties of the eldership, especially those outlined in 4.02.

4.23 Intimation of election. The session determines the number of elders to be chosen and fixes the date and manner of their nomination and election. Due intimation is made on at least two Sundays.

4.24 Names suggested. The session may nominate persons for election by the communicants.

4.25 Methods of election. The election may be by open voting, by ballot or by each voter giving or sending in on or before the day appointed for the purpose a list of communicants whom the voter may account most suitable for the office. When the votes are taken in writing each list must be subscribed with the name of the voter. A member of a congregation cannot demand as a right that the numbers voting be divulged. Even when the number nominated does not exceed the number of elders to be chosen, the method of election shall provide for the communicants to record their votes on each nominee individually. [2023]

4.26 Elders from another session. An elder coming from another congregation and bearing a certificate of status as an elder cannot be admitted to a session until elected by the communicants of the congregation. But, if the session considers it expedient an edict may be read at public worship on two Sundays to the effect that if no valid objection is lodged the session will take the necessary steps to admit to the membership of the session an elder or elders named bearing certification of status.

4.27 Sustaining election. After the election the session considers the fitness of each person elected and determines whether the election shall be sustained. If the election is sustained the session, having satisfied itself that the person elected meets the qualifications for eldership in 4.02, confers with the elder-elect about the acceptance of the offer. Before proceeding to ordain or induct an elder a session must ensure that the candidate has signed the documents the Conduct Protocol Unit requires of elders.

4.28 Edict. The session appoints a time for the ordination and induction of those who have not previously held the office of eldership and the induction of those who have been previously ordained to the exercise of the office. The session directs that an edict be issued accordingly on at least one Sunday.

4.29 No objection. The session meets at the time and place specified in the edict and, if no objections are offered in terms of the edict, the session

proceeds to the ordination and induction or induction of the elders-elect.

4.30 Objections dealt with. If an objection is offered the person or persons objecting are required to justify the same. If the objection is unsupported by evidence or is frivolous the session proceeds with the ordination or induction as intimated. If the objection appears to be serious and is supported by evidence the session does not proceed with the ordination or induction of the person objected to until the matter has been duly investigated. If on investigation the objection is not upheld the ordination or induction is proceeded with. But if the objection is upheld the election of the person objected to is declared void.

4.31 Ordination, induction of elders. On the day appointed by the session for the ordination or induction, after sermon and prayer by which the session is constituted unless constituted before the service begins, the moderator narrates the previous proceedings, calls on the congregation and on the elders-elect to stand and answer the questions appointed by the General Assembly of Australia. Satisfactory answers being returned the moderator proceeds by prayer to ordain to the office of the eldership those not already ordained and to induct those previously ordained and to commend them to the grace of God for aid and direction in the exercise of their office. The moderator declares them duly ordained or inducted and addresses suitable exhortations to them and to the people. At the close of the service the newly inducted elders sign the formula and their names are added to the membership of the session.

4.32 Presbytery advised. The names of the new elders and the date of their induction are reported to the presbytery of the bounds.

4.33 Discipline. The session has the power of discipline over its own members and power without process of discipline to remove a member from the roll of session when after careful enquiry and due notice given it decides, subject to appeal, complaint or petition, that the member's usefulness as an elder in the congregation has been seriously impaired.

4.34 Tenure of office. An elder remains a member of the session which inducted him until:

(a) an elder ceases to be a communicant member of the congregation, or the session accepts the elder's resignation, or

(b) the session declares the elder no longer a member of the court because of absence from the meetings for a period of more than twelve months not satisfactorily explained or because of practical detachment from the life and work of the congregation, or

(c) the session or a superior court removes the elder from office, or
(d) the elder is judicially deprived of office.

4.35 Certificate of status. When an elder ceases to be a member of session a certificate of status is issued by session on application by the elder. Every elder is entitled to receive a certificate of status except when deposed or regularly deprived of the status of an elder or whose resignation from the office of an elder of the Presbyterian Church of Australia has been accepted by the session having jurisdiction.

4.36 Elder emeritus. A session may designate as an elder emeritus an elder who is a member of session and who is no longer able to carry out the responsibility of the active eldership because of age or infirmity. An elder emeritus shall have, in the session having jurisdiction rights equivalent to those of an associate member, and may also be appointed to an office of the session for a stated period. When an elder emeritus has been appointed to an office of the session, the elder emeritus shall have a seat on that session for the period of the appointment.

4.37 Minister without charge. A minister without a pastoral charge may be appointed an elder of a session in the usual way and, if not a member of the presbytery or Assembly, may be commissioned as an elder to the presbytery or Assembly.

4.38 Minister emeritus. A minister emeritus may be appointed an elder of a session in the usual way but is not eligible to be commissioned as an elder to the presbytery or Assembly.

MEETINGS [2022]

4.39 How convened. The session meets for ordinary business at least quarterly and meetings of the session are convened either by resolution of the session or on the authority of the moderator by intimation at public worship or by notice to each member of session.

4.40 Special meeting. The moderator of session is bound to convene a meeting of session when requested in writing to do so by two of the elders or when instructed by the presbytery and the meeting shall be convened in the usual manner.

4.41 Legal meeting. No meeting of session can be held without the moderator or a minister or a member of the session deputed by the moderator or

appointed by a superior court to take the place of the moderator.

4.42 Leave of higher court. No meeting of session can be held at the time of a meeting of a superior court of which any member of the session is a member without the leave of the court.

4.43 Quorum. The moderator or the deputy moderator and two elders are necessary to form a quorum of session.

4.44 Rights of moderator. The moderator has only a casting vote but may introduce any business to the session and address it about the matter without leaving the chair. The moderator has the right of dissent and complaint.

4.45 Session meetings private. The session is presumed to be a closed court except when it resolves to be open. In many of the matters which come before the session it is necessary to proceed with great circumspection especially in handling matters affecting the good name of members of the congregation. In dealing with such matters strict privacy shall be observed. The session may hold open meetings when it sees cause and may invite the presence of the managers for their advice and assistance but in all cases the session must determine its action by the vote of its own members.

4.46 Joint session. Where there is more than one congregation in a pastoral charge and two or more of the congregations have each a separate session they can have only one representative in the presbytery and Assembly. The sessions meet conjointly for the election and to consider matters affecting the general interests of the pastoral charge. Difficulties which affect only one of the congregations in such a pastoral charge and which cannot be disposed of by its own separate session or by the joint session shall be referred to the presbytery.

4.47 Co-operative Arrangements for a Minister. Sessions of separate pastoral charges, while retaining the independence of those pastoral charges, may develop co-operative arrangements for the sharing of the time of a minister. Such arrangements shall be subject to the approval of the congregations involved, the relevant presbytery, and the Ministry and Mission Committee. Such co-operative arrangements shall not affect the right of the separate pastoral charges to elect their own elders, call their own ministers and commission elders to the presbytery and the Assembly. Each arrangement to be reviewed every 5 years.

4.48 Co-operative Pastoral Charges. Sessions of separate pastoral charges, while retaining the independence of those pastoral charges, may develop co-operative arrangements to provide for a team ministry. Such arrangements shall

be subject to the approval of the congregations involved and the relevant presbytery, and shall be reviewed before a call is issued and at least annually thereafter. Co-operative arrangements shall not affect the right of the separate pastoral charges to elect their own elders, call their own ministers and commission elders to the presbytery and the Assembly.

4.49 Co-operating Congregations. To facilitate Christian ministry, two or more congregations may enter into a co-operative arrangement to form one pastoral charge or home mission station. Such co-operating congregations shall retain their individual identity and operational integrity with separate membership rolls and financial records being maintained for each. Subject to the approval of the presbytery, each congregation shall remain entitled to elect its own Committee of Management and Session. However, all matters affecting the congregations jointly shall be determined by a joint committee of management or session as appropriate. Terms of call shall be determined by the congregations jointly, together with the proportion of costs to be borne by each. Likewise, assessments shall be payable jointly and shall be determined on the basis of the combined incomes of the co-operating congregations.

RECORDS [2022]

4.50 Custody of records. The records of a session shall be in the custody of its clerk and only members of the court or a higher court shall be entitled to see them.

4.51 Custody of records by moderator. When a minister finds it important in pastoral work to keep the baptismal register and the rolls of communicants and adherents the session may determine that these records shall be in the custody of the moderator.

4.52 Induction recorded. At the first meeting of session after the induction of a minister the fact of the minister's admission to office is recorded in the minutes.

4.53 Vacancy recorded. At the first meeting after a vacancy it is minuted how and when the pastoral charge became vacant.

4.54 Extract minutes. The session is bound to furnish extract minutes to parties in a case. The fees to be charged for such extracts are fixed by the court.

4.55 Records to be produced. The records of a congregation and of its session and of its committee of management and of its other organisations shall be produced whenever they are called for by a higher court.

4.56 References, appeals, petitions. All references for advice and all appeals, complaints or petitions against the proceedings or decisions of sessions or committees of management or meetings of congregations shall be submitted to the presbytery as the first court of review. Until they have been so submitted and dealt with they are not forwarded to a higher court.

ROLLS

4.57. Register of baptisms. The session shall keep a register of baptisms and each entry shall be attested by the officiating minister.

4.58. Rolls of communicants and adherents. The session shall prepare and keep rolls of communicants and of adherents.

4.59. Rolls revised. The rolls of communicants and adherents are revised at least annually at such times as the session may determine and also before the election of a minister or elders. The session may remove from the roll of communicants the names of communicants who, without justifiable reason known to the session, habitually absent themselves from the regular services of worship in the congregation or who have been absent from the Lord's Table in that congregation for over two years. The session should continue to provide pastoral oversight to those whose names have been so removed, and to this end may keep these names on a separate list until such time as they remove from the district, associate with another Christian church, or are restored to the roll. The presence of a name on such a list shall not confer on that person any right to vote on church business.

4.60. Admission of communicants. In the case of communicant members bringing regular certificates from other congregations the session adds their names at once to the roll of communicants where no good reason for acting otherwise is known to the session. In the case of those who have fallen out of church fellowship and who desire to be readmitted and in the case of those applying for the first time the session should satisfy itself as to their profession of faith in Christ, their knowledge of the cardinal doctrines of Christian belief and the nature and significance of church ordinances. The session should also ascertain that their outward life is consistent with their profession.

4.61. Minister and commissioned gospel worker on roll. The name of each inducted minister and of each appointed commissioned gospel worker shall be on the roll of communicants of the congregation they are serving. Ministers who are not inducted to a pastoral charge shall choose the congregation on whose roll of communicants they are to have their names inscribed. A minister or commissioned gospel worker is not subject to the jurisdiction of a session. [2023]

4.62. Name on one roll only. The name of a communicant or adherent may be entered on one roll only with the right to vote in only one congregation.

ORDINANCES

4.63. Baptism. The sacrament of baptism is administered normally at public worship to the children of parents one or both of whom are communicants and to the children of parents or guardians who are not communicants where one or both of them make a credible profession of faith and to adults upon profession of their faith in Christ and promise of obedience to him.

4.64. Private communion. In cases of protracted sickness or approaching death, when the desire is strongly urged by a member of the church to enjoy the administration of the Lord's Supper, a minister, with one or more members of session and such communicants as may appropriately be admitted, may proceed to administer the sacrament. In cases where chaplains duly appointed and authorised to administer the sacraments under the rules of the General Assembly of the Presbyterian Church of Australia, are required to administer the sacrament in aged care facilities, hospitals prisons and defence force establishments, it is not required that an elder be present.

4.65. Intimations during worship. The session alone has the right to advise the minister in the matter of intimations to be made during public worship even though such intimations relate solely to the temporal affairs of the congregation.

CARE OF THE YOUNG

4.66. Sunday schools and youth work. The session has oversight of the religious education of the young people of the congregation. In the exercise of its duty it encourages religious training in the home and establishes and supervises Sunday schools and provides bible classes and other similar organisations. The minister of the pastoral charge or home mission station is superintendent of the Sunday school. Teachers may, with the consent of the session, nominate new teachers and choose office-bearers including, with the minister's approval, a superintendent. It rests with the session to confirm all such

appointments.

4.67. Teachers and leaders. In ordinary circumstances Sunday school teachers and leaders of youth organisations are expected to be communicants.

4.68. Questions of discipline. All questions of discipline in connection with teachers or leaders should be referred at once to the session.

4.69. General business of Sunday school. The general business of the Sunday school shall be managed by the minister, superintendent, teachers and office-bearers who shall hold business and devotional meetings at regular intervals.

4.70. Sunday school lessons. Sunday schools shall use the curricula approved by the session which shall be guided by the recommendations of the Assembly.

4.71. Missions. The mission schemes of the church shall have a first claim on the mission funds of the Sunday schools. Other schemes or objects may be recommended to the children with the approval of the session.

4.72. Finance. All matters of finance likely to affect the general revenue of the congregation shall be submitted to the committee of management for its approval.

CONGREGATIONAL ORGANISATIONS

4.73. Clubs and societies. No society, club or association can be regarded as connected with a congregation unless it has first received the approval of the session. The proposed constitution of every congregational organisation is submitted to the session and it becomes operative and may be amended only with the approval of the session. No club or other organisation shall use the church's name without the express authority of the session and it shall not arrange for any public function under the name of the church without the consent of the committee of management.

4.74. Minister president. The minister by virtue of office is president of all organisations of the congregation and, while the minister may delegate the office of president to another person, the minister retains the right to preside at any meeting of such organisation of which meetings the minister shall be duly notified.

4.75. Where church property is used. Where the use of church property or where financial interests are involved, for example in the case of physical culture classes, playgroups and tennis clubs, the session consults the committee of management or remits to the committee the making of all arrangements in connection with the constitution, the membership, the control of the club and the terms on which the church property is to be used. Sessions and committees of management should carefully consider and deal with all proposals made at the formation of such societies in order to prevent misunderstanding and friction later.

4.76. Finance. All matters of finance in connection with congregational organisations likely to affect the general revenue of the congregation shall be submitted to the committee of management for its approval.

RELATIONSHIP TO OTHER COURTS

4.77. Presbytery elder. The session of each pastoral charge and home mission station commissions one of its elders to the presbytery for such a period as the session may determine and usually for six or twelve months. It is competent for a session to commission an alternate elder to the presbytery with the second elder acting when the first elder is unable to do so.

4.78. Assembly elder. The session of each pastoral charge commissions one of its elders to the Assembly. If the commissioned elder finds it impossible to attend the session may commission another at any time previous to the meeting of the Assembly and the substitute so commissioned may be admitted to a seat on producing his commission to the clerk of the Assembly. Commissions should be forwarded on the official form direct to the clerk of the Assembly before date specified on the form, and a copy of the form should be sent to the presbytery clerk. The clerk of the Assembly must be satisfied that the elders' commissions are in proper form and that any commission in favour of an elder of another session than that issuing the commission is accompanied with a certificate setting forth that the said elder is an acting elder of such session. Commissions unaccompanied by such certificates are received with the understanding that if the certificate is not forwarded to the clerk of the Assembly before the commencement of the Assembly the commission will not be sustained.

4.79. Elder from another session. A session may commission to the Assembly an acting elder of another session and which acting elder has been certified as such by the clerk of the session to which the elder belongs. Not more than two additional elders from any pastoral charge shall hold elders' commission

to any session of the Assembly except in the case that an additional elder may be commissioned for every ordained minister inducted and serving in the pastoral charge as an associate or colleague.

4.80. Rights of higher courts. The presbytery by its own authority may appoint its meetings in any church within its bounds and the Assembly or any committee thereof may appoint its meetings in any church under the Assembly's jurisdiction.

4.81. Items of Historical Significance. Before a committee of management proceeds to dispose of any item that has been associated with a congregation for a long period, it shall refer the matter to the session so that the session can give consideration to its possible historical significance. Items of possible historical significance (such as silver plate) shall not be disposed unless permission has been obtained from the presbytery of the bounds in consultation with the Assembly Archivist. In cases where permission has been granted, a record is made by the session of the disposal and of any inscription and details of past use and a copy of the record is deposited with the Library.

4.82. Assessors. Where there is a session the presbytery may, at the request of the session or on its own authority, appoint assessors to sit and act with the session and to have for the time specified the full powers of ordinary members.

4.83. Application for advice. Sessions may at all times apply for advice and assistance to the presbytery or, through the presbytery, to the Assembly.

4.84. Memorial gifts and Items of Historical Significance. Before a session accepts memorial gifts to be placed in or upon church buildings or other church properties full details of such proposed gifts including any inscriptions are to be submitted to the presbytery for approval.

5

THE PRESBYTERY

CONSTITUTION

5.01. Presbytery. A presbytery is a court of the church immediately above the session. Congregations while organised for the orderly administration of their own affairs are integral portions of one and the same church having a common doctrine and being subject to a common government which is exercised by ministers and elders from congregations within a given area who form a presbytery.

5.02. Powers of presbytery. Among its responsibilities the presbytery shall:

(a) supervise all matters relating to doctrine, discipline and order in the congregations and all their associations and societies, within its boundaries,

(b) deal with all matters affecting the teaching and character of the ministers, licentiates and deaconesses residing within its boundaries, and of commissioned gospel workers appointed to congregations within its boundaries. [Int Auth Nov 2022]

(c) regulate matters concerning the performance of public worship, the administration of the sacraments and other ministerial duties,

(d) arrange by itself or in conjunction with the committee on Ministry and Mission for the care of congregations during vacancies,

(e) exercise spiritual supervision of home mission stations and new pastoral charges,

(f) make provision for classes of religious instruction in state schools within its bounds in consultation with Presbyterian Youth,

(g) promote the formation and development of new congregations,

(h) dedicate and name churches,

(i) supervise theological students within its bounds and sustain their candidature from year to year,

(j) try candidates for licence to preach the Gospel and license those who are found qualified,

(k) upon the request of the Assembly's Committee on World

Mission commission missionaries who have been accepted as missionaries of the Church by the Australian Presbyterian World Mission Committee,

(l) approve terms of settlement and refer them to the committee on Ministry and Mission provided that the presbytery shall not agree to a stipend being paid less than the amount declared by the Assembly from time to time as the basic stipend,

(m) receive, sustain and reject calls,

(n) deal with all matters relative to the ordination, induction, translation, demission, or removal of ministers in connection with its various congregations,

(o) deal with all questions referred to it by the sessions and congregations subject to its jurisdiction.

(p) Foster work amongst people of a common ethnic background and/or with common special interests, particularly work with a view to the formation of congregations with such matters in common.

(q) appoint commissioned gospel workers, such appointments to be made in accordance with the schedule for pastoral assistance maintained by the Committee on Ministry and Mission. [2023]

5.03. Discretionary power. In any matter of procedure not fully provided for in these rules a discretionary power is left to the presbytery which may find guidance in the corresponding procedure applicable to the Assembly. In every case care must be taken that substantial justice is done to all concerned.

5.04. Members of presbytery. A presbytery consists of:

(a) duly inducted ministers including colleagues and associate ministers of all pastoral charges within its bounds,

(b) ministers or elders appointed by the Assembly to lecture within the Presbyterian Theological Centre, who may elect to have their seat on the presbytery in which the Theological Centre is located, or the presbytery in which they reside.

(c) ministers regularly commissioned by the presbytery for the work of the Presbyterian Inland Mission,

(d) ministers appointed to a full-time office by the Assembly or by the General Assembly of Australia or by a court or a committee or a board of either Assembly authorised by the Assembly to make such appointment and whose official residences are within the bounds of the Assembly or whose spheres of service are on an overseas mission field or with the defence forces as a chaplain and who were set-apart by the presbytery or who,

having been set apart by another presbytery, reside within the bounds of the presbytery, and ministers who are missionaries in full-time employment serving in dual membership having been commissioned by the presbytery,

(e) school chaplains being ministers of the church appointed by the school council in collaboration with and with the approval of the presbytery,

(f) ministers emeriti who have seats on the presbytery by virtue of an appointment.

(g) ministers to whom seats have been granted by the Assembly. Such seats shall be granted only after petition to the Assembly and after consideration of the applicant's length of service in the Church, the applicant's level of participation and interest in the business of the courts, the nature of any ministry being exercised by the applicant, the applicant's potential contribution to the life and business of the courts and other factors considered relevant by the Assembly.

(h) ministers eligible for a call who have been appointed to an appointment charge for a period of at least one year or appointed to work as an assistant to a minister of a pastoral charge and who have been granted a seat in the presbytery, and ministers under appointment by the presbytery to serve in a Home Mission Station for a period of at least one year. [2025]

(i) elders from pastoral charges or home mission stations within its bounds in favour of whom written commissions have been sustained by the presbytery, provided that an additional elder may be commissioned from a pastoral charge for every ordained minister inducted and serving in the pastoral charge as an associate or colleague.

(j) elders of sessions within its bounds who are conveners of ordinary committees of the Assembly, chairpersons of boards or councils of the Assembly, full-time officers of committees of the Assembly appointed to their offices by the Assembly, the Chairman of Trustees, and principals of church schools regularly appointed, [2019]

(k) acting elders appointed by the presbytery from sessions within its bounds to give parity with ministerial and commissioned gospel worker members of presbytery. Such appointments shall be made annually following the receiving of elders' commissions and after the presbytery roll has been prepared. [2023]

(l) Ministers eligible for a Call who have been appointed by the

Ministry and Mission Committee to exercise an intentional transition ministry for a period of at least one year.

(m) acting elders who are commissioned gospel workers for the term of their appointment by the presbytery. [2023]

5.05. Assessors. The Assembly may, upon cause shown, appoint members of one or more presbyteries to act as assessors to another presbytery for the conduct of a particular case which being disposed of their commission is closed. The Assembly at the request of a presbytery or on its own initiative may appoint assessors to sit and act with a presbytery and to have until the next meeting of the Assembly the full powers of ordinary members.

If between annual meetings of the Assembly, a presbytery requests assessors or if circumstances emerge such that the convening of a presbytery is jeopardized, the Moderator of the Assembly shall convene a committee consisting of the Moderator, the Clerk of the Assembly, the Deputy Clerk of the Assembly and the Business Convener, to appoint assessors to sit and act with the presbytery and to have until the next meeting of the Assembly the full powers of ordinary members.

5.06. Deaconesses and commissioned gospel workers. Commissioned gospel workers who are not acting elders, and deaconesses serving within its bounds shall have privileges equivalent to those of an associate member. Such privileges shall not apply when presbytery is sitting in private. [2023]

5.07. Formation of new presbyteries. New presbyteries are formed and named and their boundaries are defined by the Assembly and, in the resolution of the Assembly constituting a new presbytery, the time and place of the first meeting of the presbytery is specified and one of its ministers is appointed to convene, constitute and preside over the first meeting until the commissions of elders have been sustained, the roll of members has been fixed and a moderator has been elected. The extract minute of the Assembly constituting the new presbytery is inserted in the first minute.

5.08. Alteration of bounds. Any proposed alterations in the bounds of presbyteries shall be referred to the Assembly by petition and the Assembly can take no action relative to the said alterations until all the presbyteries which are affected by the proposed changes have been consulted and allowed an opportunity of setting forth their views about them. The petition lies on the table for twelve months unless expressly ordered otherwise by the Assembly. The decision of the Assembly in reference to such proposals is final.

5.09. Moderator. A presbytery shall elect from its members a

moderator who holds office for such a period as the presbytery may determine.

5.10. Acting Moderator. A presbytery has power to appoint one of its members to act as moderator on any particular occasion.

5.11. Death of Moderator. If the moderator should die or cease to be a member of the presbytery during the term of office the duties immediately devolve upon the previous moderator until next ordinary meeting of the presbytery or, if the previous moderator is not available and until a new moderator is appointed, the rights and duties in connection with the calling of meetings devolve upon the clerk.

5.12. Clerk. The clerk is appointed in terms of the general rules for the appointment of clerks.

5.13. Presbytery fund. A presbytery has a fund to meet its current expenses and the payment of the Clerk's salary and such other expenses as the Presbytery may determine to be reasonable in the exercise of presbyterial work and functions. This fund is usually raised through a rate charged on each congregation and by collections made at ordinations and inductions.

MEETINGS

5.14. Ordinary meeting. A presbytery meets for ordinary business at least once a quarter and it meets as often as the presbytery finds if necessary or expedient. At the close of each ordinary meeting the presbytery fixes the time and place of its next ordinary meeting and of any meetings for special purposes which it may arrange to hold prior to its next ordinary meeting. The times and places fixed for these meetings are minuted.

5.15. Alteration time and place. When it appears to the moderator of a presbytery that the date or place appointed for its next meeting will be unsuitable the moderator with the consent of the clerk and another member may alter the date and place and the clerk is required to give notice to all members of presbytery of such alteration. At least seven days' notice must be given of such alteration and the moderator submits in writing to the presbytery the reasons for his action. These reasons are recorded in the minutes.

5.16. Meeting by appointment of Assembly. The Assembly may appoint meetings of presbytery to be held at times and places fixed by the Assembly.

5.17. Special Purposes Meeting. No business can be transacted at meetings called for special purposes except the business definitely specified in the minute of presbytery in connection with the appointment of the meeting.

5.18. Emergency Meeting. An emergency meeting is a meeting called between two ordinary meetings in consequence of some unexpected business having arisen which requires immediate attention.

5.19. Emergency Meeting convened. Emergency meetings may be convened by the moderator or by the clerk with the approval of the moderator and the moderator is bound to convene such meetings when requested by a quorum of the court. Such meetings are convened by a circular issued to every member of presbytery at least seven days before the time fixed for the meeting. Before proceeding to business the action of the moderator or clerk in convening the meeting must be approved. No business except that specified in the circular can be taken up at such meetings and the circular is entered in the minutes to show that this provision has been strictly complied with.

5.20. Elders' commissions. Elders' commissions to the presbytery may be sustained at any meeting of presbytery including meetings for special purposes and emergency meetings.

5.21. Adjourned meeting. Presbyteries at special purposes and emergency meetings may adjourn and hold another meeting previous to the next ordinary meeting of the court for the purpose of completing the business for which they have been convened and for that purpose alone. When such adjournment is for a period of more than one day notice of the adjournment has to be sent by the clerk to all absent members.

5.22. Quorum. Three members of presbytery, two of whom are ministers of charges or colleagues or associate ministers or in special appointments to pastoral ministries shall form a quorum, provided that these two ministers shall be assessors or shall be serving separate pastoral charges or home mission stations. If on the day of an ordinary meeting a quorum be not formed within half an hour of the time of the meeting the presbytery does not become defunct but simply stands adjourned till the next ordinary day of meeting. In such cases the moderator may convene the presbytery for ordinary business on an earlier day if the moderator judges it necessary. [2020]

5.23. Commission of presbytery. A presbytery may appoint a commission of presbytery with full powers to deal with any matter submitted to it by the presbytery. The presbytery shall, at the time of the appointment of the

commission, specify its purpose and define its membership and its quorum which shall not be less than the quorum for the presbytery. The commission shall follow the procedures prescribed for the presbytery and its confirmed minutes shall be included in the permanent records of the presbytery. Appeal or complaint against a decision of a commission is made to the Assembly and in the same manner as against the presbytery itself.

5.24. Presbytery committees. The presbytery may appoint such committees as it deems necessary to facilitate its work. Committees report to presbytery with recommendations for action to be taken by presbytery.

5.25. Telephone/Internet Conference - Ordinary Meetings. A presbytery is permitted by express resolution to hold any specified meetings by means of telephone or internet audio or video conference in which the members of such presbytery participate simultaneously provided that the presbytery shall meet "face to face" in an ordinary meeting at least quarterly.

5.26. Telephone/Internet conference-Other Meetings. Provided that the presbytery minute in detail any special procedures to be observed, other meetings may also be held by means of telephone or Internet audio or video conference in which the members participate simultaneously, namely:-

(a) An emergency meeting of presbytery where a presbytery has adopted by express resolution beforehand a policy to permit the same; and

(b) When a presbytery appoints a commission under The Code 5.23 or a committee under The Code 5.24 and the presbytery has by express resolution permitted the same.

RECORDS

5.27 Records examined and attested. The presbytery records shall be in the custody of the Clerk. The Clerk shall:

(a) Forward one copy of the confirmed minutes to the Clerk of Assembly immediately after such minutes are confirmed, and

(b) Hold minutes of the Presbytery for a period up to 10 years and forward all previous minutes to the Ferguson Memorial Library unbound. [2020]

MINISTERS

5.28. Annual Leave and Study Leave. At the first meeting of the session for each calendar year, the minister will report to the session the amount of annual leave and the amount of study leave the minister believes was owing on the 31st of December just passed. The Session will note these amounts in the minutes and communicate these amounts to the Committee of Management.

At the first session meeting following a period of annual leave or study leave the minister on each occasion shall report the type of leave and dates of the leave taken and the session will note these details in the minutes and communicate this information to the Committee of Management [2023] and the General Office of the Church. [2024]

5.29 Accrued Leave and Presbytery. The Presbytery must request a minister with more than 12 weeks annual leave accrued to present a plan to the next presbytery meeting for how they intend to manage their leave. Unless the presbytery explicitly resolves to do otherwise, any minister with more than 18 weeks annual leave shall be instructed by the presbytery to take annual leave with the date of commencement and the amount of leave to be taken as determined by the presbytery. [2023]

5.30. Leave of absence. Ministers shall not absent themselves from their pulpits or from the pastoral care of their congregations for more than six consecutive weeks without obtaining leave of their presbytery. A minister who applies for leave of absence shall propose for the approval of presbytery any provision which is being made for the maintenance of religious ordinances during the minister's absence. If any variation is proposed in terms of call the application for leave of absence shall be accompanied by an extract minute of the congregation setting forth the altered terms of call which are proposed. Where it appears to a presbytery that a minister will be absent from his pulpit for six consecutive weeks, whether on leave or for any other reason, the presbytery may appoint an interim moderator for the period of the absence.

5.31. Minister suspended. If a minister is absent from the pastoral charge or home mission station for more than six weeks without the permission of the presbytery, disowns its authority or is otherwise held by the presbytery to have acted contumaciously, the presbytery may summarily suspend the minister from office and declare the pastoral charge vacant.

If a minister ceases to hold a position of authority within the church and is suspended from office due to an interim or permanent bar placed on his clearance under relevant child protection legislation, the presbytery may declare the pastoral charge vacant.

The presbytery may apply to the Assembly to have the minister declared no longer a minister of the church.

For the purposes of this rule 5.29, the term 'position of authority within the church' is as defined in the documents of the Conduct Protocol Unit, or its successors, or as otherwise determined by the Assembly from time to time.

5.32. Resignation. A minister who resigns from a pastoral charge sends an unconditional resignation in writing to the presbytery of the bounds and the presbytery, before proceeding to deal with the resignation, cites the congregation to appear for its interests.

5.33. Certificate of status. A minister who ceases to be a member of presbytery by resigning from a pastoral charge or by termination of an appointment may be issued with a certificate of status. Until such a certificate is obtained the minister is under the jurisdiction of the presbytery which has the right of issuing the certificate.

5.34. Minister emeritus. A minister having a seat on presbytery and who has resigned from a pastoral charge, or whose appointment has terminated, on account of age or infirmity which precludes the minister continuing in the active ministry shall be granted the status of a minister emeritus. A minister emeritus who is registered as a Marriage Celebrant shall remain a Marriage Celebrant. A minister emeritus shall have, in the presbytery having jurisdiction and the New South Wales General Assembly, rights equivalent to those of an associated member, and may also be appointed to a position by the court or elected to an office by the court for a stated period. When a minister emeritus has been appointed to a position by the court or elected to an office of the court, the minister emeritus shall have a seat on that court for the period of the appointment. [2019]

5.35. Transfer seat in presbytery. A minister having a seat on presbytery and who has no pastoral charge may, on taking up permanent residence within the bounds of another presbytery, be transferred to the membership thereof upon production to that presbytery within three months of a certificate of status and a letter from the former presbytery agreeing to such a transfer. The transfer takes effect from the date of the reception of such certificate by the presbytery and the clerk shall notify the former presbytery of such transfer.

5.36. Death of minister. In the event of a vacancy occurring through the death of a minister, the members of the presbytery present at the funeral or, failing them, the moderator and the clerk of presbytery shall appoint a minister to act as interim moderator until the next meeting of the presbytery and the clerk may issue the edict of vacancy. Any action taken under this rule is duly reported to the presbytery and recorded in its minutes.

5.37 Incapacity of a Minister.

Where:

(a) a minister has become incapacitated for any reason, and

(b) that incapacity has caused the minister to be absent from the pulpit or from effective leadership of the congregation for a period of three months,

the presbytery shall inquire into the minister's circumstances to ascertain the likelihood of a return to full-time ministry and the time at which such ministry might be resumed. As part of its inquiry, the presbytery may require the minister to undergo a medical examination by a suitable doctor whom it nominates, the presbytery meeting the cost of this examination. The minister may also elect to undergo a medical examination by a doctor nominated and paid for by the minister. When it has been established to the satisfaction of the presbytery that a minister is incapable of performing the duties of the ministry, the presbytery may relieve the minister from the duties of the ministry, appoint an interim-moderator and take steps to provide for the supply of ordinances. If, after medical examination, the minister is certified as capable of resuming the duties of the ministry, the presbytery shall reinstate the minister to the full exercise of the ministry. If the minister should not be capable of performing the duties of the ministry within one year of the matter coming to the presbytery's attention, the presbytery shall proceed to declare the pastoral charge vacant and take steps to fill the vacancy.

The Terms of Settlement shall continue in full force while the presbytery has relieved the minister from the duties of the ministry.

5.38. Associate minister. An associate minister is one who works in association with the minister of the pastoral charge and under direction of the minister. An associate minister is inducted by the presbytery.

5.39. Colleague, or colleague and successor.

(a) A colleague is an ordained minister or licentiate who is inducted to a charge by the presbytery of the bounds but does not have the right to become the minister of the charge without a call in accord with the usual procedures of the Church.

(b) A colleague and successor is an ordained minister or licentiate who is inducted by the presbytery of the bounds and who has the right without further call to become the minister of the charge in succession to the then called minister of the charge.

(c) For the avoidance of doubt it is declared that a colleague or a colleague and successor is not the minister of the congregation referred to in sections 16 and 17 of *The Presbyterian Church (New South Wales) Property Trust Act (1936)* unless and until that colleague or colleague and successor becomes the minister

called to the charge.

5.40. Procedure for appointing a colleague or colleague and successor or associate minister.

(a) A charge that wishes to call a colleague, a colleague and successor or an associate minister must petition the presbytery of the bounds. A colleague or colleague and successor or associate minister is inducted into the position as a second minister in the charge.

(b) The petition must set forth the circumstances making the position desirable, why a colleague or colleague and successor is being sought instead of the other, an assistant to the minister or an associate minister, the proposed terms of call and the means by which the charge will meet the financial obligations involved.

(c) The presbytery may agree to the petition if and only if it is satisfied of the following:-

(i) the charge understands the distinction between a colleague, a colleague and successor, an associate minister and an assistant to the minister and has chosen which of these meets the perceived need for an extra person in the team ministry;

(ii) the proposed terms of call are approved by the appropriate Church bodies; and

(iii) the charge has the ability to meet the financial obligations of the call or appointment.

(d) If the presbytery agrees to the petition it appoints an interim moderator who shall not be connected with the pastoral charge and the charge then proceeds to a call in the usual manner to fill the vacancy.

5.41. Pastoral Assistance. All action to initiate the provision of pastoral assistance by personnel commissioned or set apart and engaged to perform pastoral functions in a pastoral charge or home mission station shall be made in accordance with the financial arrangements approved by the congregation and the presbytery, and shall also be made in accordance with the schedule for pastoral assistance maintained by the committee on Ministry and Mission. In the case of the appointment of a Candidate for the Ministry, the approval of the Presbyterian Theological Centre Committee is also required. [2025]

5.42. Ministers working outside church. A minister before accepting an appointment outside of the Presbyterian Church of Australia shall

petition the presbytery for leave to accept the appointment. Should the presbytery, while giving due consideration to the needs of the Presbyterian Church, be persuaded of the importance of the office to which the minister seeks appointment and that it is an office within which the work of the ordained ministry can be relevantly exercised it may approve the acceptance of the appointment for a specified period not exceeding five years in the first instance. At the end of that term the period may be extended up to a further five years on a similar approach to the presbytery by the minister concerned. Any further extension shall be with the approval of the Assembly. If a minister, with the approval of presbytery, accepts an appointment to work outside the Presbyterian Church of Australia the minister shall remain under the jurisdiction of a presbytery. If the presbytery is of the opinion that membership of the presbytery is desirable in the interests of the church it may petition the Assembly to grant such a minister a seat in the presbytery for the period of the appointment.

5.43. Loss of status. The presbytery declares that a person has lost the status of a minister of the Presbyterian Church of Australia if and when the minister:

(a) is deposed from the ministry of the church in execution of sentence pronounced by a competent court after formal process of discipline or on the ground of contumacy, or

(b) expressly repudiates, either by written communication or by formal declaration in the presence of the court, any or all of the requirements of the formula for ministers, or

(c) having engaged in work outside of the Presbyterian Church of Australia without the approval of the presbytery or beyond the term approved by the presbytery is unavailable to take up the work of the ministry within a period of six months when instructed to do so by the presbytery or by the Assembly.

5.44. Licentiates and ministers eligible for a call. A licentiate or a minister who is not an inducted minister, nor a minister emeritus, nor has a full-time appointment by resolution of the General Assembly of Australia or of the New South Wales Assembly, nor has been set apart by the presbytery for a full-time appointment in the Presbyterian Church not specified in the foregoing shall report at least annually to the presbytery holding jurisdiction. The report shall state the nature of the duties of the ministry rendered to the church during the period under review and the nature of any other work undertaken during such period. The presbytery, upon consideration of such report, may summon such licentiate or minister to show cause why the name of the licentiate or minister should not be removed from the register of licentiates or ministers eligible for a call. If on such hearing the presbytery is satisfied that such licentiate or minister

is no longer available for the duties of the ministry it shall remove the name of the licentiate or minister from the register of licentiates or ministers eligible for a call. On removal of the name of a licentiate or minister from the register of licentiates or ministers eligible for a call, the presbytery shall notify the clerk of the Assembly accordingly. The presbytery shall forward to the clerk of the Assembly before 1 March each year a list of licentiates and ministers under its jurisdiction whose names are on the register of licentiates and ministers eligible for a call.

5.45. Residence. The ordinary place of residence of licentiates and ministers on the register of licentiates and ministers eligible for a call is held to be within the bounds of the presbytery in which they reside, and the licentiate and minister is therefore under the jurisdiction of that presbytery unless that presbytery agrees to other arrangements.

VACANT PASTORAL CHARGES

5.46. Interim moderator. An interim moderator is empowered to do within a vacant pastoral charge all ministerial acts that would otherwise be done by the inducted minister. It is the duty of the interim moderator to aid the session and the committee of management so that:

(a) accurate information may be provided to licentiates and ministers having an interest in the vacancy, and

(b) all necessary documents in connection with a call may be in proper form, and

(c) all arrangements are made regarding the call as shall be conducive to the work of the new minister.

A presbytery shall not appoint a minister connected with a vacant pastoral charge to be its interim moderator.

5.47. Interim moderator designate. Should a presbytery determine that a vacancy in a pastoral charge shall take place at a period of more than six weeks after such a decision is made it may appoint one of its ministers as interim moderator designate. The interim moderator designate shall be empowered to take the necessary initial steps to fill the impending vacancy up to but not including the insertion of a name in a call. The interim moderator designate may, after consultation with the moderator of session, convene and preside over such meetings of session, committee of management, congregation and selection committee as are, in the opinion of the interim moderator designate necessary for the filling of the impending vacancy, provided always that only business connected with the filling of the impending vacancy may be dealt with at such meetings. The interim moderator designate enters into the title and full duties and

powers of interim moderator only from the date on which the vacancy begins.

5.48. Supply minister. A minister supplying in a vacant pastoral charge shall not discharge any of the duties of an interim moderator unless the authority of the interim moderator to do so has been received.

5.49. Appointment charge. A presbytery may declare a pastoral charge to be an appointment charge, defining the terms and the period of the appointment, and proceed to appoint to the charge a licentiate or minister eligible for a call who shall be for the period of the appointment "the minister lawfully appointed" in terms of the Property Trust Act, or proceed to appoint to the charge a commissioned gospel worker. [2023]

5.50. Presbytery powers in vacancy. When a vacancy in a pastoral charge shall have continued for a period of twelve months without a call to a licentiate or minister having been given by the congregation the presbytery shall at its first ordinary meeting thereafter take steps to submit the name of a licentiate or minister upon whom the congregation may vote according to the laws of the church. Should the congregation fail to issue a call when so moved by the presbytery, the presbytery may declare the pastoral charge to be an appointment charge and proceed to appoint a minister for such period as it may determine but not exceeding five years in the first instance. The minister so appointed shall be "the minister lawfully appointed" in terms of the Property Trust Act. Alternatively, the presbytery may appoint a commissioned gospel worker for such a period as it may determine but not exceeding five years in the first instance. [2023]

5.51. Appointment of minister. For the purposes of the above rule for the exercise of presbytery powers in a vacancy the following conditions apply:

(a) the date of the occurrence of a vacancy in an already established pastoral charge shall be the date of the serving of the edict of vacancy at the principal centre of the pastoral charge and such edict shall include an intimation of the provisions of this law. In the case of a new pastoral charge the date from which the twelve months aforesaid shall be reckoned shall be determined by the presbytery but shall not be from a date preceding the intimation thereof to the congregation.

(b) the date of the giving of a call shall be the date on which the name of a minister or licentiate has been inserted in a form of call according to the laws of the church but, in the special circumstances to be determined by the presbytery where a call is before the presbytery, the presbytery may reckon the date as that on which the congregation resolved to forward the Terms

of Call Form to the presbytery and to the committee on Ministry and Mission for approval. In every case where a congregation shall have given a call which has not been sustained by the presbytery or has not been agreed to by the presbytery of the minister called or has not been accepted by a licentiate or minister eligible for a call the congregation shall be allowed a further period of six months which may on petition to the presbytery be extended to nine months from the date on which intimation of such decision by presbytery, minister or licentiate is made to the congregation.

(c) When a congregation shall have appointed a commission to select a minister from another country the date of the appointment made by such commission should be deemed to be the date of giving a call. The selection by the presbytery of a minister or licentiate shall be deemed to be the sustaining of a call to such minister or licentiate and the presbytery shall thereafter proceed according to the laws of the church.

(d) Prior to the induction the presbytery shall intimate to the licentiate or minister concerned that the induction is for the period determined by the presbytery. The minute of the presbytery recording the induction shall specify that the induction is for the period determined by the presbytery.

HOME MISSION STATIONS

5.52. Control of home mission station. A home mission station is subject to the jurisdiction of the presbytery of the bounds. The moderator of the station is the channel of communication with the presbytery both by the superintendent of the committee on Ministry and Mission and by the commissioned gospel worker appointed to the station. The moderator is the recognised local authority within the station and the committee on Ministry and Mission through its superintendent shall consult with the moderator in matters affecting the station. At the same time, as the committee on Ministry and Mission is responsible to the Assembly for the work in the home mission station, the superintendent shall be free to come and go in the station and to exercise a general supervision on behalf of the committee on Ministry and Mission. The work of the commissioned gospel worker is carried out under the authority of the presbytery. Christian responsibility will prevent any clashing of authority between the committee on Ministry and Mission and its superintendent on the one hand and the presbytery and the moderator of the station on the other. Each party is to be helpful to the other. [2023]

5.53. Home mission station appointees. A minister or commissioned gospel worker appointed to a home mission station shall not discharge any of the duties of the moderator of the station unless the authority of the moderator to do so has been received. [2023]

5.54. Sacraments. A presbytery may not grant authority for the celebration of the sacraments by a commissioned gospel worker except in conformity with the regulations of the General Assembly of Australia. [2023]

SPECIAL INTEREST CONGREGATIONS

5.55. Establishment of Special Interest Congregations. A presbytery may establish within its bounds a congregation which is intended to comprise of persons, including children, associated for Christian worship who are members of either a single ethnic group or who are linked together by a special interest which is deemed by the presbytery sufficient to make it impossible for an ordinary congregation to minister adequately to them.

5.56. Ministry and Mission Initiative. The committee on Ministry and Mission, with the approval of the presbytery of the bounds, may seek to foster the establishment of special interest congregations and in particular may encourage existing congregations to make available their buildings for use by special interest congregations upon favourable terms and conditions.

5.57. Interim care and nurture. Upon the establishment of a special interest congregation the presbytery shall place the interim care and nurture of the congregation under the supervision of a moderator and an interim session.

5.58. Inform Ministry and Mission Committee. A presbytery which establishes a special interest congregation shall inform the committee on Ministry and Mission of the establishment of the congregation.

5.59. Use of existing property. All arrangements proposed for the use by a special interest congregation of the property of an existing congregation must be approved by the existing congregation, the presbytery and the Trustees in accordance with the rules and regulations governing such use of congregational property by bodies not forming part of the congregation which owns the property. A special interest congregation acquires no proprietary interest in the property of the existing congregation except by dealing with the property in accordance with such rules and regulations.

5.60. Financial arrangements. The committee on Ministry and

Mission shall be responsible for the financial arrangements within a special interest congregation until such time as the special interest congregation is designated a pastoral charge.

5.61. May be declared an appointment charge. A presbytery may declare a special interest congregation to be an appointment charge. [2023]

5.62. Appointment of commissioned gospel worker to special interest ministries. The Presbytery of the bounds, at the request or with the consent of the Ministry and Mission Committee, may appoint a commissioned gospel worker to undertake work amongst people, not forming a congregation, who are associated by way of ethnic or other common special interests within a specific locality. Where appropriate, such an appointment may be made in co-operation with the Australian Presbyterian World Mission. [2023]

5.63. Supervision of a commissioned gospel worker appointed to a special interest ministry. The presbytery of the bounds shall appoint one of its ministers to have oversight of the commissioned gospel worker appointed. The relationship of the commissioned gospel worker to the minister shall be similar to that which would apply if the area of activity was a home mission station and the minister so designated was the moderator of the station. [2023]]

MARRIAGES

5.64. 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) commissioned gospel workers appointed by the presbytery and who have been nominated by the presbytery having jurisdiction; [2023]
(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;
(e) pastoral assistants in their sphere of ministry, who are nominated by the presbytery having jurisdiction and approved by Ministry and Mission; [2022]

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

5.65. Undertaking by commissioned gospel workers or elders. The presbytery shall obtain from a commissioned gospel worker, pastoral assistant or elder authorised to celebrate marriages an undertaking that the privileges will be exercised only in relation to the work of those congregations which may be designated from time to time by the presbytery. Presbyteries are instructed to exercise great care in nominating commissioned gospel workers, pastoral assistants or elders to celebrate marriages. [2023]

5.66. Return from commissioned gospel workers. A presbytery may call at any time for a return from the commissioned gospel worker, pastoral assistant or elder of all marriages celebrated and/or the production of the marriage register. [2023]

VISITATIONS

5.67. Presbytery visitation. It is the duty of a presbytery to visit the pastoral charges or home mission stations under its care. The aim of all visitations is to bind the individual minister and congregation to the whole church and to secure efficient and devoted service from all its members. The visitation may be either special or ordinary. In the conduct of all ordinary presbyterial visitations, the presbytery shall use the printed schedule authorised by the committee on Ministry and Mission while retaining its discretion to inquire into any other matter considered by the visitation committee to be relevant to the state of the congregation.

5.68. Special visitation. If circumstances seem to require it a presbytery may appoint a special visitation of a pastoral charge or home mission station with a view to making inquiry and suggesting a remedy for any evils or difficulties that may be found to exist. Notification thereof is sent to the minister, the elders and the managers who are bound to attend on pain of censure. The inquiries made by the presbytery shall be confined strictly to the proper objects of the visitation.

5.69. Ordinary visitation. In ordinary visitations all the charges in a presbytery shall be visited periodically in rotation at least once every five years and their object is to strengthen the hands of the minister and office bearers and generally to advise, counsel and encourage the congregation in its life and work. Reports and findings on ordinary visitations are forwarded to the Assembly through the committee on Ministry and Mission.

RELATIONSHIP TO OTHER COURTS

5.70. Instructions of Assemblies. A presbytery is bound to take order that the instructions of the General Assembly of Australia and of the New South Wales Assembly are faithfully observed by ministers, sessions, committees of management and congregations within its bounds.

5.71. Collections and assessments. A presbytery is enjoined to see that collections and assessments ordered by the Assembly are duly taken up in all the congregations within its bounds and are promptly forwarded. A presbytery shall deal with defaulting congregations relative to such collections and assessments and any other financial obligations and report to the appropriate bodies authorised by the Assembly.

5.72. Roll of Assembly. In order to make up the roll of Assembly each presbytery within the bounds of the Assembly's jurisdiction shall send to the clerk of the Assembly before 1 March each year a duly attested list of all ministerial members on the roll of the presbytery, the names of pastoral charges of which they are ministers or their office if they are without a pastoral charge and have a seat by decision of the Assembly, and the date of their ordination together with the names of the elders commissioned by the session of each pastoral charge in the presbytery and of the elders who, being members of a session within the presbytery, have been granted a seat in the Assembly.

5.73. Ministerial changes reported. The clerk of presbytery shall send to the clerk of the Assembly and not less than thirty days before the meeting of each Assembly a detailed report of all ministerial changes which have occurred within the bounds of the presbytery during the previous twelve months.

6

CALLS, ORDINATIONS, INDUCTIONS

CALLS

6.01. Duty of office-bearers. When a pastoral charge becomes vacant the interim moderator meets with the session and the committee of management and makes arrangements for a meeting of the congregation to be held as soon as possible and not later than six weeks after the edict of vacancy has been served.

6.02. Rolls. The session prepares and attests revised rolls of communicants and adherents.

6.03. Finance. The committee of management prepares four copies of the Terms of Call Form of the committee on Ministry and Mission including a report dealing with the financial position setting forth all the liabilities of the congregation, the stipend and allowances proposed to be paid to the minister, and an agreement to meet the assessments as determined from time to time by the Assembly.

6.04. First meeting of congregation. At the meeting of the congregation the reports from the office-bearers regarding the rolls and finance shall be considered. The amount of stipend, annual holiday, travelling expenses on church business, telephone and other allowances shall be fixed and arrangements made for the payment of any arrears to the former minister and for supply and for presbytery and Assembly assessments.

6.05. Report to presbytery. The decision of the congregation on all matters shall be reported to the presbytery. The presbytery requires:

Four copies of the Terms of Call Form of the committee on Ministry and Mission containing:

(a) Extract minute of the meeting of the congregation about stipend, annual holiday, travelling expenses, telephone and other allowances and an agreement to meet the assessments as determined from time to time by the Assembly.

(b) Statement by the treasurer of all the financial liabilities of the congregation including any debt on church property, arrears to former minister and for supply, and sums due to presbytery or

to any committee of the Assembly.

(c) Number of communicants on the roll attested by session.

(d) Number of adherents on the roll attested by the session.

6.06. Ministry and Mission approval. The action of the presbytery subsequent to its consideration of these documents shall be guided by the regulations of the committee on Ministry and Mission. Upon receipt of the approval of terms of call from the committee on Ministry and Mission the congregation may proceed to call a minister.

6.07. Terms and call together. A presbytery may deal with terms of call and with a call at the same meeting, but only on the following conditions:

(a) The Terms of Call Form must first be laid on the table of the presbytery.

(b) Provisional approval of the proposed terms of call by the committee on Ministry and Mission must then be received by the presbytery.

(c) The presbytery may then approve the terms of call which in this instance is the final approval.

(d) When the above conditions have been fulfilled and the terms of call have been approved the presbytery may then proceed to deal with the call.

(e) Under no circumstances shall any charge proceed to an election in a vacancy, or any presbytery proceed with a settlement, on terms which have not been approved by the Committee within the preceding twelve months.

6.08. Terms of call expire. A pastoral charge shall not proceed to an election in a vacancy on terms of call which have not been approved within the preceding twelve months.

6.09. Selection committee appointed. Unless the congregation is prepared at its first meeting during the vacancy to proceed to a call a selection committee, consisting of the session and as many members as the congregation shall deem necessary to represent as far as possible the various interests of the pastoral charge, shall be appointed by the congregation.

6.10. Function of selection committee. It is the sole prerogative of the selection committee to nominate to the congregation a minister or licentiate deemed suitable to be called by the congregation. While members of the congregation may suggest names of potential nominees to the selection committee for consideration, a minister or licentiate becomes a potential nominee under active consideration only when the selection committee enters into negotiations

with that person with a view to a call, by such means as inviting that person to express interest, appointing a deputation to hear the person, arranging an interview with the person, or arranging for the person to be heard by the congregation. When a potential nominee is under active consideration, no other person may be considered by the selection committee until either the potential nominee or the selection committee determines not to proceed, or the congregation disapproves the insertion of that person's name in a call. Competitive preaching is not permitted.

6.11. Meeting to proceed to call. At any stage of the vacancy the Session, upon advice from the selection committee, may convene a congregational meeting to ascertain what measure of unanimity there may be in regard to a call and, if deemed advisable, to enable the congregation to proceed to a call.

6.12. Vote to proceed to a call. At the congregational meeting, the interim moderator (or another minister appointed for this purpose by the presbytery) announces the object of the meeting and a vote is taken as to whether the congregation is prepared to proceed to a call. If the vote is against proceeding the selection committee continues its work or other arrangements are made.

6.13. Call. If the congregation resolves to proceed to a call a blank form of call is read and the interim moderator calls for the selection committee to submit its nomination. The name proposed must be that of a duly accredited minister or licentiate of the Presbyterian Church of Australia eligible for induction or of an eligible minister or licentiate of another Presbyterian church.

6.14. Vote on the call. Approval for a motion to insert a particular name in a call is ordinarily signified by a show of hands of the communicants but the interim moderator may direct or any five communicants may claim to have the vote taken by division, by calling the roll of communicants or by ballot. The motion is disapproved unless the vote "for" receives an absolute majority of the votes of the communicants present. Proxy or absentee votes are not permitted.

6.15. Call to be subscribed. After the result of the election has been announced from the chair the name of the elected minister or licentiate is inserted in the Form of Call and the communicants are invited to come forward and subscribe the same. Adherents are also invited to subscribe the Form of Concurrence which is drawn up on a separate sheet. The signatures of both communicants and adherents are attested by the interim moderator.

6.16. Commissioners to prosecute the call. Commissioners are appointed by the congregation to take charge of the Form of Call and the Form of Concurrence. The number of commissioners appointed shall not exceed three, or one for each one hundred (or part thereof) communicants whose names are on the

roll of communicants attested by the session, which ever number is the greater. At least one of the commissioners shall be a member of session. Through these commissioners opportunity is given to communicants and adherents not present at the meeting to sign the documents. The signatures of the members and adherents are appended on separate sheets and are attested by one or more of the commissioners as having been written in their presence.

6.17. Call sustained. At the next meeting of the presbytery the call is presented by the interim moderator who gives to the presbytery an account of the proceedings connected therewith. The commissioners are also heard in support of it. If the presbytery finds that the minister called was eligible to receive a call and that the call was regularly conducted and was signed by a proper representation of the congregation it is usually sustained.

6.18. Call not sustained. A presbytery is not bound to sustain a call even after a valid election and a call shall not be sustained when the presbytery is satisfied that the greater good of the church would be promoted by not sustaining it. A call shall not be sustained unless it is signed, or can be satisfactorily shown to be acquiesced in, by at least three-fifths of the communicants whose names are on the roll of communicants attested by the session. When a call is not sustained the proceedings in the congregation begin afresh.

6.19. Correspondence in call. In regard to any vacancy ministers and licentiates must correspond only with the interim moderator and the session clerk and not with private members of the congregation.

6.20. Canvassing prohibited. It is unlawful for ministers or licentiates whether by themselves or through others to canvass for election or to enter into negotiations with any member or members of a congregation for the procuring of a call. The call is declared invalid when it is made evident to the presbytery that such action has been taken or knowingly connived at by the minister or licentiate called.

ORDINATIONS

6.21. Call to a licentiate. If the call is to a licentiate the call with an extract minute regarding the terms of call and the liabilities of the congregation shall be given to the licentiate who is required to intimate acceptance or non-acceptance of the call within thirty days.

6.22. Certificate of status. If a licentiate accepts the call a certificate of status must be produced and on the certificate being found satisfactory the presbytery may prescribe trials for ordination.

6.23. Trials for ordination. In the event of trials being prescribed the licentiate is not required to pass them within less than thirty days after his acceptance of the call. Members of presbytery are appointed to examine the licentiate on each of the subjects prescribed. Other members of presbytery have the right to take part in the examination after the examiners appointed by the presbytery have completed their work.

6.24. Trials not sustained. If the licentiate does not accept the call or if the trials are not sustained, intimation is made to the congregation that the call has been declined or that the licentiate called has not been found qualified.

6.25. Edict of ordination. If the call is accepted and the trials, if prescribed, are sustained the edict of ordination is issued and a day is appointed for the ordination and induction intimation of which is made to the congregation at least eight days before the date fixed for the ordination.

6.26. Edict called for. When the presbytery meets for the ordination at the fixed time and place and has been duly constituted the edict of ordination is called for and shall be returned with certification that it has been properly announced. Objections in terms of the edict are then asked for by the presbytery and, if no objections are offered or unless they are substantiated forthwith or are judged frivolous, the service is proceeded with.

6.27. Edict dispensed with. The issuing of the edict is dispensed with when the licentiate is ordained for service other than within a pastoral charge. In such cases public notice of the intention of the presbytery shall be given to enable any objection to the life or doctrine of the person concerned to be brought forward and substantiated.

6.28 Ordination. After divine service a brief narration of the steps taken in connection with the call is given by the moderator or other member of the presbytery appointed for the purpose. The questions appointed by the General Assembly of Australia having been satisfactorily answered the licentiate who is to be ordained kneels in the midst of the presbytery. The moderator by prayer, with the laying on of hands in which the members of the presbytery join, ordains the licentiate to the office of the holy ministry. At the conclusion of the prayer the minister ordained rises and the moderator says:

> In the Name of the Lord Jesus Christ, the King and Head of the Church, and by authority of this presbytery we hereby declare you duly ordained to the office of the holy ministry and inducted into this pastoral charge and entitled to all the rights and privileges thereto appertaining and in token thereof we give you

the right hand of fellowship.

The moderator and other members of presbytery give the minister the right hand of fellowship and the formula may be signed by the minister. The minister and people are then exhorted as to their respective duties and, on retiring from the church the members of the congregation give their minister the hand of welcome. When the presbytery resumes the minister shall sign the formula if this has not already been done and the clerk shall add the minister's name to the roll of the presbytery. The presbytery shall instruct the clerk to register the minister for the celebration of marriages.

6.29. Session notified. Certified intimation of the ordination and induction is sent by the clerk to the session clerk to be engrossed in the minutes of the next meeting of the session.

INDUCTIONS

6.30. Call to minister not a member of a presbytery. If the call is to a minister eligible for a call who is not a member of a presbytery the call with an extract minute regarding the terms of settlement and the liabilities of the congregation shall be sent to the clerk of the presbytery holding jurisdiction who shall instruct the minister to attend the next meeting of the presbytery to respond to the call.

6.31. Call to minister of same presbytery. If the call is to a minister who is a member of the same presbytery an edict of proposed translation summoning parties to the next meeting of presbytery is issued as soon as the call is sustained or, on receipt of the call, the clerk of the presbytery may issue the edict of proposed translation so that both congregations may be represented at the meeting of presbytery when the call is laid on the table. When commissioners are present from both congregations they are usually heard in the following order,

(a) One of the commissioners of the congregation calling:

(b) Two commissioners from the congregation whose minister has been called, and

(c) One of the parties prosecuting the call is heard in reply.

If the commissioners are unable to attend it is competent for them to send a written statement of reasons for or against the translation.

6.32. Prayer. The moderator may offer prayer for guidance at any stage in the proceedings and the minister who has been called may, at any stage, make a statement in regard to the call. Following the decision of the presbytery the moderator may offer prayer for divine blessing on the minister and the congregations affected by the call.

6.33. Edict of translation. An edict of proposed translation must be read to the congregation whose minister is under call on two Sundays in order that a congregational meeting may be convened at which the mind of the congregation may be expressed and commissioners appointed to represent the congregation at the meeting of the presbytery at which the call is to be dealt with.

6.34. No translation. If the presbytery resolves not to translate all procedures in connection with the call are stopped and both congregations are notified accordingly.

6.35. Translation. If the presbytery agrees to translate it shall place the call in the hand of the minister. When the minister intimates acceptance of the call the presbytery shall make arrangements for the induction, appoint an interim moderator for the pastoral charge about to become vacant and instruct the clerk to issue an edict of vacancy.

6.36. Edict of vacancy. The edict of vacancy must be read to the congregation concerned on at least one Sunday as soon as possible after the vacancy

6.37. Call to a minister of another presbytery. If the call is to a member of another presbytery the call on being sustained, together with an extract minute regarding relative documents, is forwarded to the second presbytery. The clerk of the second presbytery, on receipt of the call, may issue the edict of proposed translation and shall notify the first presbytery of the date of the meeting when the call will be laid on the table of presbytery. The procedure is the same as in the case of a call to a member of the same presbytery except that the second presbytery does not deal with the question of sustaining the call which is the function of the first presbytery.

6.38. No translation. If the second presbytery resolves not to translate intimation thereof is sent at once to the first presbytery and all procedure in connection with the call is stopped.

6.39. Translation. If the presbytery agrees to translate it places the call in the hand of the minister who is required to intimate acceptance or non-acceptance of the call within thirty days. When the minister intimates acceptance of the call the presbytery instructs the minister to wait for and obey the orders of the first presbytery which makes arrangements for the induction with all convenient speed. The second presbytery shall appoint an interim moderator for the pastoral charge about to become vacant and instruct the clerk to issue an edict of vacancy.

6.40. Translation before three years. A presbytery may approve the

translation of a minister from a pastoral charge within three years only in special circumstances.

6.41. When released from pastoral charge. The minister called is not released from one pastoral charge until regularly inducted into another unless the translation is to a pastoral charge beyond New South Wales when the presbytery shall fix a date from which the pastoral charge of the minister called shall be declared vacant.

6.42. Notice of induction. It is the duty of the presbytery after inducting to a pastoral charge the minister of a pastoral charge under the jurisdiction of another presbytery to give immediate information to that presbytery of the date of the induction so that the edict of vacancy may be duly issued.

6.43. Call to Minister of another denomination.

(a) A congregation may issue a call to a minister or licentiate of another Presbyterian denomination either within Australia or in another country.

(b) The presbytery of the bounds may process the call but cannot proceed to the induction of the minister under call or to the ordination and induction of the licentiate under call until that minister or licentiate has become a minister of the Presbyterian Church of Australia within the rules and regulations of the General Assembly of Australia.

(c) The congregation issuing a call to such a minister or licentiate should assist that minister or licentiate, if desirous of accepting the call, to make application through the presbytery of the bounds to the Reception of Ministers Committee to be received as a minister or licentiate of the Presbyterian Church of Australia.

(d) A presbytery may proceed to the induction of the minister under call or to the ordination and induction of the licentiate under call whose application to be received as a minister of the Presbyterian Church of Australia has been approved by the Reception of Ministers Committee if and when:

  (i) the minister or licentiate completes any further study required by the Reception of Ministers Committee if prescribed by the College Committee, and

  (ii) the minister or licentiate signs the Formula upon opportunity being given so to do by the presbytery.

(e) Where a call is issued to a minister of a pastoral charge in a denomination overseas, the presbytery shall forward the call, together with all necessary documents, to the clerk of the

presbytery of the minister who has received the call. Any ministers or ruling elders who are known or believed to be able to attend the meeting of the minister's presbytery at which the call is to be taken up may be appointed to act as representatives of the presbytery and of the congregation from which the call proceeds. If the transfer is agreed to by the presbytery overseas the completion of the call and induction proceeds in the usual way.

(f) A congregation proposing to issue a call to a minister or licentiate who is outside of the Presbyterian Church of Australia should in preparing the terms of call include a provision which allows the congregation to withdraw from the call if the call is not finalised by the induction of the minister or the ordination and induction of the licentiate under call within a defined period.

6.44. Ministers from other churches. Licentiates and ministers from other Presbyterian churches and ministers from other churches pass under the direction of the committee on Ministry and Mission for one year as far as their appointments are concerned except as otherwise provided by the General Assembly of Australia.

6.45. Induction. The procedure for an induction is the same as in the case of ordination except that trials are not prescribed nor is the action of ordination repeated. The declaration used by the moderator is:

> In the Name of the Lord Jesus Christ, the King and Head of the Church, and by authority of this presbytery we hereby declare you duly inducted into this pastoral charge and entitled to all the rights and privileges thereto appertaining and in token thereof we give you the right hand of fellowship.

RESIGNATIONS

6.46. Resignation of pastoral charge. A minister shall resign from a pastoral charge only to the presbytery and no resignation shall be accepted until careful inquiry has been made into the causes which have led to it and until the congregation shall have been cited to declare its mind in regard thereto.

6.47. Edict of resignation. An edict of resignation of a minister must be read on two Sundays to the congregation of the minister who has resigned to the presbytery in order that a congregational meeting shall be convened at which the mind of the congregation may be expressed and commissioners appointed to represent the congregation at the meeting of the presbytery at which the resignation will be considered. This procedure applies also in the case of a minister whose resignation is from the ministry of the Presbyterian Church of

Australia.

7

CANDIDATES FOR THE MINISTRY

CANDIDATES

7.01. Qualification A person applying for acceptance as a candidate for the ministry must be a communicant member with at least six months' standing in a congregation of the Presbyterian Church of Australia in the State of New South Wales and must be an active and effective elder, or if not an elder, of suitable Christian maturity and endowed with the spiritual gifts necessary to exercise a significant spiritual leadership including the potential to serve effectively as the moderator of a session.

7.02. Application Application for acceptance as a candidate for the ministry is made in the first instance to the presbytery of the bounds. Application shall be made using the 'Application for the Candidature for Ministry' form maintained by the Presbyterian Theological Centre Committee. To the presbytery belongs the right and duty of judging the fitness or otherwise of persons within its jurisdiction who apply to be accepted as candidates for the ministry. The presbytery may accept such persons only after: [IntAuth 2025]

(a) the presbytery has received a report from the session of the congregation to which the applicant belongs,

(b) the presbytery has received a report from a candidate's review panel operated by the committee on theological education,

(c) the presbytery has contacted any other presbytery in the Presbyterian Church of Australia within the bounds of which the applicant may have served in the last five years, to obtain disclosure to the initiating presbytery of any reasons for which a responding presbytery might consider the applicant unsuitable for the ordained ministry and seeking, if appropriate, a referee from that presbytery.

(d) In the case that an applicant has been involved in a church other than the Presbyterian Church of Australia in the last five years, the presbytery has contacted an appropriate person in that church seeking disclosure of any reasons for which the applicant may be considered unsuitable for the ordained ministry and seeking a referee.

7.03. Session Report The session, when submitting the report required in 7.02, must advise the presbytery of its satisfaction or otherwise in relation to each of the qualifications there listed.

7.04. Presbytery The presbytery shall satisfy itself, by careful inquiry, of the applicant's general health, maturity and suitability for training as a candidate for the ministry.

7.05. Provisional Candidature If the presbytery is satisfied of the applicant's suitability on all grounds for the work of the ministry, it may accept the applicant as a candidate. Such acceptance shall be provisional upon the satisfactory completion of all relevant requirements for the ensuing twelve months. Should circumstances so indicate, the presbytery may extend the period of provisional candidature.

A candidate for the ministry is required to commence the course of training within two years of being accepted as a candidate unless the faculty gives permission to extend this time.

The presbytery shall inform the Principal of the PTC of the resolution accepting the candidate and any developmental goals and shall include a copy of the application for candidature.

7.06. Presbytery Jurisdiction A candidate for the ministry is initially under the care and jurisdiction of the presbytery which granted candidature. If a candidate is appointed for a period of more than three months to any sphere of service within the church (including a Field Education Scheme or similar appointment) outside the bounds of the presbytery having jurisdiction over the candidate, or if a candidate transfers membership to a congregation outside that presbytery, the presbytery shall transfer jurisdiction to the presbytery within the bounds of which the candidate is thus located, forwarding the candidate's application form and associated documents to the second presbytery and advising the committee on theological education of the transfer.

This rule shall not apply in the case of a candidate who is in the final year of training and who, in accordance with Rule 7.09, requests the presbytery having jurisdiction at the commencement of the final year of training to take the candidate on trials for licence.

7.07. Presbyterial Care Presbyteries are required to interest themselves in the welfare of the candidates under their jurisdiction and shall encourage the candidates under their jurisdiction (if any) to attend the meetings of the presbytery.

At the commencement of each academic year, the presbytery shall determine, in consultation with the candidate, developmental goals for the candidate, and the means by which the achievement of those goals will be measured. The presbytery, by mutual agreement with the candidate, shall also appoint a mentor who will advise and assist the candidate in the pursuit of agreed goals. The mentor shall not be the candidate's FES trainer and, by preference, should be a ruling or teaching elder or a deaconess.

The Committee on Theological Education shall forward an annual report (which may be prepared by a candidates' review panel) to the presbytery concerning the suitability on all grounds of the candidates under that presbytery's jurisdiction and all candidates shall report to the presbytery on the progress of their studies. Thereupon the presbytery shall conduct a review of each candidate under its jurisdiction determining either to sustain or terminate that candidate's candidature. Candidature may be sustained provisionally if the presbytery is concerned about aspects of the candidate's performance or development. If candidature is sustained, the presbytery will again establish developmental goals for the candidate for the ensuing twelve months and submit to the Faculty a recommendation regarding the candidate's readiness to proceed to the next stage of training.

7.08. Termination If candidature is not sustained it must be terminated, however no termination shall be effected unless the presbytery has previously advised the candidate of specific concerns held by the presbytery, agreed with the candidate on strategies for remediation, and appointed a mutually acceptable mentor to assist the candidate in the pursuit of relevant goals.

If candidature is terminated, the presbytery shall inform the committee on theological education of its decision.

LICENTIATES

7.09. Applications for licence. A candidate may apply to be taken on trials for licence to the presbytery holding jurisdiction or to the presbytery which initially accepted the candidate. As soon as the candidate shall have satisfied the requirements for entrance to the final year of the course the candidate shall advise the committee on Theological Education and the presbytery holding jurisdiction concerning the presbytery to which it is intended to apply for licence. The committee shall send a list of candidates and their presbyteries to the clerk of each presbytery in the State not later than 31 January, with the intimation that if no objections are received from any other presbytery before 30 April by the presbytery to which the candidate intends to apply, the presbytery will take the candidate on trials for licence. If, for any special reason deemed sufficient by the presbytery to which the candidate applies for licence, the name of any candidate has not been given in for insertion in the aforesaid list the presbytery may itself send the name of the candidate to other presbyteries with intimation that if no objection is received within three calendar months it will proceed to take the candidate on trials for licence. In this case the expense of intimation shall fall on the candidate. If a presbytery objects to the licensing of a candidate the objection must be referred to the Assembly or the Commission of Assembly. If no presbytery objects or if the Assembly or its Commission gives permission a presbytery may take a candidate on trials for licence at any time after 30 April of

the candidate's final year, providing that, at the time of the trials, the candidate shall have held communicant membership in one or more congregations of the Presbyterian Church of Australia for at least the previous two years. Before a presbytery takes on trials for licence a candidate not under its jurisdiction, it shall obtain from the presbytery holding jurisdiction a current report on the candidate's work together with the candidate's file. The presbytery may set the trials and examine the candidate and if the trials are satisfactory sustain them but in no case shall the presbytery licence a candidate until it has received a certificate from the College Committee officially attesting that the candidate has satisfied all the requirements of the General Assembly of Australia and until it has satisfied itself as to the character of the candidate.

A candidate for the ministry may not be licensed in less than one year after the receipt by a presbytery of his application for candidature.

7.10. Trials. The trials shall be conducted either by the presbytery itself or a committee thereof which shall recommend to the presbytery afterwards whether the trials shall be sustained or otherwise. The trials shall be of the following nature:

(a) The conduct of an ordinary service of worship on a Sunday, in the presence of a minister and elder appointed by the presbytery or its committee, who shall confer with the candidate and shall report to the presbytery or its committee, and

(b) an oral examination, in private, on the doctrine, practice and procedure of the Presbyterian Church of Australia, with special reference to the courts of the Church and the organisation of the congregation and also to the doctrine of the Church and Sacraments as dealt with in chapters xxv, xxvii, xxviii and xxix of the Westminster Confession of Faith, and

(c) a conference with the presbytery or its committee on the aims and methods of the Christian ministry.

7.11. Transfer. At the request of an applicant for licence and on sufficient reason shown, the presbytery holding jurisdiction may transfer the applicant to the jurisdiction of another presbytery. The certificate of transference must state what stage the candidate has completed in the course and whether the candidate has been regularly received for trials and what part, if any, of the trials has already been sustained.

7.12. Licensing. When a presbytery has resolved to licence a candidate as a preacher of the gospel the moderator of the presbytery shall put to the candidate the questions appointed by the General Assembly of Australia. Satisfactory answers having been given the moderator addresses the candidate on the responsibilities about to be undertaken and, after prayer, addresses the licentiate in the following words:

In the Name of the Lord Jesus Christ, and by the authority which he has given to the Church, we licence you to preach the gospel wherever God in his providence may call you and may the blessing of God rest upon you and may the spirit of Christ fill your heart.

The moderator then gives the licentiate the right hand of fellowship. The licentiate signs the formula and the clerk adds the name of the licentiate to the roll of licentiates of the presbytery.

7.13. Supervision and direction. On receiving an Exit Certificate, a candidate for the ministry ceases to be under the direction of the committee on Theological Education. Licentiates remain under the supervision and subject to the authority of the presbytery which licensed them until they are regularly transferred to another presbytery. Licentiates pass under the direction of the committee on Ministry and Mission for one year as far as their appointments are concerned and the control of the presbytery is subject to this limitation only.

ORDINATION WITHOUT INDUCTION

7.14. Ordination special circumstances. A presbytery may ordain a licentiate without an induction to a pastoral charge under the following circumstances:

(a) For the administration of the sacraments in remote localities on the recommendation of the committee on Ministry and Mission or on its own initiative.

(b) For service as a chaplain to the navy, army or air force on the recommendation of the committee on Ministry and Mission.

(c) For appointment to an office authorised by the Assembly at the request of the Assembly or a committee, board or council of the Assembly empowered to fill such an office.

(d) For appointment to an appointment charge or home mission station for a period of one year or more on the recommendation of the committee on Ministry and Mission.

(e) For service in another body in which the Presbyterian Church has a sharing concern and where such service is deemed necessary for the ordained ministry and on the recommendation of the committee on Ministry and Mission.

(f) For appointment as an assistant to a minister and whose appointment is for a period of one year or more and on the recommendation of the committee on Ministry and Mission.

DEACONESSES

7.15. Acceptance of deaconess candidates. Procedures for the acceptance of Deaconess candidates shall be the same as those for the acceptance

of candidates for the ministry.

7.16. Jurisdiction. For the duration of her course of training a Deaconess candidate shall be under the jurisdiction of the presbytery that accepted her as a candidate or within whose bounds she is working.

7.17. Commissioning. Upon satisfactory completion of Deaconess trials as set by the presbytery having jurisdiction or under which she was first accepted as a Deaconess candidate, the Deaconess may be commissioned by a presbytery at which commissioning she signs the formula.

7.18. Ministry and Mission Committee advised. The presbytery shall advise the Ministry and Mission Committee that she has been commissioned as a Deaconess.

VOTING PROCEDURE ON ACCEPTANCE OF CANDIDATES FOR THE MINISTRY AND DEACONESSES

7.19. Majority required. In decisions by a court of the church regarding the acceptance of a person's candidature, a three-fifths majority of those present and voting is required.

8

THE GENERAL ASSEMBLY

CONSTITUTION

8.01. N.S.W. Assembly. The General Assembly of the Presbyterian Church of Australia in the State of New South Wales is the court of the church immediately above the presbytery and is supreme in all church matters except those included under Article 2 of the Articles of Agreement of the Deed of Union, 1901.

8.02. Members. The Assembly consists of:

(a) Ministers whose names, when the roll of Assembly is fixed, are on the membership rolls of the presbyteries within the bounds of the Assembly's jurisdiction.

(b) Elders who have seats on a presbytery as commissioned gospel workers. [2023]

(c) One elder for every pastoral charge and Home Mission Station within the bounds of the aforesaid presbyteries whose commission has been duly sustained provided that an additional elder may be commissioned by a pastoral charge for every ordained minister inducted and serving in the pastoral charge as an associate or colleague.

(d) Elders to whom seats on a presbytery have been granted by the Assembly.

(e) The Law Officers or the Acting Law Officers, the General Manager. Any who are not acting elders or who do not have a seat on a presbytery do not have power to vote. [2018]

(f) An elder being moderator of the Assembly.

(g) Trustees being ministers or elders are ex-officio members of the General Assembly in accordance with section 5 of the Property Trust Act. [2018]

Conveners of General Assembly committees in presenting their reports shall have all the rights of members of the General Assembly (except the right to vote if not a minister or elder) while the Assembly is discussing the reports (including deliverances) of their respective committees if they are not members of the General Assembly. [2018]

8.03. Officers. The officers of the Assembly are the moderator, the

clerks, the procurator, the law agent and the convener of the Business Committee.

8.04. Moderator nomination and election. The moderator is chosen annually in the following manner:

(i) Each presbytery sends to the Clerk of the Assembly not later than 31 August a first round nomination or nominations of ministers on the roll of the Assembly or of acting elders of sessions within the bounds of the Assembly's jurisdiction with the number of votes in favour of each nominee.

(ii) The Clerk shall notify all persons nominated and any person wishing to withdraw from nomination shall notify the Clerk of the Assembly prior to 30 September.

(iii) Immediately after 30 September the Clerk shall issue to presbyteries a report on the first round of nominations, and any presbytery may make a second round nomination or nominations, which supersede(s) the first round nomination(s) of that presbytery. The second round nomination(s) shall be notified to the Clerk of the Assembly not later than 31 December. If no second round nomination(s) is (are) made, the first round nomination(s) stand(s).

(iv) When a nominee has not received an absolute majority of votes cast the Clerk of the Assembly shall immediately send to presbyteries a report on the nominations. Each presbytery may make a third round nomination or nominations in favour of one or both of the two nominees receiving the highest number of votes in the second round. The third round nomination(s) shall be notified to the Clerk of the Assembly not later the end of February.

(v) The Clerk will report to the presbyteries and to the Assembly on the nominations for moderator. When the report has been received by the Assembly the election of moderator proceeds. Whilst it has been the custom to elect the person having an absolute majority of votes cast the Assembly has always reserved to itself the right of setting aside any or all of the nominees. If more than one is nominated in the Assembly the vote is taken in the usual way and the individual with the final majority of votes is declared duly elected. In case of equality the moderator has a casting vote. The newly elected moderator is then conducted to the chair and delivers an address. [2020]

8.05. Vacancy in moderatorship. In the event of a vacancy in the moderatorship occasioned by death or otherwise, or in the event of the moderator being incapacitated by mental or bodily infirmity, the most recent former moderator who is available becomes the occupant of the vacant office and discharges the duties thereof until the next annual meeting of the Assembly. In

the event of the moderator, through illness or absence from the bounds of the Assembly, being unable to discharge the duties of his office and so long as he is unable to do so, his most recent predecessor in office who is available and who, at the moderator's request or failing that at the request of the clerk, is willing to act becomes and is styled the "Acting Moderator" and is deemed to be the moderator for all purposes and may describe himself in legal documents as such.

8.06. Clerk. The Assembly appoints one or more clerks who are permanent officers and hold office under regulations prescribed by the Assembly.

8.07. Vacancy in clerkship. When a vacancy occurs in the clerkship of the Assembly and an acting Clerk is appointed the acting clerk shall have all the powers and authority of the Clerk.

8.08. Assembly powers. The Assembly has power to deal summarily with any of its members or any member of the church who may disown its authority or act contumaciously.

8.09. Nobile officium. The Assembly claims for itself in all matters on which it is supreme the nobile officium in the same manner as it is claimed by the General Assembly of Australia in matters in which it has supreme jurisdiction.

MEETINGS

8.10. Meets annually. The Assembly prior to its close shall fix the time, date and place of its next annual meeting which shall generally be no later than 31 July in the following year.

8.11. Quorum. Sixteen members representing at least four presbyteries, and at least one-half of whom are ministers, form a quorum of the Assembly.

8.12. Emergency Meeting. An emergency meeting of the Assembly is convened by the moderator on a requisition from not fewer than ten members representing at least three presbyteries and on not less than seven days' notice but no action can be taken at such meeting except in reference to the matters specified in the circular. Nor can the business be proceeded with unless there is a quorum present and unless the action of the requisitionists and of the moderator in convening the meeting is approved by a majority of the members present.

8.13. Ministerial changes and elders' commissions. At any meeting of the Assembly called for special purposes or an emergency meeting a report on ministerial changes may be received and elders' commissions in favour of those appointed to fill vacancies caused by death, resignation, suspension or removal

from office may be sustained.

8.14. Minutes published. The minutes of proceedings of the annual session of Assembly and of the Commission of Assembly and of any meetings called for special purposes and emergency meetings held during the previous year are published as soon as possible after the close of the annual session.

8.15. Order of business. The business of the annual session of Assembly shall be ordered as follows:

(a) At the commencement of the annual session of Assembly the moderator of the previous annual session in the name of the Lord Jesus Christ, the King and Head of the Church, constitutes the Assembly with prayer, the reading of scripture and the singing of a hymn of praise.

(b) The minutes of the previous annual session of the Assembly, of the Commission of Assembly and of any meetings called for special purposes or emergency meetings which may have been held are confirmed.

(c) The permanent minutes consist of a copy of the Blue Book and each page of the minutes when confirmed is signed by the moderator and clerk and the Blue Book so signed is retained as the permanent record of the proceedings of the previous session of the Assembly.

(d) The clerk then intimates the changes that have been made in the roll by death, removal or accession since last Assembly according to the intimations he has received from the clerks of presbyteries.

(e) The roll of assembly is then made up and adopted by the Assembly.

(f) The Assembly proceeds to the election of the moderator.

(g) The newly elected moderator conducts public worship.

(h) The report of the Business Committee is submitted.

(i) The Lord's Supper shall be observed during every annual session of Assembly at a time determined by the Assembly. The moderator appoints ministers and elders to assist at the service and assigns to them their duties. If the moderator is an elder the most recent former moderator who is available, being a minister, shall preside.

(j) when the business of the annual session has concluded, the moderator addresses the Assembly.

(k) After prayer and the singing of a hymn of praise, the moderator intimates the time and place of next meeting. Then in the name and by the authority of the Lord Jesus Christ, the King and Head

of the Church, the moderator declares the session of the General Assembly closed and pronounces the benediction.

COMMISSION OF ASSEMBLY

8.16. Commission of Assembly. In addition to any special commission which the Assembly may appoint the ordinary Commission of Assembly meets as appointed by the Assembly and transacts any special business remitted to it as well as the business covered by the following Act:

The Commission of Assembly consists of all the members of the Assembly, the quorum being the same as the quorum of the Assembly. The moderator of the General Assembly is chairman of the commission, and the clerks of Assembly are clerks of the commission.

And the General Assembly hereby fully empowers the said commission, or the quorum thereof, to enter into and finally determine, as it shall see cause, in every matter referred to it, or which shall be referred to it, by or in virtue of any act or order of the Assembly, and to do everything contained in, and conform to, the instructions given, or to be given, by the Assembly; and to advert to the interests of the Church on every occasion, that the Church do not suffer or sustain any prejudice which the commission can prevent, as the commission shall be answerable; provided always that this general clause be not extended to particular affairs or processes before presbyteries, that are not of universal concern to, or influence upon the whole Church; and that what shall be determined at one meeting of the commission with relation to private causes shall be unalterable by any other meeting thereof, and shall stand and continue in force till disapproved of by the General Assembly.

Further, the said commission is hereby fully empowered to receive any references, appeals and complaints that shall be made to the commission from presbyteries in matters of doctrine, and ripen such references, appeals and complaints for the next Assembly, and to contribute what it can to the suppression of vice and immorality, and to give all needful advice and assistance to presbyteries and committees of the Assembly upon application to it for that end.

And further, the commission is empowered to grant leave to presbyteries to take students on trials for licence.

The commission is hereby strictly forbidden to meddle in any other matters than what are committed and referred to it as above mentioned.

In all its actings the commission is to proceed according to the acts and constitution of this church, and shall be accountable to and censurable by the Assembly, as the Assembly shall see cause.

Members are required to attend the meetings of the commission, and for the better securing a quorum and attendance of members, the General Assembly hereby forbids all presbyteries to meet on any of the days appointed for the

meeting of the commission except by permission of the commission; and such of the members of presbyteries as are on the commission are required, all of them, to give attendance to the meetings thereof; provided always that when any presbytery of this church shall decline to comply with the sentence of the commission, or to give the same a full execution, the commission is hereby forbidden to execute the same, but shall allow the same to lie over to the ensuing Assembly, to which such presbytery shall be answerable for such its conduct, and is hereby appointed to send up its reasons for the same.

8.17. Pastoral Relations Commission. There shall be a commission of the General Assembly called the Pastoral Relations Commission whose function will be to assist presbyteries in dealing with difficult pastoral relationships. The minutes of the Commission together with any reports prepared by the Commission shall be retained in the custody of the Clerk of Assembly. They shall remain confidential to the members of the Commission and to the parties to whom they are addressed and shall not be made available to the General Assembly unless the General Assembly should first resolve that there are special circumstances that justify a review of the Commission's proceedings.

ASSEMBLY APPOINTMENTS

8.18. Committees. Ordinary and special committees are appointed by the Assembly for the management of the schemes of the church and other operations of a permanent character. [2019]

8.19. Business Committee. The Assembly shall appoint a Business Committee whose membership, powers and duties shall be defined by the Assembly.

8.20. Law officers. The Assembly shall appoint a procurator and law agent who become members of the Assembly by virtue of their office. Their duties and status shall be defined by the Assembly.

8.21. General Manager. The Assembly shall, after first receiving the recommendation of the property trust, appoint a General Manager. The General Manager shall be the official head of the Church Offices and shall be responsible to the Trustees for the provision of up to date financial information concerning all activities of the Church and alerting the Trustees to any developing trends with which the trust should be concerned. The General Manager shall be a member of all committees elected by the Assembly and may appoint the Secretary to the Property Trust to deputise for him in the exercise of this responsibility. The General Assembly may make regulations relating to the General Manager and the appointment thereof. Any reference in any rule or regulation of the Church to the

General Secretary shall be deemed to be a reference to the General Manager.

8.22. Auditor. The Assembly shall appoint an Official Auditor who shall undertake, annually, an audit of the financial affairs of all church organisations, provided that the Trustees may, with the consent of the Official Auditor, approve alternative audit arrangements for any particular activity or organisation of the church.

All organisations of the church shall prepare annual Statements of Financial Position and of Financial Performance which statements must be audited by the Official Auditor unless the Official Auditor approves an alternative arrangement agreeable to the Trustees.

8.23 Appointment of full-time lecturers. The appointment or re-appointment of Principal or full-time lecturers of the Presbyterian Theological Centre is to be made by the Assembly, by way of the deliverance of the report to the Assembly of the Presbyterian Theological Centre Committee. If re-appointment is not being recommended, the Committee shall call for applications for a vacant position, conduct interviews and bring a nomination to the Assembly. If the Assembly does not endorse the recommendation of the Committee, it may not substitute another name but request the Committee to conduct fresh interviews and return to the Assembly with a nomination. If the Assembly considers it necessary to make an appointment to take effect at the commencement of the following year, this nomination will be brought to the Commission of Assembly before the end of the year, the Commission having power to make such an appointment. [2021

8.24. Minister appointed released and inducted. When a minister of a pastoral charge under the jurisdiction of the Assembly is appointed to the position of a full-time lecturer, being a member of the Presbyterian Theological Centre Faculty, or other office the Assembly on making the appointment requests the minister and the presbytery having jurisdiction to take the necessary steps to secure the release of the minister and requests a presbytery to arrange for the induction or setting apart. [2021]

FINANCE AND PROPERTY

8.25. Trustees. All property held for the church generally or for any congregation thereof or for any other purpose in connection with the church or any congregation thereof or for any person or body connected therewith, including all moneys belonging to the general funds of the church, is vested in the Trustees appointed by the General Assembly in terms of the Property Trust Act. The purchase of freehold and leasehold lands as an investment and the sale from time

to time of such lands belonging to the church as are held for general purposes and all matters connected with the resumption by any government or other public authority of any property belonging to the church including the settlement of all purchase prices and the making, prosecution and determination of all resumption claims and other ancillary and incidental matters shall be in the hands and according to the discretion of the Trustees. The Trustees shall have full discretionary powers and authority to discharge and carry out all necessary executive functions and acts relative to the general administration of the temporal affairs of the church in relation to the work of the Church Offices and the officers appointed to do and engage in such work as occasion may require, and in particular to make such advances of money on such securities as may appear to the Trustees to be sufficient, and manage, direct, regulate, control and deal with all investments and re-investments subject to such terms and conditions as shall seem advisable to the Trustees, and may fix and pay from time to time all salaries, remunerations and bonuses which they may from time to time think proper to settle and allow either for general ascertained services or duty or for particular or special services rendered, and it shall not be necessary for the Trustees to obtain either the previous consent or direction or subsequent confirmation of the General Assembly to any act done or disbursement made in the premises ALWAYS PROVIDED that appointments of the Ministry and Mission Superintendent, the General Manager and such other officials as are or may hereafter be entitled to a seat in the General Assembly by virtue of their office shall be made by the General Assembly.

8.26. Assembly Fund. The Assembly has a fund known as the Assembly Fund out of which the honoraria to the moderator and clerks, the proportion of office expenses, and all necessary expenditure connected with the management of the Assembly's business are defrayed and such other payments made as the Assembly may determine. [2019]

8.27. Basic stipend. The Assembly may, on the recommendation of the committee on Ministry and Mission, declare a basic stipend.

RELATIONSHIP TO GENERAL ASSEMBLY OF AUSTRALIA

8.28. Commissioners to General Assembly of Australia. When the ballot is taken at the Assembly a ballot, when required, is also taken for the appointment of commissioners to the General Assembly of Australia and for membership of its commissions and committees.

9

ASSEMBLY COMMITTEES

9.01. Assembly committees. The Assembly shall appoint committees which shall be either ordinary or special committees.

ORDINARY COMMITTEES

9.02. Ordinary Committees. Ordinary committees conduct the continuing functions of the Assembly and their designation as ordinary committees is determined by the Assembly. The fact that such a committee is an ordinary committee shall be noted in the minute establishing the committee.

9.03. Membership of ordinary committees. The membership of ordinary committees will be specified in the regulations of that committee. One third of those elected to the membership of a committee shall retire each year with the retiring members being eligible for re-election. Nominations to fill any vacancies shall be made by the respective committee prior to the Assembly and the names shall be forwarded forthwith to the Clerk of the Assembly who shall cause such names together with the names of all other members of the committee to be printed in the Assembly papers. Further nominations may be made by any member of the Assembly provided that such nominations submitted to the Clerk of the Assembly not later than the time determined by the Assembly upon recommendation by the Business Committee. Thereafter the Business Committee shall prepare a ballot form and the ballot is taken at the time determined by the Assembly upon recommendation by the Business Committee. The result of the ballot is declared as soon as possible and such declaration is final. In the event of equality of votes, the Moderator shall have a casting vote. [2024]

SPECIAL COMMITTEES

9.04. Special committees. The Assembly may appoint special committees from time to time with the membership of the committee specified in the minute of the Assembly establishing such committee. Special committees shall be appointed by the Assembly only if the Assembly has determined that the subject matter with which such committee is to deal cannot adequately be dealt with by an existing committee. The fact that such a committee is a special committee shall be noted in the minute establishing the committee.

9.05. Regulations of special committees. Special committees appointed by the Assembly shall be governed by regulations granted by the

Assembly or, if regulations have not been granted, shall function in accordance with the resolution of the Assembly which set them up.

9.06. Dissolution of special committees. Special committees shall report to the Assembly which, at the time of the report, shall decide whether to continue the appointment of that committee or not.

GENERAL RULES FOR COMMITTEES

9.07. Additional members of committees. In addition to the members of the ordinary committees and special committees elected by the Assembly the following shall also be members of all committees:-

(a) The Moderator and Clerk or Clerks of Assembly.
(b) The General Manager of the Church.

9.08. Minutes. Minutes of meetings of all committees shall be sent to the clerk of each presbytery for the information of members of presbytery within one month of each meeting of the Committee.

9.09. Conveners. The Assembly shall elect the conveners of all its committees.

9.10. Special members. The Assembly retains the right of adding other persons for special reasons to its committees either as full members or as members for stated purposes.

9.11. Meetings. Each committee shall fix the times and the places for their meetings.

9.12. Seat forfeited. A committee shall declare vacant the seat of any elected member who is absent from three consecutive meetings of the committee without obtaining leave of absence or supplying valid reason for such absence to the committee.

9.13. Vacancy. In the event of a vacancy in the elected membership or the convenership of a committee however occurring, the committees shall have power to fill such vacancy which appointment shall hold good until the next meeting of the Assembly.

9.14. Regulations. Each committee shall be governed by regulations approved by the Assembly and such regulations shall be promulgated, amended, suspended or repealed only by motion of which notice has been given not later than at the second sederunt of the Assembly.

9.15. Variation of activities. The Assembly may, by motion of which notice has been given not later than at the second sederunt of the Assembly, add another activity to those of any committee or transfer the responsibility for any activity from one committee to another.

9.16. Report and deliverance to the Assembly. The report and deliverance of each committee to the Assembly shall be approved by the full committee before it is submitted to the Clerk for presentation at the Assembly. Any recommendation in any report shall not be held as adopted by the Assembly unless it is definitely set forth in the deliverance which has been approved by the Assembly. [2025]

9.17. Conveners' expenses. Committees shall refund all out-of-pocket expenses incurred by conveners but no honorarium, nor any other consideration shall be given without the express consent of the Assembly.

9.18. Members' travelling expenses. Committees may reimburse all members for travelling expenses for attendance at meetings. A committee which does not have funds may request the Trustees to provide adequate funds for this purpose and upon such request the Trustees may make such funds available.

9.19. Production of records. The Assembly may, by motion duly passed at any sederunt, call for the production of all records of any committee.

DECLARATORY ACTS

1991

Rule 1.42. (Numbered as 1.41 in the earlier edition.)

(1) A proposed exercise by a presbytery of its powers contained in the final paragraph of Rule 1.42 should be considered with very great care; and

(2) If such action is proposed, a presbytery should by resolution specify:

(a) the relevant vital interests of the congregation, and

(b) why the proposed exercise by the presbytery of its power to take action under Rule 1.42 is necessary to protect these vital interests.

1993

Communications:

Declare that the Assembly should not receive as a Communication a document which could be submitted in another form but may receive as a communication

i. the resignation of an Assembly officer.

ii. the submission of documents addressed to the General Assembly of Australia as the superior court.

iii. any other communication which has been approved by the Assembly's Business Committee.

1998

Disputes:

Declare that church members who are engaged in any conflict before the church courts should act with restraint, refrain from any action which might prejudice a fair consideration of that case or pre-empt the court's judgement and contain the matter within the church.

2004

'Parish' deemed to mean 'Pastoral Charge':

Declare that when the word 'parish' is used in Parts I, II and III of The Code, it has the same meaning as 'pastoral charge' in 1.02 of The Code. [Commission of Assembly April, 2004 Min. 21]

2024

Assembly Appointees and Employment:

Declare that when, upon the recommendation of an Assembly Committee or Church Agency, the Assembly appoints a person to a position the Assembly Committee or Church Agency, and not the Assembly, is the employer for the purposes of secular legislation.

2025

Eldership:
That the Assembly:
Adopt the GAA Declaration on Eldership (GAA2023 min. 30(9)(b)) as the GANSW 2025 Declaration on Eldership, namely:
"The Presbyterian Church of Australia:

(a) holds that elders occupy a pastoral office to which belongs the spiritual oversight of the Church. Under the Chief Shepherd, the Lord Jesus Christ, elders shepherd and serve the church by sharing in its government, teaching the word of God, praying with and for God's people, and modelling life in Christ, according to their gifts;
(b) holds that teaching is, and always has been, a vital part of an elder's duties and that all elders must be competent to teach according to their gifts;
(c) observes a functional distinction between ministers of the word and sacraments, and elders."

(see GAA2016 min.68(1); GAA2019 min 42(9)-(13); GANSW2020 min. 53; GAA2023 min.30(9); and GANSW2025 min. (87).

PART III

REGULATIONS AND CONSTITUTIONS

AUSTRALIAN PRESBYTERIAN WORLD MISSION (NSW COMMITTEE)

A1.01 Name. There shall be a Committee of the General Assembly named the Australian Presbyterian World Mission (New South Wales Committee).

A1.02 Membership. The membership of the Committee shall comprise six ministers and six elders and three communicant members.

A1.03 Special Members. Three representatives appointed by the P.W.M.U. Standing Committee of the P.W.A., two representatives appointed by Presbyterian Youth in N.S.W. and one representative appointed by the Presbyterian Men's League shall be full members of the Committee.

A1.04 Function. The Committee shall:

(a) promote world mission within the Presbyterian Church in N.S.W. through the work of the Australian Presbyterian World Mission.

(b) encourage the participation of all Church members in the task of world mission.

(c) provide financial support for projects and personnel as determined by the policies of the Committee of Australian Presbyterian World Mission, and in accordance with the rules and practice of the General Assembly of the Presbyterian Church in N.S.W.

(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.

(f) inform the church of policies and guidelines approved by the Committee for Australian Presbyterian World Mission especially in relation to missionary recruitment, missionary support and the setting apart of missionaries.

BUSINESS

A2.01 Name. There shall be a Committee of the General Assembly named the Business Committee.

A2.02 Membership. The membership of the Committee shall comprise six persons who shall be either ministers or elders plus a convener who is elected by the Assembly for renewable three year terms. The convener shall not be a convener of any other ordinary committee. [2022]

A2.03 Function. The Committee shall:

(a) administer the Assembly Fund;

(b) recommend to the Assembly the rate of the Assessment for the Assembly Fund;

(c) propose to the Assembly the order of Business of the Assembly, including as appropriate a consent agenda of items which can be determined together by the Assembly without debate, subject to the right of any member of the Assembly to require an item to be removed from the list of consent items; [2023]

(d) attend to business submitted to it by the Assembly;

(e) attend to all Assembly business which is not the function of any other Assembly Board, Council of Committee or of the Trustees;

(f) recommend to the Assembly the names of the presbyteries within which the Moderator shall officially visit during his year of office ensuring that the whole State is visited regularly, it being understood that the Moderator has the option of accepting or declining any special invitations which might come from outside the designated presbyteries;

(g) advise the Moderator on any matter that the Moderator might refer to the Committee for advice;

(h) provide media contacts and advice for the dissemination of information relating to the activities, agencies and congregations of the Church;

(i) make all necessary arrangements for the operation of Assembly and Commission of Assembly meetings, such meetings to be convened in person only unless special circumstances, approved by a two-thirds majority of the Business Committee, warrant otherwise; [2025]

(j) conduct all ballots during the Assembly. [2023]

A2.04 Late Payment of Assessment. Where a parish has failed to pay

the Assembly Fund Assessment by the due date and no financial return has been received by the General Office, the Committee shall assess that parish at a rate deemed to be 110% of the amount payable for the previous year.

A2.05 Meetings. The Committee shall meet as required during the year and during the Assembly at the conclusion of the afternoon sederunt.

A2.06 Report. The report of the Committee shall be submitted to the Assembly after the election of the Moderator and before the submission of the report of any other committee of the Assembly. Thereafter the Committee shall report at an appropriate time during the final sederunt each day.

A2.07 Order of Business in the Assembly. The Committee shall ordinarily propose at the beginning of the evening sederunt the items of business it proposes to have taken up on the following day or days. The order of business shall be approved or amended as the Assembly may determine and no business except that which is included in the approved order may be dealt with in any particular sederunt, unless as provided for under Standing Orders.

A2.08 Payments. The Committee may make payments from the Assembly Fund for:

(a) Moderator's expenses as detailed below;
(b) the Clerk's salary and allowances;
(c) travelling expenses for members of the Assembly;
(d) General Assembly of Australia assessments;
(e) Assembly Office expenditure;
(f) membership fees to bodies with which the Church is affiliated;
(g) honoraria to the Moderator and the officers of the Assembly;
(h) expenses of the Commission on Pastoral Relations and the Conciliation Committee;
(i) travelling expenses to meetings of bodies to which the Assembly has appointed representatives;
(j) such other purposes as the Assembly may, from time to time authorise.

A2.09 Moderator's Expenses. The payment of Moderator's expenses shall include:

(a) an honorarium determined by the Assembly;
(b) where the Moderator travels in his own car, a per kilometre amount at a rate in line with Assembly approved travelling allowances;
(c) expenses incurred by the Moderator in visiting parishes (presbyteries approved by the Assembly) for official visits, (it

being understood that congregations in other presbyteries which request a visit by the Moderator shall be asked to contribute towards the cost of the Moderator's visit including pulpit supply for the Moderator's own parish);

(d) expenses incurred by the Moderator in attending major functions with country Moderators being encouraged to seek the assistance of ex-Moderators in representing the Church at minor functions;

(e) provision of accommodation for the Moderator and his wife in near proximity to the Assembly venue during its meetings.

(f) an amount equal to twenty five percent of the basic stipend to be paid to the parish of which the Moderator is a Minister to cover costs to the parish in providing ministry to that parish during the Minister's Moderatorial year.

A2.10 The Ballot. The Committee shall: [2023]

(a) cause a ballot form to be prepared for all elections to be determined by ballot during an Assembly,

(b) employ the single transferable vote proportional representation system in counting the ballot,

(c) insert an asterisk on the ballot form before the name of retiring members elected by a previous Assembly and who have been nominated by a Council or Board,

(d) insert the title, first name and, if necessary, the middle name of persons on the ballot form.

The Ballot may be conducted electronically. If electronic voting is not available, the equal value system may be used in counting the ballot.

A2.11 Nominations. [2023]

(a) Nominations shall close at the time determined by the Assembly upon recommendation by the Business Committee.

(b) Nominations of their own members by Committees shall be printed in Assembly papers.

(c) All other nominations shall be in the format required by the Clerk of the Assembly.

(d) Nominations received before the close of nominations shall be published in the Assembly papers and shall include the nominee's relevant qualifications and the nominator.

A2.12 Election. In the ballot, no person may be declared elected unless a majority of those participating in the ballot have allocated a number to that person on the ballot form. [2023]

A2.13 Report. The Committee shall report the results of the ballot to the Assembly as soon as the results are known. [2023]

CODE

A3.01 Name. There shall be a Committee of the Assembly named the Code Committee.

A3.02 Membership. The Committee shall consist of the Procurator, the Law Agent, the Business Convener, the General Manager, The Deputy Clerk of the Assembly, three persons appointed annually by the Assembly, and the Clerk of Assembly who shall be the convener.

A3.03 Functions. The Committee shall:

(a) assist in drafting rules and regulations for submission to the Assembly,

(b) advise sessions and presbyteries, bodies appointed by the Assembly, other committees of the church and members of the Church in regard to the procedures and practices of the church including the provisions of The Code.

(c) attend to all matters referred to the Committee by the Assembly.

(d) arrange for the publication of The Code and other material relating to the procedures and practices of the Church.

(e) promote understanding within the Church of the procedures and practice of the Church.

A3.04 New Regulations. Any committee or organisation of the church which proposes to submit new constitutions or regulations or amendments to existing constitutions or regulations to the Assembly shall submit a copy of any such proposal to the Committee for its consideration at least one month prior to the meeting of the General Assembly. Committees and organisations of the church shall seek the assistance of the Committee when drafting such constitutions, regulations or amendments thereto.

CONCILIATION

The Regulations of the Conciliation Committee were suspended by the 2025 General Assembly (min 19(1)) [2025]

A4.01 Name. There shall be a Committee of the General Assembly named the Conciliation Committee.

A4.02 Membership. The membership of the Committee shall comprise three ministers and three elders, including a convener, who are elected by the Assembly. The Committee may also co-opt up to three communicant members for terms that may be up to three years. Members shall have undertaken Peacemaker Training (or equivalent) and/or undertake a commitment to attend this training once elected or co-opted. Elected members shall comprise at least half of any team assigned to any particular conciliation matter.

A4.03 Functions. The Committee shall exercise the following powers and functions:

(a) upon request, to assist parties to any dispute or conflict to resolve those disputes having due regard to the rules of the Church.

(b) to assist parties to appeals, complaints and petitions to resolve their dispute through negotiations, prior to the hearing of those matters by presbyteries or the Assembly. [2021]

(c) to conduct negotiations between parties to appeals, complaints and petitions, or to assist parties to come before mutually agreed negotiators.

(d) to report to the Assembly, in cases of unresolved disputes, whether negotiations were held and the general outcomes of such negotiations, while keeping the contents of those negotiations confidential.

A4.04 Expenses. Expenses incurred in the operation of the Committee shall be a charge against the Assembly Fund.

GOSPEL, SOCIETY AND CULTURE

A5.01 Name. There shall be a Committee of the General Assembly named the Gospel, Society and Culture Committee.

A5.02 Membership. The Committee shall consist of nine members and a convener. All members shall be members of the Presbyterian Church of New South Wales. The convener and at least four others shall be ministers or elders. Appointment shall be for a term of three years, unless determined otherwise by the Assembly. Members shall be eligible for re-election at the completion of a term.

A5.03 Special Members. The Committee from time to time may appoint up to two extra members who must be members of the Presbyterian Church in N.S.W. and who have expertise or skills to assist the work of the Committee for a term of up to three years as specified by the Committee.

A5.04 Purpose. The purpose of the Committee shall be to assist the Church in its mission to proclaim the gospel and live faithfully for Christ, especially as it seeks to present Christ and His gospel to the wider society and culture.

A5.05 Function. The Committee shall:

(a) identify and develop material which assists the Church, especially congregations and ministers, to promote and defend the gospel in public discussion;

(b) assist the Church to understand and engage with the society and culture and to respond to issues in public life;

(c) research matters of public interest and debate which relate to the mission and life of the Church and provide the result of research to the Church;

(d) represent the Church in communications on matters of public interest and debate;

(e) advise and assist the Moderator in composing and issuing pastoral letters and public statements on matters of public interest and debate;

(f) make submissions on social and public policy issues to appropriate authorities;

(g) make appointments to interdenominational bodies as authorised by the Assembly;

(h) consider all matters referred to it by the Assembly and take appropriate action.

(i) make appointments of representatives of the Presbyterian Church in NSW to bodies approved by the Assembly, and report to the Assembly on the activities of such bodies including a recommendation concerning continued membership. [2024]

A5.06 Report. The Committee shall report annually to the Assembly on its activities, including a report of research on matters of public interest.

A5.07 Media Advisor. Where the Assembly appoints a media liaison officer, or the General Manager or Property Trust appoint a media advisor, that person shall be a non-voting member of the Committee.

METRO

A6.01 Name. There shall be an ordinary committee of the General Assembly named the METRO Committee. METRO is an acronym for Ministry, Equipping, Training, Recruiting and Organisation.

A6.02 Functions. The Committee shall oversee the METRO programme, the object of which is to promote gospel ministry training through structured discipling relationships in local churches shaped by the command of the apostle Paul in 2 Timothy 2:2. This includes curriculum development, appointment of trainees and trainers and funding allocations to training churches. In discharging its role the Committee shall liaise with local congregations, the Presbyterian Theological Centre Committee, the Ministry and Mission Committee and Presbyterian Youth.

A6.03 Membership. The Committee shall consist of seven members including the Convener.

(a) The Convener shall be a minister or an elder of the Presbyterian Church.

(b) The remaining members shall be ministers, elders or communicant members of the Presbyterian Church.

A6.04 Quorum. Four members present (either in person, by telephone or VOIP) shall form a quorum.

A6.05 Convener Absent. In the absence of the Convener from any meeting the members of the Committee present shall appoint one of their number as Convener for that meeting.

A6.06 Advisers and Attendees. The Committee may invite people to attend meetings of the Committee or may co-opt people for specific purposes but neither the former nor the latter such persons shall have voting rights at any Committee meeting.

MINISTRY AND MISSION

A7.01 Name. There shall be an ordinary committee of the General Assembly named the Ministry and Mission Committee.

A7.02 Membership. The Committee shall be made up of 12 persons elected by the Assembly, of whom six will be ministers, not less than three will be acting (sessional) elders, and up to three may be communicants in good standing with their congregations, plus the Superintendent.

A7.03 Object. The object of the Committee is to glorify God in the service of his people by advancing the formation, staffing and flourishing of healthy, multiplying Presbyterian churches. [2019]

A7.04 Function. To achieve its object, the Committee shall be responsible for the governance of the Committee's affairs operating predominantly within the spheres of church revitalisation, church planting and the welfare of ministerial personnel to promote the following ends:

The denomination will have and pursue an effective ministry strategy.

Existing churches will grow to maturity and demonstrate ongoing spiritual vitality.

Healthy new Presbyterian churches will be formed where they do not presently exist.

Presbyteries, sessions and congregations will be assisted in local mission both within their own culture and across cultures.

Churches will receive effective ministry.

Vocational training will be provided to pastoral leaders.

Supportive networks will be promoted among pastoral leaders.

The temporal circumstances of ministers and other pastoral workers will be monitored and regulated.

Grants will be provided to approved applicants for the development of effective ministries.

Loans to facilitate effective ministry will be made available to approved applicants under defined conditions for capital purposes, the acquisition of reliable cars, short-term assistance on completion of theological training, or the maintenance of stipends in emergencies.

A7.05 Responsibilities. Responsibilities that fall within the operation of the Ministry and Mission Committee from time to time include:

(a) Maintaining a basis of effective interaction with other committees and agencies of the church including the Defence Force Chaplaincy Committee of the General Assembly of

Australia.

(b) Promoting, among all relevant church authorities, opportunities for church planting.

(c) Assessing potential church planters and proposed church planting projects dependent upon Committee funding.

(d) Determining annually, under authorisation from the General Assembly, an appropriate package for the sustenance of ministerial personnel.

(e) Approving or disapproving proposed Terms of Call in accordance with the minimum considerations established by the General Assembly.

(f) Assessing potential ministry persons (in collaboration with other church agencies as appropriate) and promoting opportunities for suitable pastoral employment.

(g) Recruiting and accrediting commissioned gospel workers for appointments by presbyteries. [2023]

(h) Appointing to suitable, relationally informed ministry positions, ministry candidates who have received an exit certificate from the College Committee of the GAA, in accordance with The Code II 7.13.

(i) Facilitating the appointment of ministers and in conjunction with the presbytery, commissioned gospel workers as Chaplains to the Emergency Services in New South Wales. [2023]

(j) Providing resources, as appropriate, to enhance the personal welfare of ministerial personnel and their at-home families.

(k) Facilitating and subsidising the operation of a co-ordinated network of spiritual renewal groups for ministerial personnel. [2019]

(l) Promoting supportive interaction between ministerial families by organising a biennial Ministers' Family Camp.

(m) Maintaining a roll of deaconesses noting their current status as active, inactive, or retired in accordance with annual advice from the presbyteries on the status of each deaconess under their jurisdiction. [2025]

(n) Administering the Long Service Leave Fund for ministerial personnel (see The Code III F3.01ff).

(o) Arranging training of ministerial and non-ministerial personnel for appropriate acts of service.

(p) Advising the Trustees, upon request, concerning redundant congregational property issues.

(q) Providing loans to various approved recipients for Committee authorised purpose.

(r) Promoting, especially within major population centres, the need

to be effective in winning for Christ people from non-English-speaking backgrounds.

(s) Enhancing the health and vitality of churches by the development and training of consultants who engage with congregations upon invitation.

(t) Facilitating the establishment and the maintenance of gospel ministry in appropriate fields of mission through the provision of personnel (both ordained and non-ordained), strategic support, and financial assistance.

(u) Maintaining the schedule for pastoral assistance (see The Code II 5.39). [2020]

(v) Providing prompt, reliable advice to presbyteries, sessions, ministers and congregational officers in relation to any operational matter affecting congregations or their paid personnel.

(w) Approving or disapproving proposed variations in status for congregations or their establishment, amalgamation or association in pastoral charges or home mission stations (see The Code II 1.14).

(x) Maintaining the schedule for use in ordinary presbyterial visitations with any substantial changes to be approved by the Assembly (see The Code II 5.65). [2018]

SUPERINTENDENT

A7.06 Qualifications and Appointment. The Superintendent shall be a minister appointed by the General Assembly to superintend the work of the Committee under the Committee's direction.

A7.07 Terms of Appointment. The Superintendent shall appointed on terms set by the General Assembly for an initial term of up to six years. This may be renewed for further terms of up to six years on the recommendation of the Ministry and Mission Committee. [2024]

A7.08 Church Courts. The Superintendent shall be a member of the Committee and shall have a seat in a presbytery and the General Assembly. [2024]

A7.09 Associate Superintendents. The Ministry and Mission Committee may appoint Associate Superintendents for initial terms of up to six years. These appointments may be renewed for further terms of up to six years. Associate Superintendents shall not be members of the Committee but shall have a seat in a presbytery and the General Assembly. [2024]

COMMISSIONED GOSPEL WORKER [2023]

A7.10 Commissioned Gospel Worker. A commissioned gospel worker is a person who has been assessed and accredited as suitable for appointments by a presbytery as a commissioned gospel worker in accordance with the procedures adopted by the Committee from time to time. [2023]

A7.11 Appointment. Presbyteries appoint commissioned gospel workers to home mission stations or pastoral charges or as assistants to ministers, in accordance with the Schedule for Pastoral Assistance maintained by the Committee. [2023]

A7.12 Presbyterial Oversight. [2023]

(a) The presbytery is responsible for the supervision of commissioned gospel workers appointed to pastoral charges and home mission stations in its bounds.

(b) Each commissioned gospel worker must report regularly to the moderator of the home mission station or interim moderator of the pastoral charge to which he has been appointed and seek his advice upon all matters of difficulty.

DEACONESS

A7.13 Deaconess. A deaconess is a woman who has undertaken the relevant course of training determined by authority of the General Assembly of Australia, been commissioned by a presbytery, and become eligible to be engaged in an appropriate sphere of service (see *The Code II* 7.15-7.19, *CP&P* Articles 2.1(d)).

A7.14 Functions of Deaconess. The functions assigned to deaconesses vary widely according to local circumstances but the overall purpose of the role is to exercise an evangelistic, pastoral or educational ministry in one or more of the following spheres:

(a) a department or committee of the Church,

(b) a congregation, chaplaincy or school,

(c) a situation which, while outside the immediate work of the Church, is approved by the Ministry and Mission Committee with the concurrence of the relevant presbytery.

A7.15 Appointment. Deaconesses and deaconess candidates may request the Committee to facilitate their deployment to suitable ministry opportunities.

PRESBYTERIAN AGED CARE [Regulations Reinstated by 2022 GANSW]

A8.01 Name. There shall be a Committee of the General Assembly named Presbyterian Aged Care ("the Committee").

A8.02 Object. The object of the Committee is to demonstrate the love of God by providing high quality care and accommodation for older people in a distinctively protestant, evangelical and reformed environment, with a commitment to excellence inspired by the life and teachings of the Lord Jesus Christ.

A8.03 Functions. The Committee shall:

(a) exercise governance responsibility for the oversight and operation of all aged care activities of the Church in New South Wales and the Australian Capital Territory, except the Macdonald Homes Trust properties, and

(b) raise funds in accordance with the procedures of the Church to finance aged care activities

(c) if requested by relevant committees in other States cooperate with Presbyterian aged care organisations across Australia to promote development of efficient and effective management of aged care services and activities for the mutual benefit of all Presbyterian aged care committees or agencies.

Except in the case of congregational local aged care programmes where administration shall remain with the management committee established for such purpose by the congregation as defined in regulation A8.16 and Kirk Apartments where administration shall remain with a management committee appointed by the Trustees and Presbyterian Theological Centre Committee, the Committee shall: [2022]

(d) apply management control of all aged care activities including residential aged care services, community aged care services and retirement housing, and

(e) administer property transactions and manage real estate where aged care activities are conducted in compliance with the relevant requirements of *The Presbyterian Church (New South Wales) Property Trust Act, 1936* and the *Presbyterian Church Trust Property Act 1971* (ACT) and their Regulations/Rules acting as agents of the Property Trust.

A8.04 Membership of Committee.

(a) The Committee shall consist of nine persons, of whom a majority shall be ministers or communicants of the Presbyterian Church of Australia. Any person elected to the Committee who is not a minister, communicant or adherent of the Presbyterian

Church of Australia shall hold an equivalent status in a Protestant Church and shall have expertise in aged care management or a relevant professional field. [2022]

(b) The members of the Committee shall be elected by the Assembly for a period of three years and at the end of that period may be nominated for re-election. Three members of the Committee will retire each year. [2022]

(c) The Committee will report annually to the General Assembly that persons nominated by the Committee for appointment or reappointment to the Committee have provided a current letter signed by the minister and session clerk (or in another Protestant church, the minister and another person holding relevant office in that church) confirming the regular attendance of the nominee at that church and the nominee's Christian life and good character. If a person is nominated by a member of Assembly to fill a Committee position, such a letter must accompany the nomination form.

(d) If a member of the Committee ceases to be in active fellowship with a Protestant church, that person's position shall be declared vacant by the Committee.

A8.05 Vacancy. The Committee shall have the power to fill any vacancy on the Committee. The person so appointed shall subject to the approval of the Assembly at its first meeting after such appointment hold office for the remainder of the term of the person whose position is being filled.

A8.06 Meetings. The Committee shall meet at least once every three months.

A8.07 Quorum. Four Committee members of whom a majority shall be ministers or communicants of the Presbyterian Church of Australia shall form a quorum.

A8.08 Pastoral Care. The Committee shall ensure the provision of pastoral care services to all of its facilities with such services being provided by ministers or communicant members of the Presbyterian Church of Australia where practicable.

A8.09 Convener. The Convener, who shall be a minister or communicant of the Presbyterian Church of Australia, shall be appointed annually by the Assembly and in the absence of the Convener from any meeting the members of the Committee shall elect one of their number to be Convener for that meeting. The Convener, as chairman, shall have a deliberative and a casting vote

and shall be eligible for re-election.

A8.10 Report to Assembly. The Committee shall report annually to the Assembly. The Committee shall forward such report together with a copy of the statement of financial position and statement of financial performance and official auditor's report to the Clerk of Assembly by the appropriate date. The report and financial statements shall cover the activities of Presbyterian Aged Care for the financial year ending immediately preceding the date for report to the Assembly together with relevant supplementary information concerning the period subsequent to the financial year end.

A8.11 Report to Trustees. The Committee shall provide to the Trustees on a regular and timely basis such minutes, reports and financial information as the Trustees may require from time to time.

A8.12 Limitation of Expenditure. The Committee shall not incur any expenditure of a capital nature or enter into any contract for repairs, renewals or renovations or enter into any contractual liability exceeding a sum specified by the Trustees from time to time without first obtaining the consent of the Trustees.

A8.13 Staff. The Committee shall employ a Chief Executive Officer of Presbyterian Aged Care, and may employ other persons for the management of the aged care services, and may determine the employment terms and conditions of such persons. Staff of services operated by the Committee, are responsible to the Chief Executive Officer of Presbyterian Aged Care. Appointments of managers who report directly to the Chief Executive Officer will require the endorsement of the Committee.

A8.14 Sub-Committees. The Committee may establish sub-committees to deal with such matters as it may specify. The Convener shall be an ex-officio member of all such sub-committees.

A8.15 Power to make rules. Without limiting the generality of Regulation A8.03 and, subject to the requirements of all relevant legislation, the Committee shall have power to delegate authority, provide direction, set policy and make rules regarding any matter necessary for the efficient management of Aged Care.

A8.16 Congregational Local Aged Care Programmes.

(a) While the Committee has responsibility to the Assembly for the Aged Care programmes envisaged in Regulation A8.03, where a local Aged Care programme is established by a congregation, the administration of such local Aged Care programme shall unless the

congregation with the consent of the Trustees otherwise agrees remain with the committee of management of the congregation or such other committee as may be established for this purpose by the congregation in accordance with the rules and regulations of the Church and all relevant legislation.

(b) The committee of management or other committee of the congregation which is responsible for the administration of the local Aged Care programme shall:

(i) report regularly to the Committee regarding the local Aged Care programme,

(ii) observe such guidelines as the Committee may from time to time issue in relation to the Aged Care programmes it operates, subject to any applicable statutory or regulatory requirements.

(c) Nothing in these regulations restricts the rights of the Trustees as contained in regulation C2.3.07.

A8.17 Control of Property.

(a) Where an Aged Care programme is carried on within a facility or is otherwise located at real property which is:

(i) owned or occupied by the Trustees,

(ii) held for the purpose of that programme, and

(iii) not property held for a congregation,

by these Regulations the General Assembly, without relieving the obligations and duties of the Property Trust, confers upon the Committee all powers of administration and management of that property pursuant to section 13 of *The Presbyterian Church (New South Wales) Property Trust Act, 1936* acting as agent of the Property Trust.

(b) Where a programme is carried out at property which is property owned or occupied by the Trustees for a congregation, the management of that property is subject to regulation A8.15 (b) carried out with the consent of the Trustees, by the local committee of management in accordance with Section 18 of *The Presbyterian Church (New South Wales) Property Trust Act, 1936* or Section 20 of *The Presbyterian Church Property Trust Act 1971* (ACT) and regulations or rules made by the Assembly under those Acts.

A8.18 Management Committees.

(a) Without relieving the Committee of its obligations of management and control which are conferred on the Committee

by the Assembly the Committee may establish management committees for any such property (being property which is not congregational property) and the programme conducted thereon, or for other services it operates, in accordance with the regulations for management committees which are set out in Regulations A8.20 to A8.29.

(b) The Committee shall establish rules for each programme administered by a management committee, which rules may be varied by the Committee from time to time.

A8.19 New Programmes for Aged Care. No congregation or organisation of the Church shall:

(a) establish or undertake any project or service of the kind which falls within the responsibility of the Committee unless the consent of the Committee is first obtained, and

(b) take any steps or enter into any obligations in relation to any such Aged Care programme without first obtaining the consent of the Committee, the Presbytery of the bounds (in the case of a congregation) and the Trustees.

A8.20 Building Works. A congregation or organisation proposing to establish or sponsor an Aged Care programme which involves building works must (in addition to obtaining the required approvals under the Property Trust Act, 1936 and the regulations there under) satisfy the Committee that:

(a) satisfactory financial arrangements are made in respect of the Aged Care programme,

(b) the Aged Care programme will be adequately supervised, conducted and controlled, and

(c) the relevant requirements of all applicable governmental authorities shall at all times be complied with,

before seeking approval of the Presbytery of the bounds (in the case of a congregation) and the Trustees.

MANAGEMENT COMMITTEES

A8.21 Establishment. The Committee may establish management committees in respect of any property or facility administered and controlled by the Committee as provided for in Regulation A8.17.

A8.22 Membership.

(a) Management committees shall be elected annually after each Assembly by the Committee.

(b) A management committee shall have a maximum of 12 members and a minimum of four.

(c) A majority of the elected membership of a management committee shall be communicants or adherents of the Presbyterian Church of Australia who are in active fellowship with their local congregation.

(d) Casual vacancies on a management committee may be filled by the Committee.

(e) Employees of local Aged Care programmes shall not be members of management committees for local Aged Care programmes.

(f) Senior staff may be present at management committee meetings, but shall not have voting rights.

(g) The Committee shall have power to establish or dismiss the whole of a management committee or any individual at any time.

A8.23 Position declared vacant. If a member of any management committee is absent from three consecutive meetings without obtaining leave of absence or supplying valid reasons for such absence from the management committee the Committee shall declare that person's position vacant.

A8.24 Chief Executive Officer. The Convener and Chief Executive Officer of Presbyterian Aged Care are ex-officio members of all management committees with full voting rights.

A8.25 Quorum. Four members of a management committee shall form a quorum.

A8.26 Duties. Management committees shall be responsible for the management of a particular Aged Care programme as nominated by the Committee and shall comply with the rules of the Aged Care programme as established by the Committee.

A8.27 Officers. Management committees shall elect from within their number appropriate office bearers and define the duties of those office bearers. The Chairperson, Secretary and Treasurer shall form an executive.

A8.28 Officers: Limit on service. Office bearers of a management committee should not hold the same office for more than three years consecutively unless otherwise approved by the Committee.

A8.29 Reports. Each management committee shall forward

(a) all minutes of that management committee and other reports of its activities as requested by the Committee promptly to the Chief Executive Officer for Presbyterian Aged Care for transmission to the Committee, and

(b) financial statements and budgets for the Aged Care programme under its control to the Chief Executive Officer for Presbyterian Aged Care for transmission to the Committee.

A8.30 Powers. Management committees shall have the power to:

(a) co-opt members for particular purposes,

(b) form and dissolve sub-committees for particular purposes, and

(c) delegate particular duties to senior staff.

PRESBYTERIAN THEOLOGICAL CENTRE COMMITTEE

A9.01 Name. There shall be a Committee of the General Assembly on theological education named the Presbyterian Theological Centre Committee.

A9.02 Membership of the Committee. The Committee shall be made up of 12 persons elected by the Assembly; of whom 6 will be ministers, no fewer than 3 will be elders, and up to 3 will be communicant members of the Presbyterian Church in good standing with their congregations and shall be required to sign the Formula; together with the Principal of the Presbyterian Theological Centre. [2018]

A9.03 Functions. The Committee shall be the Committee referred to in Article 7.6 of the Articles of Agreement and shall:

(a) have general responsibility for the provision of training for candidates for the ministry, subject to the requirements of the General Assembly of Australia, and have financial responsibility for such training under the General Assembly of New South Wales.

(b) exercise governance of the Presbyterian Theological Centre under the Assembly;

(c) have authority to enter into agreements with other bodies regarding the provision of theological education;

(d) carry out any other responsibility referred to it by the Assembly.

(e) Ensure a student file is maintained for every student whether a candidate for the ministry or otherwise and that the file or a full and complete copy of the contents of each student's file including Candidate Review Panel reports is forwarded to the Clerk of Assembly on completion of study at the Presbyterian Theological Centre or within five years of commencing study, whichever is the earlier.

(f) Maintain the 'Application for the Candidature for Ministry' form (see The Code II 7.02). [2025]

A9.04 Presbyterian Theological Centre – Its Aims. There shall be a body known as the Presbyterian Theological Centre (PTC), the aims of which shall be:

(a) to be the theological college in NSW referred to in Article 7.5 of the Articles of Agreement and to provide the course of training for candidates for the ministry in accordance with the Articles of Agreement and in conformity with the General Assembly of Australia regulations for the College Committee, and under the oversight of the General Assembly of Australia and its College Committee;

(b) (i) to provide appropriate courses of training for elders, deaconesses and others engaged in diaconal ministries, Christian education workers, other congregational leaders, home missionaries and other missionary workers;

(ii) to provide in-service courses for ministers, elders, deaconesses, home missionaries and other Christian leaders;

(iii) to provide courses in a broad range of subjects, presented according to the standards of the Presbyterian Church of Australia; and

(iv) to promote research and scholarship in the fields of Biblical and theological studies, Christian education and the Christian world view.

A9.05 Governance and Management of the P.T.C.. The governing body of the P.T.C. shall be, under the Assembly, the Presbyterian Theological Centre Committee. Operational management of the PTC shall be the responsibility of the Principal, under the P.T.C.C.

A9.06 Relationship to Other Committees. In any case where the work of the PTC affects the area of responsibility of any other Assembly committee, the Presbyterian Theological Centre Committee shall proceed in consultation with such committee.

A9.07 The Faculty of the PTC. The Faculty of the PTC Is the Faculty referred to in Article 7.6 of the Articles of Agreement and Code 8.23. It shall through the offering of accredited or unaccredited courses,

(a) on behalf of the General Assembly of Australia and its College Committee, train and assess candidates for the ministry and direct them in their course of training;

(b) train and assess other students admitted by the Principal to the PTC.

A9.08 Membership of the Faculty. The Faculty of the PTC shall consist of:

(a) The Principal;

(b) The Convener of the Presbyterian Theological Centre Committee;

(c) Full-time lecturers appointed by the Assembly; [2020]

(d) Two additional lecturers appointed annually by the executive of the Presbyterian Theological Centre Committee.

(e) The Dean of Women as appointed by the executive of the

Presbyterian Theological Centre Committee.

A9.09 Length of Appointments for full-time staff. The Principal and full-time lecturers shall be appointed for an initial term of up to six years. This may be renewed for further terms of up to six years on the recommendation of the Presbyterian Theological Centre Committee. The Committee may alternatively recommend advertisement and competitive selection. [2020]

A9.10 Other Lecturers. Part-time and casual lecturing appointments shall be made by the Principal, in consultation with the Faculty, from a panel approved by the Presbyterian Theological Centre Committee and reviewed at least every six years as with the appointment of full-time lecturers.

A9.11 Vacancy on Faculty. In the event of a vacancy in any position on the Faculty, the Presbyterian Theological Centre Committee may appoint a person to fill the vacancy until the next meeting of the Assembly.

A9.12 Relationship of the Faculty to GAA College Committee. The Faculty shall be responsible (subject to the regulations and the oversight of the College Committee) for all aspects of curriculum planning and development, for recommending to the College Committee the admission of candidates to the course of study and their grading (including the granting of credit for previous studies), and for the planning and direction of research and scholarship.

A9.13 Field Education. The Faculty shall conduct a field education program for candidates as an integrated part of the course of training, consistent with the requirements of the College Committee of the General Assembly of Australia. [2020]

A9.14 Placement in Field Appointments. The Faculty shall appoint students to appropriate field education appointments and shall determine the activities and assessment for field education; and any requirements for churches, ministers and other trainers involved in field education. [2020]

PRESBYTERIAN YOUTH [2024]

A10.01 Name. There shall be an ordinary committee named the Presbyterian Youth Committee (the Committee).

A10.02 Purpose. The Committee shall be responsible to:

i. Exercise governance of Presbyterian Youth (NSW),

ii. Equip the church to disciple all youth (children of school age and young adults up to 24 years of age) for Christ by;
   a. presenting the gospel to youth, and calling them to life-long, obedient discipleship
   b. assisting sessions, presbyteries and Assembly to fulfil their responsibility to reach, disciple and place into Christian service youth within the context of the Church;

iii. Communicate matters of interest concerning ministry to youth with all known persons who support PY, by regular participation in local or state youth activities, or by prayer for PY (the 'PY Community').

iv. Ensure that the concerns of the PY Community are addressed and reported to the Assembly by convening an Annual Forum ('PYAF') to inform and receive input from the PY Community about issues relating to the ministry to youth and its leaders in the Presbyterian Church.

   PY Annual Forum shall:

   1) consist of the following:
      (a) the members of the Committee,
      (b) up to three delegates from each pastoral charge or home mission station, appointed by the Session from the communicants or adherents of that charge or home mission station. When appointing delegates Session shall take into account those who show their commitment to the PY Community.
   2) serve as the conduit through which the concerns of youth can be presented to the Committee and courts of the church.
   3) engage with the Committee regarding the direction, and the pursuit and fulfilment of the purposes of PY.
   4) may nominate to the Assembly members and a convener of the committee for election.

v. Promote Special Religious Education in public schools and support presbyteries, sessions and teachers in this ministry, including assistance in compliance requirements.

vi. Determine, under authorisation from the General Assembly, the adoption of any Special Religious Education Policy and Procedures as updated from time to time by the relevant government agency,

and the authorisation of curricula for teaching by Presbyterian SRE teachers. [2025]

A10.03 Membership The Committee shall consist of 9 members, of whom at least five shall be ministers, elders or deaconesses. Up to four, if not ministers, elders or deaconesses, may be communicants or adherents of the Presbyterian church, or if not must have equivalent status in another Protestant church. Three of these members shall retire each year by rotation and are eligible for re-appointment.

A10.04 Convener The convener shall be either a minister, elder or communicant of the Presbyterian Church.

A10.05 Quorum Five Committee members of whom a majority shall be ministers or elders of the Presbyterian Church shall form a quorum.

A10.06 Meetings The Committee shall meet at least three times per year. The committee may organise working groups to more effectively fulfil its responsibilities, and recruit to these working groups suitably qualified volunteers from the PY community. Each working group will contain at least one member of the committee.

A10.07 Seat forfeited The Committee may declare vacant the seat of any elected who is absent from three consecutive meetings of the Committee without obtaining leave of absence or supplying valid reason for such absence to the Committee.

A10.08 Vacancy In the event of a vacancy in the membership or the convenorship of the Committee however occurring, the Committee shall have power to fill such vacancy on a temporary basis until the next meeting of the Assembly.

A10.09 Executive Officer The Committee may appoint a General Manager, or similar, to provide effective management of PY. The General Manager shall be a minister, elder or communicant of the Presbyterian Church who adheres to the doctrinal standards of the Presbyterian Church of Australia.

SOCIAL SERVICE

A11.01 Constitution. There shall be a Committee of the Assembly known as the Social Service Committee. The Committee shall operate as a division of the Presbyterian Church in New South Wales. In accordance with Section 9 of the Property Trust Act 1936, all property under the direct or indirect management and control of the Committee is vested in the Presbyterian Church (New South Wales) Property Trust as referred to in Regulation A10.12. The Property Trust is the legal entity which is trustee for the charitable trusts in respect of any property and legal rights of the Committee. Whilst day to day Committee activities are conducted by and in the name of the Committee of Property Trust Acts for the Committee in respect of real estate matters and other situations requiring an identified legal entity.

A11.02 Purpose. The purpose of the Committee is to work with and for Presbyterian Church in New South Wales to demonstrate the character of God by providing fresh hope and care for those who are in need, in a way that seeks justice, shows mercy, and makes Jesus known.

The Committee shall be responsible for the social and community services of the Presbyterian Church of New South Wales and shall:

(a) co-ordinate the social service activities of the Church,
(b) inform the Church of social service needs within the community,
(c) undertake and implement programmes and services to meet social service needs as authorised by the Assembly,
(d) monitor the effectiveness of its programmes and services, and
(e) publicise the work of the Committee within the Church and the community.

A11.03 Powers. The Committee may, in pursuit of its objects:

(a) raise funds in accordance with the procedures of the Church to finance its programmes and activities, and
(b) manage and administer real estate at which programmes of the Committee are conducted.

A11.04 Membership. The membership of the Committee shall be:

(a) a maximum of nine members of the Presbyterian Church, of which at least one shall be a minister and one shall be an elder,
(b) One third of elected membership shall retire each year with the retiring members being eligible for re-election. [2024]

A11.05 Special Members. The Chief Executive Officer (who shall have no voting rights), the Convener of the Dorcas Standing Committee of the

P.W.A. in New South Wales and the Treasurer of the Committee if not already members shall be special members of the Committee.

A11.06 Legislative Obligations and Membership. All members of the Committee, however appointed, are required to fulfil all legislative obligations as may be required from time to time due the nature of the ministries conducted by the Committee. No member can serve on the Committee until the legislative obligations are fulfilled. In the event that the legislative obligations remain unfulfilled after two months of the appointment, however the appointment occurred, the Committee shall declare the position vacant. [2019]

A11.07 Chief Executive Officer. The Assembly shall appoint a Chief Executive Officer who shall be responsible for the administration of the work of the Committee. The initial terms of appointment of a Chief Executive Officer shall be determined by the Assembly. The conditions of appointment of a Chief Executive Officer may subsequently be varied by the Assembly, or by the Trustees upon the recommendation of the Committee.

A11.08 Staff. The Committee shall be responsible for the employment of all staff of the Committee and of its programmes and institutions. The Committee may authorise the Director or Management Committees of the enterprises to engage and dismiss staff upon such conditions as the Committee may specify.

A11.09 Senior Staff. All senior staff of institutions operated by the Committee shall be appointed by the Committee on the recommendation of the management committee of each institution.

A11.10 Sub-Committees. The Committee may establish sub-committees to deal with such matters as may be specified by the Committee. The Convener of the Committee and the Chief Executive Officer (who shall have no voting rights) shall be ex-officio members of all such sub-committees.

A11.11 Programmes.

(a) The Committee shall be responsible for the operation or oversight as appropriate of:
   (i) child care programmes including child care centres and pre-school kindergartens;
   (ii) welfare and relief activities;
   (iii) chaplaincy work within hospitals;
   (iv) chaplaincy work within corrective service institutions and juvenile justice facilities;
   (v) industrial chaplaincy;

(vi) chaplains to the various Emergency Services: [2018]
(vii) counselling;
(viii) disability services;
(ix) Allowah Presbyterian Children's Hospital;
(x) Conduct Protocol Unit (as outlined in Regulation F2.01ff); [2021]
(xi) other like matters of a social service nature, including any matters specifically referred to the Committee by the Assembly.

(b) In these Regulations each period, service or activity of the Committee whether or not conducted within an institution under the control of the Committee, is referred to as a "Programme".

A11.12 Local Programmes.

(a) Whilst the Committee has responsibility to the Assembly for the Programmes described in Regulation A10.10, where a Programme is established by a congregation, the administration of such Programme shall unless the congregation with the consent of the Trustees otherwise agrees remains with the committee of management of the congregation or such other committee as may be established for this purpose by the congregation.

(b) The committee of management or other committee of the congregation which is responsible for the administration of the local Programme shall:
(i) report regularly to the Committee regarding the Programme, and
(ii) observe such guidelines as the Committee may from time to time issue in relation to Programmes generally of the same nature as the local Programme.

A11.13 Control of Property.

(a) Where a Programme is carried on within an institution or is otherwise located at real property which is:
(i) owned or occupied by the Trustees,
(ii) held for the purpose of that Programme, and
(iii) not property held for a congregation,
by these Regulations the General Assembly confers upon the Committee all powers of administration and management of that property pursuant to section 13 of the Property Trust Act, 1936.

(b) Where a Programme is carried out at property which is property owned or occupied by the Trustees for a congregation, the management of that property is subject to regulation A10.11(a)

carried out with the consent of the Trustees, by the local committee of management in accordance with Section 18 of the Property Trust Act, 1936 and regulations under that Act.

A11.14 Management Committees.

(a) Without relieving the Committee of its obligations of management and control which are conferred on the Committee by the Assembly pursuant to Regulation A10.12(a) hereof, the Committee may establish management committees for:

(i) any such property being property which is not congregational property, and

(ii) any property being congregational property whose management has been transferred by the congregation to the Committee under A10.11(a) and the Programme conducted thereon in accordance with the regulations relating to management committees which are set out below.

(b) The Committee shall establish rules for each Programme administered by a management committee, which rules may be varied by the Committee from time to time.

A11.15 Property Transactions. In respect of:

(a) any proposed expenditure upon properties under its control, and

(b) any proposed sale, purchase, lease or other dealing with any land,

the Committee shall comply with the relevant requirements of the Property Trust Act, 1936 and the Regulations thereunder.

A11.16 New Programmes. No congregation or organisation of the Church shall:

(a) establish or undertake any project or service of the kind which falls within the responsibility of the Committee unless the consent of the Committee is first obtained, and

(b) take any steps or enter into any obligations in relation to any such Programme without first obtaining the consent of the Committee, the Presbytery of the bounds (in the case of a congregation) and the Trustees.

A11.17 Building Works. A congregation or organisation proposing to establish or sponsor a Programme which involves building works must (in addition to obtaining the required approvals under the Property Trust Act, 1936 and the regulations thereunder) satisfy the Committee, the Presbytery of the bounds (in the case of a congregation) and the Trustees that:

(a) satisfactory financial arrangements are made in respect of the Programme;
(b) the Programme will be adequately supervised, conducted and controlled; and
(c) the relevant requirements of all applicable governmental authorities shall at all times be complied with.

A11.18 Constitutions. The Committee may approve of a constitution for any Programme. The constitution may include provision for the establishment of the management committee for that programme under Regulation A11.27.

CONDUCT OF PROGRAMMES

A11.19 Income. In accordance with the charitable trust objectives of the Committee, the requirements of administration under the Property Trust Act and Regulations and normal accounting principles, all income derived from any Programme associated with a specific Trust shall be applied for the purposes of that Programme, including any administration costs and other outgoings related to the conduct of the Programme.

A11.20 Closure of Programme. If for any reason it becomes impracticable or inexpedient to continue the operation of the Programme, then the committee may close the Programme.

A11.21 Application of Assets. If a Programme is closed or otherwise ceases to operate, then the Committee shall make arrangements with the Property Trust to ensure that its assets are applied to other Programmes or activities of the Committee which have in the first instance a similar purpose to the Programme which has been closed and where this is inexpedient to any other purpose of the Committee as determined by the Committee. If required by law, the Committee shall seek the approval of the Property Trust to a variation of trusts pursuant to Section 10 of The Presbyterian Church (New South Wales) Property Trust Act, 1936.

CHAPLAINS

A11.22 Control. The Committee shall exercise supervision over chaplains to hospitals, government and welfare institutions and any Church or other agencies which fall within the responsibility of the Committee. Such supervision shall include appointment, transfer, termination of duty, training and where applicable, payment.

A11.23 Appointments. The Committee shall recommend to the Assembly appointments to such inter-denominational agencies as now or in the future may be concerned with the appointment and training of chaplains.

A11.24 Ministerial Visitations. The Committee shall recognise the right of ministers of the Church to visit Presbyterian patients in homes and institutions except where Commonwealth or State Acts of Parliament or Regulations require special appointments to be made.

A11.25 Negotiations. The Committee shall be responsible for conducting negotiations with Government agencies in relation to the work of Chaplains under its supervision.

A11.26 Reports. The Committee shall report to the Assembly annually on the activities of Chaplains under its supervision and shall

(a) include in its financial estimates such sum as may be required for the payment of salaries, honoraria or supplements from Federal or State grants for the payment of Chaplains, and

(b) require Chaplains under its supervision to submit to the Committee such reports as it may deem to be necessary to exercise adequate control over their activities.

MANAGEMENT COMMITTEES

A11.27 Establishment. The Committee may establish management committees in respect of any property administered and controlled by the Committee as provided for in Regulation A10.13.

A11.28 Membership.

(a) Management committees shall be elected annually after each Assembly by the Committee.

(b) A management committee shall have a maximum of 12 members.

(c) At least three quarters of the elected membership of a management committee shall be communicants or adherents of the Presbyterian Church of Australia.

(d) Casual vacancies on a management committee may be filled by the Committee.

(e) The Committee shall have power to establish or dismiss the whole of a management committee at any time.

A11.29 Position declared vacant. If a member of any management committee is absent from three consecutive meetings without obtaining leave of

absence or supplying valid reasons for such absence from the management committee the Committee shall declare that person's position vacant.

A11.30 Chief Executive Officer. The Chief Executive Officer and members of the staff of programmes shall not be elected members of management committees or sub-committees thereof.

A11.31 Convener of Committee. The Convener of the Committee shall be a member of all management committees by virtue of his office. If the Convener elects not to attend meetings of a management committee, the Committee may appoint a member of the Committee to that management committee with full voting rights.

A11.32 Chief Executive Officer. The Chief Executive Officer shall be a member of all management committees and sub-committees thereof, without the right to vote.

A11.33 Quorum. Three members of a management committee shall form a quorum.

A11.34 Duties. Management committees shall be responsible for the management of a particular Programme as nominated by the Committee and shall comply with the rules of the Programme as established by the Committee pursuant to Regulation 12(b) hereof.

A11.35 Officers. Management committees shall elect from within their number a chairman, secretary and treasurer to form an executive.

A11.36 Officers: Limit on service. Office bearers of a management committee should not hold the same office for more than three years consecutively unless otherwise approved by the Committee where there are special circumstances.

A11.37 Reports. Each management committee shall forward

(a) all minutes of that management committee and other reports of its activities as requested by the Committee promptly to the Chief Executive Officer for transmission to the Committee, and

(b) financial statements and budgets for the Programme under its control to the Chief Executive Officer for transmission to the treasurer of the Committee.

A11.38 Auxiliaries. Auxiliaries may be established by management committees under rules provided by them and approved by the Committee to

generate funds for the Programme administered by that management committee and to assist in the work of that Programme.

A11.39 Auxiliary President. The President of an auxiliary shall be an ex-officio member of the management committee which established that auxiliary.

A11.40 Powers. Management committees shall have the power to:
(a) co-opt members for particular purposes,
(b) form and dissolve sub-committees for particular purposes, and
(c) delegate responsibility to senior staff.

UNIVERSITY MINISTRY [2025]

A12.01 Name. There shall be a Committee of the Assembly named the University Ministry Committee.

A12.02 Aim. The aim of the Committee is to establish and strengthen strategic links between PCNSW and on-campus university ministries for the benefit of our congregations and our church members involved in on-campus university ministries as staff and students.

A12.03 Membership. The membership of the Committee shall comprise of six communicant members.

A12.04 Function. The Committee shall:

(a) promote university ministry with the Presbyterian Church in New South Wales and ACT.
(b) encourage participation of the Church in university ministry.
(c) assess the theological alignment of other university ministries and with the approval of the Assembly enter into formal partnership agreements between the PCNSW and university ministries.
(d) interview university workers and candidates for university ministry and make appropriate recommendations to churches and presbyteries regarding endorsement of their ministry.
(e) ensure that university workers with membership in the PCNSW receive appropriate care and support from their university ministry and sending church.

CLERK OF ASSEMBLY

B1.01 Permanent Officer. The Clerk is a permanent officer of the General Assembly.

B1.02 Instructed by Assembly. The Clerk shall receive his instructions from the Assembly. His rights, powers and privileges as a member of Assembly shall in no way be affected by his official position as Clerk.

B1.03 Declaration. The Clerk on taking office shall promise to discharge faithfully the duties of the office.

B1.04 Duties. The Clerk shall:

(a) attend each sederunt of the Assembly,

(b) be Clerk of the Commission of Assembly and of the Committee of the Whole,

(c) issue all notices, forms and advertisements and do all other things for the forwarding of the business of the Assembly,

(d) oversee nominations for the Moderator of Assembly,

(e) prepare a report to the Assembly on ministerial changes that have taken place,

(f) prepare a report to the Assembly on returns to remits,

(g) collate and issue reports and other papers to members of the Assembly,

(h) record the proceedings of the Assembly,

(i) prepare and publish the minutes of the Assembly,

(j) keep in safe custody all books of record, minutes and documents which are the property of the Assembly excepting those for the custody of which the Assembly shall make other provision,

(k) furnish certified copies of documents or extracts from minutes when required to do so by the written order of the Moderator or of the Convener of any committee of Assembly or of the clerk of any presbytery,

(l) correspond with and supply information to presbyteries, ministers, sessions or committees of management of congregations requiring official information concerning the business of the Assembly,

(m) hold office as convener of the Code Committee,

(n) hold ex-officio membership of the Assembly Committees.

(o) receive and examine minutes from presbyteries, and inform presbyteries of required changes.[2020]

B1.05 Information. Persons requiring information from the Clerk shall supply the necessary postage stamps and when special extract copies or written forms are required by persons other than those beforementioned the Clerk shall be entitled to make an appropriate charge.

B1.06 Salary. The salary and other emoluments of the Clerk shall be determined by the Assembly from time to time.

B1.07 Vacancy.

(a) The Clerk shall not be liable to be superseded or impeached otherwise than by a formal resolution of the Assembly of which due notice shall have been given.

(b) The Clerk may resign his office at any time by writing under his hand, witnessed and addressed to the Moderator. If the Assembly be not in session at the time of such resignation the Moderator shall not accept the same until the Clerk shall have delivered the books and property of the Assembly in his custody into the hands of such person or persons as the Moderator may authorise in writing to receive the same, it being understood that the Moderator shall make the necessary arrangements within one month from the day of his receiving such resignation. Such resignation shall be subject to the approval of the Assembly.

(c) In the event of the clerkship being vacated by death or otherwise the Moderator shall make immediate arrangements for the discharge of the duties of the office until the next meeting of Assembly and shall, on the advice of the Business Committee, appoint an Acting Clerk of Assembly.

B1.08 Deputy Clerk of Assembly.

(a) The Assembly may appoint a Deputy Clerk who shall hold office for a period of three years, subject to renewal. Any such appointment shall only be made by ballot conducted according to the rules of the Assembly.

(b) The Deputy Clerk shall assist the Clerk in the exercise of the Clerk's duties and obey all instructions given by the Clerk. Should the Clerk be unable to act by reason of ill-health, physical or mental incapacity or absence from office for more than four weeks, or should the Clerk so request, the Deputy Clerk shall act in the Clerk's place.

(c) An honorarium will be paid to the Deputy Clerk as determined by the Assembly.

(d) Although not precluded from nominating for the position of Clerk of Assembly when a vacancy occurs, the Deputy Clerk shall not have any right of succession to the Clerkship.

LAW AGENT

B2.01 Qualifications. The Law Agent of the Church shall be a solicitor of the Supreme Court of New South Wales and a communicant or adherent of the Presbyterian Church of Australia in the State of New South Wales who is in active fellowship with his local congregation.

B2.02 Acting Law Agent. In the event of a vacancy by death or otherwise or in the event of the Law Agent becoming incapacitated by mental or bodily infirmity the Trustees shall if necessary make an appointment of an Acting Law Agent which shall be valid until the meeting of the Assembly. In the event of the Law Agent being absent from Australia the Trustees shall have power to appoint an Acting Law Agent and during such absence the Acting Law Agent shall have all the power and authority of the Law Agent.

B2.03 Appointment. On the occurrence of a vacancy by death or otherwise the Law Agent shall be appointed by the Assembly during the first week of the session by a resolution of which notice has been given during at least two sederunts.

B2.04 Removal. The Law Agent may be removed from office by the Assembly on an overture from a presbytery or a committee of the Assembly.

B2.05 Seat in Assembly. The Law Agent shall in virtue of the office have a seat in the Assembly with full powers if an elder but without the power to vote if not an elder.

B2.06 Advises presbyteries and Assembly committees. The Law Agent shall advise all presbyteries and standing and special committees of the Assembly on matters of civil law as these affect the Church and its interests and shall when requested to do so on approach made through the General Manager submit a case for the opinion of the Procurator. The Law Agent may at any time he may deem it advisable consult and obtain the opinion of the Procurator on any matter on which the former is or shall be acting as Law Agent of the Church.

B2.07 Church Solicitor. The Law Agent shall act as solicitor for the Church generally. For preparing and examining all deeds and documents (other than providing written opinions and other than cases which involve only the obtaining of the opinion of the Procurator), for investigating titles and for conducting, prosecuting and defending all petitions, actions and suits, and for undertaking the legal work of the Church generally for any congregation, committee, organisation or institution thereof, the Law Agent shall be entitled to charge the usual professional fees.

B2.08 Legal Work. The Law Agent may:

(a) authorise legal work of the Church to be carried out by any firm of solicitors with which he may be associated; and

(b) with the consent of the Trustees authorise specified legal work to be carried out by another solicitor.

B2.09 Fees. Except as hereinbefore provided, no fees shall be charged by the Law Agent.

OFFICIAL AUDITOR

B3.01 Appointment. An auditor who shall be a Registered Company Auditor and a member of the Institute of Chartered Accountants in Australia or of the Australian Society of Certified Practising Accountants or of the Institute of Public Accountants, who shall be a communicant or adherent of the Presbyterian Church of Australia in the State of New South Wales or hold a similar status in another protestant denomination and who shall be known as the Official Auditor, shall be appointed for a 5 year period by the General Assembly to audit:

(a) the books of account of the Church and

(b) the books of account of other agencies of the Church.

The scope of the audit is to enable the Auditor, to the extent of applicable accountancy standards in Australia and in accordance with the relevant Australian Auditing standards, to provide a financial audit report expressing an opinion whether the annual financial reports materially present fairly the financial position of the Church.

B3.02 Report. The Official Auditor shall submit his report thereon to the General Assembly and shall also submit a copy of his report to the Trustees not less than 2l days prior to the meeting of the General Assembly.

B3.03 Other audit functions. With the approval of the Trustees, the Auditor may be engaged to undertake other types of audit other than a financial report audit or to provide particular and specific business services.

B3.04 Rights to examine. The Official Auditor shall have access to all books and documents relating to the accounts of the Church and to the colleges and other institutions referred to in the preceding regulation and he shall have the right to call for and to examine the same with the accounts and vouchers pertaining thereto.

B3.05 Legal opinion. When he deems it advisable, the Official Auditor may request the Law Agent to state a case for the Procurator's opinion and advise the interested parties of this opinion when obtained.

B3.06 Remuneration. The remuneration of the Official Auditor shall be fixed by the Trustees unless otherwise determined by the Assembly.

B3.07 Casual vacancy. If a casual vacancy occurs in the office of Official Auditor the Trustees shall make a temporary appointment which shall continue until the next annual meeting of the General Assembly.

B3.08 Report to Assembly. The report of the Official Auditor shall be published and distributed with the Assembly papers.

PROCURATOR

B4.01 Qualifications. The Procurator shall be a Barrister-at-law of New South Wales and a communicant or adherent of the Presbyterian Church of Australia in the State of New South Wales, who is in active fellowship with his local congregation.

B4.02 Acting Procurator. In the event of a vacancy by death or otherwise or in the event of the Procurator becoming incapacitated by mental or bodily infirmity the Trustees shall, if necessary, make an appointment of an Acting Procurator which shall be valid until the meeting of the Assembly.

B4.03 Absence overseas. In the event of the Procurator being absent from Australia, the Trustees shall have power to appoint an Acting Procurator and during such absence the Acting Procurator shall have all the power and authority of the Procurator.

B4.04 Appointment. On the occurrence of a vacancy by death or otherwise the Procurator shall be appointed by the Assembly during the first week of the session by a resolution of which notice has been given during at least two sederunts.

B4.05 Removal. The Procurator may be removed from office by the Assembly on an overture from a presbytery or a committee of the Assembly.

B4.06 Seat in Assembly. The Procurator shall in virtue of the office have a seat in the Assembly with full powers if an elder but without power of voting if not an elder.

B4.07 Advises Assembly. The Procurator shall advise the Assembly when in session with regard to all matters concerning which the Assembly by motion duly made and carried may request him to give advice and he shall consider and report upon all matters submitted to him by the Assembly.

B4.08 Advises presbyteries and Assembly committees. The Procurator shall advise all presbyteries and ordinary committees and special committees of the Assembly on any appropriate matter on which they desire his opinion on a case being submitted to him by the Law Agent of the Church through the General Manager.

B4.09 Revises libels. The Procurator shall revise all libels and no libel shall be deemed relevant that has not been revised by him.

B4.10 Church Counsel. The Procurator shall hold a general retainer for the Church, including its congregations, committees, institutions and organisations and unless he advises the Law Agent to the contrary he shall act as Counsel for the Church in all cases in which any question affecting the rights and interests of the Church shall come before Parliament or the Law Courts and when so acting shall be entitled to the ordinary professional fees.

B4.11 Fees. Except as hereinbefore provided, no remuneration shall attach to the office of Procurator.

McCAUGHEY FUND

GANSW 2021 BB min47(11)
Acknowledging that the assets of the McCaughey Fund have been fully depleted in accordance with the objects of the Fund, delete from The Code Part III Regulations C1.01 – C1.07 (McCaughey Fund)

PROPERTY TRUST REGULATIONS PURSUANT TO SECTION 12 OF THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST ACT, 1936

C2.1 DEFINITIONS

C2.1.01 Definitions. In these regulations unless contrary to the context or obvious meaning:

"**Act**" means The Presbyterian Church (New South Wales) Property Trust Act, 1936.

"**Assembly**" means the General Assembly of the Church.

"**Approval Table**" means the table of approval requirements in regulation C2.2.02.

"**Board**" means a council, committee or board of directors appointed by the Assembly under Section 13 of the Act.

"**Budget**" means in respect of an Institution the budget submitted by that Institution as referred to in C2.4.02.

"**Church**" means the Presbyterian Church of Australia in the State of New South Wales.

"**Church organisations**" means all committees of the Church including Committees of Management, Sessions, Boards and Governing Committees, but not including the Trustees.

"**Committee of Management**" means in relation to a Congregation the committee of management or deacon's court of that Congregation.

"**Congregation**" means a congregation of the Church as recognised pursuant to the practice and procedures of the Church.

"**General Manager**" means the General Manager of the Church as appointed pursuant to the practice and procedures of the Church.

"**Governing Committee**" means a committee of the Assembly, including any management committee of an ordinary or special committee, which manages Land or other property.

"**in active fellowship**" means giving faithful attendance on gospel ordinances and associating regularly with a congregation in worship.

"**Institution**" means a project or activity of the Church generally in respect of which the Assembly has granted a constitution and/or powers of management and control to a Board under Section 13 of the Act.

"Land" means land, both freehold and leasehold, including all buildings and fixtures thereon.

"**Limit for any one item**" means the limit of spending for a thing or series of things which are normally treated as a unit or whole for purposes of the Church, whether or not payable by installments and whether or not invoiced in a series of invoices.

"**Presbytery**" means in relation to a Congregation the presbytery within

whose bounds that Congregation is located.
"**Programme**" means any programme of a Congregation, all such being accountable to the Congregation through the Committee of Management, which is a structured activity of a social welfare or educational nature intended for community use rather than exclusively for Congregational use such as a pre-school kindergarten, long day child care centre, retirement village, or hostel for the aged. [2019]
"**property**" means Land, personal property and any other tangible asset.
"**Reporting Table**" means the table of reporting requirements in Regulation C2.2.03.
[2019]
"**Session**" means in relation to a Congregation the session of the pastoral charge which comprises or includes that Congregation.
"**Spending**" means purchase, expenditure, gift or the creation of a liability, cost, debt, lease, contract or promise which generates or satisfies an economic obligation which eventually entails payment of an amount of money for goods, services or any other thing.
"**Spending Table**" means the table in Regulation C2.02.01 and/or C2.2.02 as relevant.
"**Tables**" means each of the Approval, Spending and Reporting Tables.
"**Trustees**" means The Presbyterian Church (New South Wales) Property Trust as established by the Act.

C2.2 APPROVAL AND REPORTING TABLES

C2.2.01 Spending other than land and building projects. Approvals for major spending are as required in these regulations including this regulation. Without being comprehensive they are:-

	Church Organisation or type of Spending	Limit for any one item	Approving body if Limit exceeded
a	Committee of Management	$10,000 (unless the congregation resolves to impose a different limit, *see* The Code Part III C2.3.06(b))	Congregation
b	Congregation	$50,000	Presbytery
c	Congregation with Presbytery approval	$100,000	Trustees
d	Programme without Congregation and Presbytery	$100,000	Trustees

	Church Organisation or type of Spending	Limit for any one item	Approving body if Limit exceeded
	approval		
e	Governing Committee	$200,000	Trustees
f	Institution with annual income up to and including $20 million	$200,000	Trustees
g	Institution with annual income exceeding $20 million	$500,000	Trustees
h	All Church organisations employment contracts	$200,000	Trustees

C2.2.02 Land and building projects. Notwithstanding general spending limits authorisation requirements for dealings with land and building projects are as specified in these regulations, including this regulation. Without being comprehensive they are:-

	Church Organisation	Item	Approving body
a	Committee of Management (not including Programmes of Congregation)	Building construction or renovation over $10,000 but under $50,000 accompanied with plans, specifications and financial arrangements (unless the congregation resolves to impose a different limit, *see* The Code Part III C2.3.06(b))	Congregation
b	Committee of Management (not including Programmes of Congregation)	Building construction or renovation exceeding $50,000 but less than $100,000 accompanied with plans, specifications and financial arrangements (unless the congregation resolves to impose a different limit, *see* The Code Part III C2.3.06(b))	Congregation and Presbytery
c	Committee of Management (including Programmes of Congregation)	Building construction or renovation exceeding $100,000 accompanied with plans, specifications and financial arrangements (unless the congregation resolves to impose a different limit, *see* The Code Part III C2.3.06(b))	Congregation, Presbytery and Trustees

	Church Organisation	Item	Approving body
d	All Church organisations other than Congregations	Building construction or renovation exceeding $200,000 accompanied with plans, specifications and financial arrangements	Trustees
e	Committee of Management	All Land dealings including purchase, sale, mortgage or lease.	Congregation, Presbytery and Trustees
f	All Church organisations other than Congregations	All land dealings including purchase, sale, mortgage or lease.	Trustees
g	All Church organisations	Execution of all legal documentation related to dealings in land and/or buildings including contracts, leases, mortgages, plans and specifications.	Trustees or the General Manager authorised under Power of Attorney
h	All Church organisations	All insurance matters	Trustees

C2.2.03 Reporting. Reporting requirements for Church organisations are as specified in these regulations, including this regulation. Without being comprehensive they are:-

	Church Organisation	Item	To	Not later than
a	All Church organisations	All bequests	Trustees for dealing with & valid receipting	Immediately when known
b	Session	Annual Report	Congregation	March
c	Session	Statistical Return ('S' Form)	Trustees & Presbytery	March
d	Committee of Management	Auditor Report	Trustees & Presbytery	March
e	Committee of Management	Financial Return ('F' Form)	Trustees & Presbytery	March
f	Committee of Management	Property Report	Trustees	60 days following a Trustees request

	Church Organisation	Item	To	Not later than
g	Programme of Congregation [2019]	Quarterly (calendar) Financial Report	Trustees, Presbytery & Congregation	Each February, May, August & November
h	Programme of Congregation [2019]	Annual Financial Report with budget (including capital expenditure)	Trustees, Presbytery & Congregation	March
i	Programme of Congregation [2019]	Auditor Report	Trustees, Presbytery & Congregation	March
j	Governing Committee	Annual Financial Report with Budget (including capital expenditure)	Trustees	If and as directed from time to time.
k	Governing Committee	Auditor Report	Trustees	If and as directed from time to time.
l	Institution	Monthly Financial Report	Trustees	If and as directed from time to time.
m	Institution	Annual Financial Report with Budget (including capital expenditure)	Trustees	March
n	Institution	Auditor Report	Trustees	March
o	Institution	Governance training report	Trustees	March

C2.2.04 Exemption from Requirements. For the purpose of materiality in respect of any Church organisation the Trustees may from time to time determine that a nominated Church organisation is not required to comply with any nominated reporting requirements as contained in the Tables and may have other specific reporting requirements substituted if deemed appropriate.

C2.3 CONGREGATIONS

C2.3.01 Congregational Property. All property of a Congregation shall be managed by the Committee of Management subject to the approval of the Trustees in accordance with Section 18 of the Act. The Trustees at all times have the right to withdraw this approval and undertake direct management of the property of a Congregation, including its funds and bank accounts.

C2.3.02 Committee of Management. With respect to its duty in the Code Part II 2.21(e), (i.e. "exercises oversight in the administration of the temporal affairs of the congregation") the Committee of Management shall, amongst other things:

(a) manage the property and liabilities of the Congregation,
(b) collect, have the custody of and expend all moneys coming into its hands,
(c) supervise the control and use of funds by any organisation of the Congregation which receives or controls its own funds,
(d) take needful steps for the maintenance, improvement, insurance and protection of the property of the Congregation, and
(e) implement and monitor a safety management system to eliminate or control the health and safety risks arising from the property and activities of the Congregation

subject always to the control of the Congregation and to the other provisions of these regulations. [2025]

C2.3.03 Obey Directions. The Committee of Management shall obey such directions relating to property of the Congregation as may properly be given by the Congregation or by the Trustees from time to time. The Committee of Management shall if required by the Trustees present to the Trustees a report of the condition and management of the property under its control, including such duly audited accounts of moneys received and expended, as the Trustees may require.

C2.3.04 Property Report to Trustees. The Trustees may from time to time require a Committee of Management to submit to the Trustees such information regarding the property managed by that Committee as the Trustees may require. Each Session and Committee of Management shall submit the reports specified in the Reporting Table to the nominated bodies within the period specified in the Reporting Table.

C2.3.05 Accounting of Income. The Committee of Management shall record as income in the congregation's ordinary account all funds contributed towards ordinary expenses and any assessments imposed by either the presbytery of the Assembly.

C2.3.06 Spending.

(a) A Committee of Management shall not enter into a Spending commitment in excess of the amounts specified in the Spending Table without first obtaining approval for such proposed Spending including the terms and conditions from the Congregation, Presbytery and Trustees as specified in the Spending Table.

(b) The spending limit placed on a Committee of Management by a Congregation shall be the limit shown in the Spending Table unless a different amount is adopted by resolution at a congregational meeting. A congregational meeting cannot adopt a different amount beyond the limit shown for a Congregation in the Spending Table unless the Congregation obtains the approval specified in the Spending Table.

(c) In seeking such approval the Committee of Management will comply with the provisions of these regulations, including C2.7.01.

C2.3.07 Congregational Programmes - other than Schools.

(a) A Congregation may in accordance with the rules and regulations of the Church establish and operate a Programme on Land vested in or leased by the Trustees on behalf of the Congregation. In accordance with Section 18 of the Act, the Committee of Management of the Congregation may exercise the functions of management of the Programme including financial management and management of the Land used for the Programme.

(b) The Committee of Management in exercising management and control of the Programme is subject at all times to the overriding authority of the Trustees as provided for by Sections 16 and 18 of the Act.

(c) The Trustees may at any time give directions relevant to the operation of a Programme, either general or specific, to the Committee of Management that operates that Programme and the Committee shall comply with such directions.

(d) The Trustees may if they have concerns regarding the finances and/or management of a Programme by the Committee of Management by resolution suspend the powers of management of the Committee of Management in respect of that Programme and assume direct control of the Programme including the Land that is used for that Programme. Unless there are in the opinion of the Trustees special circumstances the Trustees will not take

such action without first requesting and considering a report from the Presbytery.

(e) The Congregation through the Session or Committee of Management shall ensure that all requirements for any Programme of the Congregation in the Tables are complied with.

(f) Any licence, permit or authority required by law for the Programme shall be held by the Trustees or as they direct, subject to the requirements of the relevant law and/or regulatory authority.

[2019 - see Constitution; Presbyterian Low Fee Christian Schools]

C2.4 INSTITUTIONS

C2.4.01 Financial Supervision. Notwithstanding the provisions of any constitution and/or powers of management and control granted by the Assembly to a Board, the Trustees may in pursuit of their duty as trustee of all the property, and responsibility for all debts and liabilities of, the relevant Institution and by resolution of the Trustees:

(a) give directions to the Board in respect of the financial and/or property management of the Institution, and/or

(b) appoint up to two additional members to the Board of the Institution for such period as the Trustees may determine, and/or

(c) assume direct control of the management of the Institution until the next meeting of the Assembly provided that the Trustees first resolve that the financial situation of the Institution requires such action. The Trustees shall subsequently report to the Assembly on any action taken pursuant to this power.

C2.4.02 Budget. Each Board shall provide to the Trustees its proposed budget in a form required by the Trustees for each calendar year (being the financial year for the Institution) not later than the period specified in the Reporting Table. When providing the Budget the Board shall provide supporting material to justify assumptions made within the Budget, particularly on the income side of the Budget.

C2.4.03 Financial Reporting. Each Board shall provide reports regarding the financial performance of the Institution within the periods specified in the Reporting Table in such form as the Trustees require from time to time. The Trustees may require such reports upon request and may state the format for such reports to improve consistency of reports from all Institutions. Each Board shall procure that the relevant Institution responds properly to any queries or requests

from the Trustees regarding any aspect of financial or property management within the Institution.

C2.4.04 Auditor and Annual Management Reports.

(a) Each Board shall engage the Official Auditor to be the auditor of the Institution.

(b) The Auditor shall submit an annual audit report to the Trustees through the Board. Such report shall deal with the financial affairs of the Board for the financial year just ended.

(c) Each Board shall obtain an annual management report from the Auditor, and shall report in writing to the Trustees on steps being taken regarding any management recommendations of the Auditor within the period specified in the Reporting Table.

C2.4.05 Spending. A Board shall not enter into any Spending commitment in excess of the following Limits for any one item:

(a) an Institution with an annual budget in excess of $20M - as per Spending Table

(b) an Institution with an annual budget of less than $20M - as per Spending Table

(or such higher amount as the Trustees may approve from time to time in respect of a particular Institution) without first obtaining approval for such Spending and its terms and conditions from the Trustees.

C2.4.06 Non Recourse Loans. The Trustees may as a condition of approval for a proposed borrowing by an Institution require that the lender acknowledge that the rights of the lender to recover any borrowed moneys (including pursuant to any securities) are limited to the property held by the Trustees for and on behalf of the relevant Institution.

C2.4.07 Training for Board. The Trustees shall make or approve arrangements for the establishment and ongoing management of relevant training opportunities so that all members of Boards receive training regarding their duties as Board members, such as:

(a) principles of good governance, especially as they apply within the field of activity of the Institution,

(b) financial management,

(c) risk management and insurance,

(d) OH&S, industrial relations, anti-discrimination and other State and Federal laws relevant to the Institution,

(e) the requirements of the Church as contained in these regulations and the Code generally, and

(f) formulating and advancing the mission of the Institution as an

activity of the Church with a Christian world view.

Each Board will report annually to the Trustees in accordance with the Reporting Table on training undertaken by that Board for its members. The Trustees may accept such training at Board level as satisfying training requirements to such extent as the Trustees may determine. The Trustees shall take into account any professional qualifications held by individual Board members in determining the minimum training requirements for those Board members.

C2.4.08 Minimum Training. Each Board shall ensure that each member of the Board undertakes such training as provided for in regulation C2.4.07, both as to content and time, as may be directed by the Trustees from time to time as the minimum training for each Board member. A Board, when nominating members of the Board for re-election, must state in its report to the Assembly that the nominated Board members have completed the minimum training requirements.

C2.4.09 Foundation. Any Institution which intends to establish a fundraising Foundation shall first consult the Trustees. Any Foundation must, in accordance with Section 9 of the Act, be established by a trust deed with the Trustees as trustee of the Foundation. Any such trust deed must be in a form approved by the Trustees. The Board shall procure that the Foundation so established operates in accordance with the approved trust deed.

C2.4.10 Funding and Grant Contracts. The Board must ensure that the Trustees have approved the terms and conditions of any obligations contained in a contract required to be executed to facilitate the receipt of a grant from any outside authority or body prior to entering into such agreement or accepting such funds.

C2.5 GOVERNING COMMITTEES

C2.5.01 The Trustees may direct a Governing Committee to comply with such of the obligations of Boards under regulation C2.4 as the Trustees may specify in respect of any Property or Land and activity thereon managed by that Governing Committee as the Trustees may nominate. A Governing Committee shall comply with all such directions from the Trustees, including regulation C2.4, to the extent required by the Trustees.

C2.5.02 In the absence of any other direction from the Trustees, each Governing Committee will comply with the requirements specified for Governing Committees in the Tables.

C2.6 BUILDING WORKS AND OTHER CAPITAL

EXPENDITURE

C2.6.01 Expenditure on Congregational Land. In respect of any proposed expenditure for the erection or purchase of new buildings or effecting repairs, renovations or additions to existing buildings of a Congregation which is estimated to or will cost in excess of amounts specified in the Approvals Table the Committee of Management shall:

(a) submit the plans and specifications together with the financial arrangements for the proposed expenditure to bodies specified in the Approvals Table,
(b) call for tenders (if required by the Trustees),
(c) obtain the approval of the bodies as specified in the Approvals Table before proceeding with the work.

C2.6.02 Expenditure on Congregational Property other than Land. In respect of any proposed purchase or sale of any property other than Land including goods and chattels, items of office equipment, works of art, furniture and electronic equipment in excess of the Spending limits in the Spending Table a Committee of Management shall submit the proposal together with the financial arrangements to the Congregation, and the Presbytery and the Trustees to obtain the approval of these bodies before proceeding if and as required by the Tables.

C2.6.03 Expenditure on Land Other Than Congregational Land.

A Board or Governing Committee shall in respect of any proposed expenditure for the erection or purchase of new buildings or additions to existing buildings which is estimated to cost in excess of the amount specified in the Approvals Table:

(a) have plans and specifications prepared by a registered architect, a reputable project building company or other person acceptable to the Trustees,
(b) submit the plans and specifications together with financial arrangements for the proposed expenditure to the Trustees,
(c) call for tenders (if required by the Trustees),
(d) details in (a), (b) and (c) should be submitted to the Trustees with the Budget or before proceeding with the work, and
(e) obtain the approval of the Trustees for items not included in the Budget.

C2.6.04 Insurance. In any case in which any Church organisation is proposing to carry out works whether under a building contract or as owner builder which involves a value of work and materials in excess of $500,000 the relevant organisation shall verify with the Trustees the insurances required to be obtained and shall effect all insurance required by the Trustees.

C2.6.05 Endorsement of Plans. If the plans and specifications for any building work exceeding in value $100,000 are not prepared by a registered architect the Trustees may require that the proposed contract documents, including the plans and specifications, be endorsed by a registered architect as adequate and complying with all relevant government requirements.

C2.6.06 Civil Approvals. The Committee of Management, Board or Governing Committee shall not undertake any building works without first obtaining the consent of the local government authority and all other consents which may be required from any other governmental authority for the carrying out of such works.

C2.6.07 Supervision of Works – Congregational Projects. In respect of all works to be undertaken by a Congregation for which the approval of the Trustees is required, arrangements for supervision of the works acceptable to the Trustees shall be made by the Committee of Management. Upon completion of the works the Committee of Management shall provide to the Trustees a certificate showing that all work has been completed in accordance with the approved plans and specifications.

C2.7 DEALINGS IN LAND

C2.7.01 Purchase/Sale/Lease. The Trustees may as to any Land held or to be held for any particular use, activity, service or object of the Church (including use by any Congregation) upon request by the Committee of Management, Board or Governing Committee of such activity or service:

(a) purchase such Land,
(b) lease, mortgage, sell, grant or release easements, exchange and otherwise deal with such Land, and
(c) negotiate resumption claims in respect of such Land.

Where such Land is held for a Congregation, the Congregation shall obtain the consent of the Presbytery prior to submitting its request to the Trustees.

C2.7.02 Supporting Documents. In respect of any request to the Trustees under regulation C2.7.01 to purchase, lease, mortgage, sell, exchange, act on a resumption or otherwise deal with Land the relevant Committee of Management, Board or Governing Committee shall provide to the Trustees:

(a) a plan of the Land proposed to be dealt with which is acceptable to the Trustees,
(b) a certificate of valuation by a licensed real estate valuer or other evidence of value acceptable to the Trustees,
(c) a survey identification report,

(d) a building inspection report (in the case of a purchase), and

(e) a pest report (in the case of a purchase).

The Trustees may if there are special circumstances upon request by the Committee of Management, Board or Governing Committee agree to waive any of these requirements.

C2.7.03 Evidence of Consent to Deal with Land. Where on any dealing with Land the consent of the Congregation is required such consent shall be:

(a) given at a meeting of such Congregation duly convened for the specific purpose, and

(b) evidenced by a copy of the minute passed at such meeting giving the numbers voting for and against the motion carried and signed by the chairman and secretary of such meeting.

A copy of such minute shall be provided to the Presbytery and the Trustees when any request of the kind referred to in regulation C2.7.01 is submitted to the Presbytery and the Trustees.

C2.7.04 Investment in Land. The Trustees may as to Land to be purchased as an investment for the funds of the Church generally or for the funds of any particular activity or service of the Church, purchase or acquire the same with or without the consent or request of any persons or body but before doing so shall obtain and consider:

(a) a registered valuer's valuation, a report of a licensed real estate valuer familiar with values in the area or such other evidence of value acceptable to the Trustees, and

(b) the report of the Law Agent as to any current legal restriction on uses to which such Land may be put.

The Trustees may as to any Land so purchased or acquired or otherwise held as an investment, manage, deal with, lease, mortgage and with the like evidence of value sell, exchange and negotiate resumptions and do any of such things on such terms as the Trustees shall consider proper.

C2.7.05 Custody of Titles. The Trustees shall have safe custody of all documents of title for all Land vested in the Trustees.

C2.7.06 Heritage Affectation. A Committee of Management shall not enter into any arrangement with the Heritage Council of NSW (or any successor) whereby any restriction or covenant is placed on any Land owned on behalf of the Congregation without the prior approval of the Trustees.

C2.8 INSURANCE

C2.8.01 Indemnity and Insurance. The Trustees shall be responsible to provide advice and assistance in and attend to matters of insurance and compensation for loss, injury or damage and shall:

(a) effect insurance of all property held by or in trust for some or all of the purposes of the Assembly, any Church organisation or fund in connection with the Church against loss or damage subject always to the terms and conditions legally imposed by underwriters in their policies of insurance,
(b) arrange workers compensation insurance,
(c) arrange any other insurance or risk management service,
(d) receive commissions and charge fees.

C2.8.02 Reserve Fund. The Trustees may create an emergency reserve fund the purpose of which shall be to assist the Church or any part thereof in any circumstances that may arise that are outside the scope of normal insurance protection.

C2.8.03 Payment of Premiums. The General Office on behalf of the Trustees may from time to time notify each Church organisation that has the control and/or management of property vested in the Trustees of the insurance premium required to be paid in respect of such property. The relevant body responsible for the property shall ensure that payment of the premium is made by the due date as notified.

C2.8.04 Failure to Pay Premiums.

(a) In the case of congregational property the General Office on behalf of the Trustees shall notify the Presbytery that a Committee of Management has failed to pay insurance premiums as required by the Trustees. The Presbytery shall take all steps necessary to ensure that the Committee of Management of such Congregation pays the insurance premiums within a period of two months.
(b) If premiums are payable by a Congregation in accordance with regulation C2.8.03 and the Presbytery has been unable to secure payment of the premium by the Committee of Management in accordance with regulation C2.8.04(a), the Trustees may, in accordance with its general powers and its specific authority under Section 18 of the Act, take steps to procure payment of the premium including taking control of bank accounts or other property of the Congregation.

C2.8.05 Maintenance of Insurances. The Trustees may take steps to ensure that:

(a) all land and other property are adequately insured, and
(b) insurance policy payments are from time to time up to date.

C2.8.06 Custody of Policies. The Trustees shall have the safe custody of all policies of insurance.

C2.8.07 Indemnity to Church Officers.

(a) Notwithstanding any insurance that may be in place the Assembly on behalf of the Church and by the enactment of this regulation under Section 12 of the Act hereby indemnifies all Officers of the Church and the Trustees against any Liability where such Liability does not arise out of conduct attributable to a lack of good faith on behalf of the Officer.

(b) For the purposes of paragraph (a) "Liability" extends to any liability, costs, damages, fees, expenses, demands, suits, actions, proceedings or claims incurred by the Officer in or arising out of being an Officer for the Church or the Trustees including legal costs incurred by the Officer in connection with claims or threatened proceedings, whether or not the Officer is receiving any remuneration of any kind or is acting in an honorary capacity. Such indemnity:
  (i) is limited to property and assets of the Church,
  (ii) does not extend to any Officer or person for a Liability arising from their personal provision of any legal, financial or professional advice, goods and services,
  (iii) does not extend to any claim or circumstance where to do so would involve a breach of law or defending or resisting criminal proceedings in which the Officer is found guilty.

(c) For the purposes of this regulation C2.8.07 an Officer shall mean any formally appointed person who holds office under the rules of the Church or any committee or board of the Church and who is duly authorised to make or participate in making decisions that substantially affect any duly constituted part of the Church. Officers shall include any former, current or future member of a governing body, ministers, elders, directors, executive heads, senior managers, treasurers, clerks, deputy clerks, secretaries, moderator, chairman or convener and members of any committee, subcommittee, session, court, trust, board, council or foundation, but shall not include any contractor or provider of goods or services in respect of Liability arising from the provision of such goods and services.

(d) The Trustees in respect of any claim against an Officer:

(i) reserve the right to give directions and take over conduct of the claim

(ii) reserve the right of subrogation.

(e) If an Officer becomes aware of a claim which could result in a Liability or circumstances that could give rise to such a claim, then that Officer must notify, or procure that the committee of which the Officer is a member notifies, the Trustees of the relevant circumstances as soon as is reasonably practicable.

(f) An Officer must not make any admissions or seek to settle a claim without written consent from the Trustees.

C2.9 VARIATIONS OF TRUST

C2.9.01 Unused Congregational Property.

(a) If:-

(i) the property of a Congregation ceases to be used by that Congregation for a period of not less than four months, and

(ii) it is unlikely that regular use of the property by the Congregation will be resumed,

then the Committee of Management exercising jurisdiction over that property and/or the Presbytery shall report to the Trustees that the property has become inactive. In presenting such a report the Committee of Management or Presbytery should indicate whether there are any plans for the future use of the property and whether the Presbytery sees the property as being part of any future ministry activity.

(b) After:-

(i) considering a report from the relevant Committee of Management and/or Presbytery as referred to above, and

(ii) undertaking such enquiries (if any) which the Trustees regard as necessary or desirable in the circumstances,

the Trustees may declare that the inactive property is redundant church property and proceed to ask the Assembly to make relevant declarations about the inactive property pursuant to section 10 of the Act as provided for in C2.9.02.

C2.9.02 Redundant Property of a Congregation.

(a) If the Trustees resolve to proceed to ask the Assembly to make relevant declarations about an inactive property pursuant to section 10 of the Act then the Trustees shall require the Presbytery of the bounds in which the inactive property is

situated ("the relevant Presbytery") to present the report on the matter required by section 10(2) of the Act ("the relevant Presbytery report") within 16 weeks after date of request.

(b) The relevant Presbytery report may adopt, confirm or expand the existing report provided by that Presbytery or the relevant Committee of Management pursuant to C2.9.01(a).

(c) When submitting a report to the Trustees under Section 10(2) of the Act, the Presbytery shall provide to the Trustees by way of extract minute evidence that the report is the report of the Presbytery or is a report to the Presbytery which has been approved and adopted by the Presbytery.

(d) The Trustees shall also procure promptly a report by the Ministry and Mission Committee as to possible alternative uses of the inactive property together with a review of possible new trusts which are or might be considered as being as nearly as practicable the same as the existing trusts which shall include a review of whether all or part of the property shall be:

(i) held for the benefit of a Congregation or Congregations continuing to function in or adjacent to the area of the Congregation or former Congregation for whose benefit the property was held,

(ii) held for the benefit of any special interest Congregations which then function or are expected to function in the area, or

(iii) transferred to the Parish Development Fund to be applied for parish development in accordance with the regulations for that Fund.

Such a report by the Ministry and Mission Committee shall be prepared only after consultation with the Presbytery and shall include a recommendation with reasons as to the proposed new trust or trusts upon which the property should be held and, if the proposed new trust or trusts are not trusts which are as nearly as practicable the same as the existing trusts, an explanation of the circumstance with reasons as to why the Committee is of the opinion that it is impossible or inexpedient for the proposed new trusts to be as nearly as practicable the same as the existing trusts in the circumstances arising since the creation of the trusts upon which the inactive property is held at the date of the report.

(e) If the Trustees resolve to recommend that the Assembly make the further declaration described in section 10(4) of the Act then the Trustees may recommend to the Assembly that the Assembly declare pursuant to section 10(1)(b) of the Act that the net proceeds of sale of the inactive property be held upon

trust for the use, benefit and purposes of the Presbyterian Church of Australia in New South Wales by being divided equally between:

(i) the Parish Development Fund, to be applied for parish development in accordance with the regulations for that Fund,

(ii) the Ministry and Mission Committee, to be applied by that Committee in accordance with its regulations to assist in the revitalisation of Congregations or the establishment of new Congregations within the bounds of the relevant Presbytery, and

(iii) if within 5 months after receipt of the proceeds of sale of the inactive property the relevant Presbytery and the Ministry and Mission Committee cannot reach agreement on how the said proceeds might be applied within the relevant Presbytery then the one-half share described in (ii) shall be transferred to the Parish Development Fund, to be applied for parish development in accordance with the regulations for that Fund.

C2.10 GENERAL REQUIREMENTS

C2.10.01 Bequests. A Committee of Management, Board or Governing Committee shall forward to the Trustees any bequests that it may receive so that the Trustees may deal with such bequests, including the giving of a valid receipt therefore pursuant to Section 23 of the Act.

C2.10.02 Reports and Information. Notwithstanding any provision in the constitution of any body under the jurisdiction of the Church, the right of the Trustees to require any reports or information it may deem necessary in the exercise of its general oversight of the financial affairs of the Church is expressly reserved.

C2.10.03 Employment Contracts. If a Church organisation proposes to establish an employment contract with any person which:

(a) is for a period exceeding five years, or

(b) creates annual Spending which exceeds the sum specified in the Spending Table or such higher amount determined by the Trustees from time to time then the Church organisation shall seek the approval of the Trustees with respect to the period or the annual liability prior to entering into the contract. Such approval may be granted by the Trustees up to a pre-determined

limit prior to a committee commencing its search to fill a position.

C2.11 TRUSTEES

C2.11.01 Execution of Documents. The Trustees may by resolution authorise:

(a) the General Manager,
(b) a nominated Trustee or Trustees, or
(c) any other person or class of persons,

to execute any specified document or class of documents for and on behalf of the Trustees.

C2.11.02 Appointment of Attorneys. The Trustees may, in exercise of the power of delegation under Section 21C of the Act, appoint:

(a) the General Manager,
(b) a nominated Trustee or Trustees, or
(c) any other person or class of persons,

to be attorneys for the Trustees to execute such documents as the Trustee may specify pursuant to the power or powers of attorney.

C2.11.03 Common Seal. No deed or documents shall be signed by or on behalf of the Trustees or have the common seal affixed thereon unless such deeds or documents shall have been approved by the Law Agent or his appointee.

C2.11.04 Membership of Trustees. The Trustees will report to each Assembly that persons other than ministers nominated by the Trustees for election or re-election to the Trustees have provided a current letter from the nominee's minister or session confirming that the nominee is in active fellowship with the nominee's Congregation. If a person is nominated by a member of the Assembly to fill a position or the Trustees, such a letter must accompany the nomination form.

C2.11.05 Management Committee. In connection with any property held by the Trustees where there is no Congregation or any Committee of Management, Board or Governing Committee to take charge, the Trustees may appoint a management committee to manage and administer such property with such powers as the Trustees may confer. Such committee shall hold office during the pleasure of the Trustees.

C2.12 TRUSTEES INVESTMENT FUND

C2.12.01 Establishment of Investment Fund. The Trustees may establish or continue the operation of a blended fund for the investment of all

moneys held by the Trustees known as the Trustees Investment Fund.

C2.12.02 Composition of Funds. The TIF shall comprise such of the following funds as the Trustees elect to place within the TIF:

(a) funds placed by Church organisations with the Trustees for investment,

(b) funds which are held by the Trustees on specific trusts, including for different purposes or activities of the Church,

(c) funds managed by the Trustees which are held upon a general trust for the Church.

C2.12.03 Blending of Funds. The blending of these Funds held on separate trusts is authorised under Section 21B of the Property Trust Act. These TIF regulations are not intended to narrow the power of the Trustees (including power to make advances) under section 21B of the Act or the Trustees' other powers under the law.

C2.12.04 Funds Exempted. The Trustees may exempt particular funds from being invested through the TIF.

C2.12.05 Trustees' Discretion. The Trustees shall manage the TIF as they think best and in accordance with their obligations under the law. In managing the TIF the Trustees may take appropriate investment advice from qualified investment advisers.

C2.12.06 Risk Considerations. In investing the TIF the Trustees shall consider the capital growth, investment income and risk profile of the TIF.

C2.12.07 Distribution after Provision for Reserve.

(a) The Trustees shall from time to time, and until the next determination at such time as the Trustees think fit, determine an appropriate rate of distribution on Funds.

(b) In determining the Rate the Trustees shall apply a practice which will have considered the likely impact on Funds including total return (capital growth and income) based on an investment strategy including a prudent risk management strategy with provision for an appropriate level of funds set aside (Buffer Reserve) to support the Rate and to assist the smoothing out of market fluctuations.

C2.12.08 Rate of Return.

(a) Each Church organisation which places Funds with the TIF is by these regulations promised the Rate applicable from time to

time on the Funds placed by that Church organisation with the TIF.

(b) The amount of return representing in money the Rate which each Fund receives will be calculated daily and allocated monthly (or as otherwise determined by the Trustees) and will thereafter be treated as part of the Fund unless and until:

(i) in the case of Funds lodged by a Church organisation, the Church organisation which placed Funds with the TIF notifies the Trustees in writing that the Church organisation wishes to receive the Rate by payment, or the Funds are withdrawn

(ii) in the case of other Funds, the Trustees otherwise determine.

(c) The Trustees may from time to time circulate a form of notice in writing which is required substantially to be complied with to give the notice required under paragraph (a). If no form of notice has been circulated then any form of notice in writing will be sufficient.

(d) The entitlement of each Fund to a distribution on that Fund is limited to the amount of return representing in money the Rate from time to time.

C2.12.09 Fees.

(a) The Trustees may levy a fee or fees upon the TIF for managing and administering the TIF including managing the way in which the TIF is from time to time invested.

(b) The TIF management fee shall be a percentage per annum of the total of all moneys held in the TIF and shall be reported at each General Assembly.

(c) The Trustees may vary the percentage of the management fee with effect from the first day of any month.

(d) The management fee shall be calculated as one-twelfth of the annual management fee on the last day of each month, or as otherwise determined by the Trustees from time to time.

(e) The Trustees may withdraw from the TIF the management fee by monthly installments in arrears upon or after the last day of each month, or as otherwise determined by the Trustees from time to time.

(f) In addition to the general management fee or fees, the Trustees may impose a transaction handling charge or fee in respect of each transaction involving a placement in or return of moneys from the TIF.

C2.12.10 Surplus Funds. The Trustees shall use any Buffer Reserve for the purposes described in C2.12.07(b) and, after meeting the requirement to pay the Rate and to return Funds when requested, any additional funds in the TIF are available for such purposes as the Trustees may determine from time to time.

C2.12.11 Placement of Funds.

(a) The Trustees may require that a representative of each Church organisation seeking to place funds with the TIF signs an application in such form and containing such requirements (including as to warranty of authority) as the Trustees may from time to time require.

(b) Each placement of Funds with the TIF is subject to these TIF Regulations.

(c) Repayment of capital is not guaranteed unless stated for a particular placement of Funds.

C2.12.12 Managing the TIF.

In managing the TIF:

(a) The Trustees may enter into arrangements with banks or other major financial institutions for the funds in the TIF to be held by such financial institutions or their nominees as investments such that the cash in the TIF is not custodially held by the Trustees, but are recorded as investments by the Trustees in the forms of investments agreed from time to time by the Trustees.

(b) In particular the Trustees may consent to arrangements with the financial institution whereby the custodian of the TIF is not the same as the institution which is determining the investment of those funds.

(c) The Trustees may delegate to any such bank or other financial institution the management of the TIF, including the day to day decision making regarding the appropriate investment of moneys held within the TIF.

C2.12.13 Definitions. In these regulations C2.12:

Buffer Reserve means the reserve fund referred to in regulation C2.12.07(b).

Fund/s means monies placed with the TIF as referred to in regulation C2.12.02.

Month/ly means a calendar month.

Rate means the notified return for each Fund from time to time as referred to in regulation C2.12.07(a).

TIF means the Trustees Investment Fund as recognised in regulation C2.12.01.

THE PRESBYTERIAN FOUNDATION
REGULATIONS PURSUANT TO SECTION 12 OF
THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST ACT, 1936

C3.01 Name. There shall be a special fund entitled The Presbyterian Foundation (hereinafter referred to as the "Fund").

C3.02 Authority. The Fund is vested in The Presbyterian Church (New South Wales) Property Trust (hereinafter referred to as the "Trustees") pursuant to The Presbyterian Church (New South Wales) Property Trust Act, 1936.

C3.03 Administration. The Fund shall be administered by the Trustees. The cost of administration shall be a first charge on the Fund.

C3.04 The Fund. The Fund shall consist of money and property of any other nature which is either a gift to the Fund, or on deposit with the Fund, or which is made available to the Fund to provide security for advances from the Fund.

C3.05 Interest. Deposits with the Fund may be free of interest or at such rates of interest as may be agreed upon by the Trustees.

C3.06 Committee. The Trustees may appoint a committee, which may include persons who are not Trustees, to deal with such aspects of the Fund as the Trustees may decide.

C3.07 Use of Fund.

(a) The object of the Fund is to provide a source of finance and credit for capital expenditure in the work of the Church.

(b) The Fund shall be applied, both as to capital and income, in making available advances or credit or gifts for capital expenditure in the enterprises of the Assembly, including its committees, councils and boards and congregations as may be approved from time to time by the Trustees.

C3.08 Repayment. All advances or extensions of credit from the Fund shall be subject to such arrangements for repayment or for meeting the liability, as the case may be, as are approved by the Trustees.

C3.09 Donations Specific Purpose. Donations to the Fund for a specific purpose shall be subject to prior approval by the Trustees and, if accepted, shall be applied only for such purpose.

C3.10 Invested Funds. When not immediately required for the purposes of the Fund, the assets of the Fund shall, in the discretion of the Trustees, be invested by the Trustees in appropriate investments.

C3.11 Applications. Applications for advances or assistance from the Fund shall be made in writing to the General Manager with such information as the Trustees may require.

PARISH DEVELOPMENT FUND
REGULATIONS PURSUANT TO SECTION 12 OF
THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST ACT, 1936

C4.01 Name. There shall be a special fund to be known as the Parish Development Fund.

C4.02 Authority. The Fund is vested in The Presbyterian Church (New South Wales) Property Trust pursuant to The Presbyterian Church (New South Wales) Property Trust Act, 1936.

C4.03 Administration. The Fund shall be administered by the Ministry and Mission Committee. The cost of administration shall be a charge on the Fund.

C4.04 The Fund. The Fund shall consist of money and property of any other nature which is either a gift to the Fund or on deposit with the Fund or which is made available to the Fund to provide security for advances from the Fund, or which is otherwise transferred or contributed to the Fund pursuant to a Law or Regulation of the Church or the general law.

C4.05 Deposits and Advances. Deposits with the Fund and advances from the Fund will be at rates of interest determined by the committee which rates may be reduced to zero.

C4.06 Repayment of Deposits. A reserve fund, being a minimum of ten per cent (10%) of total deposits, will be maintained to enable repayment of deposits if called upon at short notice.

C4.07 Use of Fund. The objects of the fund are to:

(a) provide a source of finance and credit by way of capital expenditure for the development of new congregations and the expansion of existing congregations; and

(b) to provide a source of grants for non-capital purposes for the development of new, ethnic or special interest ministries or congregations or for the expansion of existing congregations such grants to be made over a period not exceeding five (5) years.

(c) provide a source of finance capital for the purchase of property for viable church plants or churches which do not own a meeting space for public worship and in so doing maintain partial or

complete beneficial ownership of the property purchased within the fund, such ownership to be in direct proportion to the financial assistance provided. [2019]

(d) provide a source of funding (up to 20% of the annual income of the fund) to be applied to the work of the Ministry and Mission Committee for the strategic support and coordination of church planting and revitalisation efforts in NSW and the ACT, or such other amount for any triennium as agreed to by the Ministry and Mission Committee, the Assembly Assessment Committee (or its successor), and the Trustees. [2022]

C4.08 Conditions. The Committee may impose conditions for the approval of loans or grants.

C4.09 Repayment of Loans. All loans from the Fund shall be subject to repayment at the earliest practical opportunity pursuant to terms approved by the Committee. Should a borrower be unable to repay the loan, the Trustees can require the property to be sold and the total proceeds returned to the Fund.

C4.10 Donations Specific Purpose. Donations to the Fund for a specific purpose shall be subject to prior approval by the Committee and, if accepted, shall be applied only for such purpose.

C4.11 Invested Funds. When not immediately required for the purposes of the Fund, the assets of the Fund shall be invested by the Trustees in appropriate investments.

C4.12 Applications. Applications for loans or grants from the Fund shall be made in writing to the Superintendent with such information as the Committee may require.

PRESBYTERIAN CHURCH PROPERTY TRUST ACT (ACT)

C5.01 The regulations from time to time enacted by the General Assembly pursuant to Section 12 of the Presbyterian Church (New South Wales) Property Trust Act, 1936 in respect of Church property in New South Wales shall apply to Church property in the Australian Capital Territory as though such regulations were enacted as rules for the Australian Capital Territory subject to the amendments effected hereafter.

C5.02 In Regulations C2.1.01 the following definitions are replaced as follows:

'the Act' means the Presbyterian Church Trust Property Act 1971 (ACT);

'the Trustees' means the Presbyterian Church (Australian Capital Territory) Property Trust as established by the Act.

C5.03 In the definitions of Board and Institution in C2.1.01 the words "under Section 13 of the Act" and "pursuant to Section 13 of the Act" respectively are deleted.

C5.04 Regulation C2.3.01 shall be amended by replacing "Section 18" with "Section 20".

C5.05 Regulation C2.3.07(a) shall be amended by replacing "Section 18" with "Section 20".

C5.06 Regulation C2.3.07(b) shall be amended by deleting "as provided for by Sections 16 and 18 of the Act".

C5.07 Regulation C2.3.08(b) shall be amended by adding "Section 8" before "Section 9".

C5.08 Regulation 2.3.08(c) shall be amended by replacing "Section 8" with "Section 20".

C5.09 Regulation C2.8.04(b) is amended by replacing "Section 18" with "Section 20".

C5.10 Regulation C2.8.07(a) is amended by replacing "Section 12" with "Section 11".

C5.11 Regulation C2.10.01 is amended by replacing "Section 23" with "Section 22".

C5.12 Regulation C2.11.02 is deleted.

ASSEMBLY ASSESSMENT [2021]

D1.01 Name. There shall be a Committee named the Assembly Assessment 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. [2021]

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 are recommended to have business management, accounting, audit or finance experience, each being elected for a three year term. [2022]

(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. 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. [2024]

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

MEDIA LIAISON OFFICE

D3.01 Media Liaison Office.

(a) There shall be a Media Liaison Office of the General Assembly.

(b) The Media Liaison Office shall be under the supervision of the Clerk of Assembly.

(c) The duties of the Media Liaison Office shall be to facilitate media contacts for the General Assembly and its agencies, and to be able to provide such services to other Presbyterian bodies.

(d) The Media Liaison Office does not have authority to issue statements in its own name or to speak on behalf of the Church.

(e) The Media Liaison Office shall be funded through the Assembly Fund.

(f) The Clerk shall have authority to engage such technical assistance and staff as may be necessary from time to time.

PASTORAL RELATIONS COMMISSION

D4.01 Name. There shall be a Commission of the General Assembly named the Commission on Pastoral Relations.

D4.02 Membership.

(a) The Commission shall consist of:

(i) two ministers and two elders, including a chairman, elected annually by the Assembly; and

(ii) one minister or elder appointed from among its members by the presbytery within whose bounds any parish under discussion may be situated, that appointee not being entitled to vote. [2024]

(b) The Chairman may when a member of the Commission is unable to attend on a specific occasion invite another minister or elder (as the case may be) to be an alternate for that meeting of the Commission.

(c) The Commission may, when it is deemed appropriate, invite one or more ministers, elders or communicant members to join the Commission for particular purposes. Persons so invited will not be entitled to vote. [2018]

D4.03 Functions. The Commission shall exercise the following powers and functions to:

(a) confer with any presbytery when the state of a pastoral relationship within its bounds in the judgement of the commission would appear to call for such action, either in the interests of the congregation, or the minister, or the church as a whole,

(b) exercise whatever powers may be entrusted to the Commission by a presbytery in relation to a particular pastoral situation, including the power to dissolve the pastoral tie, or remove any office-bearer or bearers when the vital interests of the congregation necessitate such action,

(c) advise presbyteries when invited to do so,

(d) endeavour to facilitate the translation of any minister who may desire a change of parish.

D4.04 Expenses. Expenses incurred in the operation of the Commission shall be a charge against the Assembly Fund.

D4.05 Minutes and Reports to Assembly. The Pastoral Relations Commission shall confirm its own minutes and may report to the Assembly on any of its activities if appropriate.

WOMEN'S MINISTRY

D5.01 Name There shall be a special committee named the Women's Ministry Committee.

D5.02 Purpose The Women's Ministry Committee shall be responsible to:

(a) Establish and maintain a framework to promote the ministry of women on a complementarian basis consistent with determinations of the General Assembly of Australia.

(b) Maintain effective communication with other committees and organisations of the Church whose work may impact on the ministries of women, particularly (but not exclusively) Christ College, the METRO Committee, the Ministry and Mission Committee, and the PWA.

(c) Assist women's organisations within the PCNSW to work together on training and equipping women for effective gospel ministry on a complementarian basis.

(d) Promote effective networking among women within the PCNSW.

(e) Support and resource women's ministry groups in local Presbyterian churches.

(f) Provide a forum to discuss issues relevant to congregational women, women's ministry leaders, employed women's ministry workers and ministry wives.

(g) Oversee the employment of a Women's Ministry Facilitator to support women employed in ministry and to encourage training and resourcing for women's groups throughout the PCNSW.

D5.03 Constraints The Women's Ministry Committee will take no action and engage in no conversation to promote the ordination of women to the ministry.

D5.04 Composition The Committee shall consist of nine members, at least three of whom must be members of the Assembly with the remaining six members being at least communicant members of the Church, and always provided that at least four members of the Committee shall be women.

D5.05 Finances The accounts of the Women's Ministry Committee shall be administered through the General Office in accordance with a budget to be submitted to the Assembly Assessment Committee. [2021]

PRESBYTERIAN LADIES' COLLEGE, SYDNEY AND PRESBYTERIAN LADIES' COLLEGE, ARMIDALE.
(Hereinafter referred to collectively as "the Colleges")

E3.01 Name. The Sydney College shall be called The Presbyterian Ladies' College Sydney and the Armidale College shall be called the Presbyterian Ladies' College Armidale.

E3.02 Governance. The Colleges shall be separate legal and financial reporting entities but governed by the one Constitution.

E3.03 Object. The object of the Colleges shall be to provide high-quality education from a Christian world view for boarding and day scholars in accordance with the standards of the Presbyterian Church of Australia.

E3.04 Pupils. Students of good character, irrespective of the religious denomination to which they belong, shall be eligible for enrolment as pupils. All enrolments shall be at the discretion of the Colleges.

E3.05 Council. The governance of the Colleges and the oversight of effective management of the Colleges shall be vested in a Council consisting of no more than fifteen persons (both men and women) appointed by the General Assembly. No fewer than 10 members appointed by the General Assembly shall be, and continue to be, either ministers or communicants of the Presbyterian Church, the balance of members so elected shall have, and shall continue to maintain, an equivalent status in another Protestant Church. There shall be no fewer than three members of Council who reside in the New England Region of New South Wales.

E3.06 Reporting to the General Assembly. The Council will report annually to the General Assembly that persons nominated by the Council for appointment or re-appointment to the Council have provided a current letter signed by the minister and session clerk (or in another Protestant church, the minister and another person holding relevant office in that church) confirming the regular attendance of the nominee at that church and the nominee's Christian life and good character. If a person is nominated by a member of Assembly to fill a Council position, such a letter must accompany the nomination form. If a member of the Council ceases to be in active fellowship with a Protestant church, that person's position shall be declared vacant by the Council.

E3.07 Meetings and Quorum. The Council shall meet at least once every quarter; and no less than six members form a quorum.

E3.08 Chairman of Trustees. The Chairman of Trustees or his nominee, who shall be a Trustee, shall be an extra member ex officio.

E3.09 Members Retire. One third of members of the Council shall retire annually, though eligible for re-election.

E3.10 Seat Forfeited. Any member of the Council who shall be absent from three consecutive meetings without having obtained leave from the Council shall forfeit his seat, and his seat may be declared vacant accordingly.

E3.11 Vacancy. The Council shall have the power to fill any casual vacancy on the Council and the person so appointed shall, subject to the approval of the Assembly at its first meeting after such appointment, hold office for the remainder of the term of the person whose place he fills.

E3.12 Chairman. The Council shall annually elect a Chairman from its own number who shall have a deliberative as well as a casting vote. The Chairman shall be, and continue to be, either a minister or a communicant of the Presbyterian Church.

E3.13 Executive Officers. The Council may, in its absolute discretion, appoint an Executive Principal and/or Principal(s) hereinafter referred to as "Executive officer(s)" to provide effective management of the Colleges.

E3.14 Qualification of an Executive Officer. An Executive officer shall be a minister or communicant of the Presbyterian Church (or of equivalent status within another Protestant denomination) who is in active fellowship with the congregation and who adheres to one or more of the historic Reformed Protestant creeds. The appointment, suspension or dismissal of an Executive officer shall be with the Council, but such an appointment, suspension or dismissal shall be made only at a meeting specially convened for the purpose at seven days' notice and at such meeting the motion for an appointment, a suspension or a dismissal must be carried by an absolute majority of the Council.

E3.15 Remuneration of an Executive Officer. The remuneration and terms of appointment of an Executive Officer shall be fixed by the Council.

E3.16 Annual Reports. Annual Reports regarding the Colleges, signed by the Chairman and an Executive Officer, shall be presented to the General Assembly.

E3.17 Visitor. The Moderator shall be the Visitor to the School.

E3.18 Chaplain. The Council in consultation with the Executive Officer(s) may appoint a School Chaplain. If such a Chaplain is to be a minister then the Chaplain must be a minister of the Presbyterian Church in which case the proposed appointment of the Chaplain must first be approved by the Presbytery.

E3.19 Local Presbyterian Church. The Council shall seek to develop and maintain close relationships between the Colleges and the local congregations of the Presbyterian Church in order that each shall assist the other in ministry work. Any long term arrangement whereby the Minister of the local Presbyterian Church is requested to assist the Colleges must be approved by the Presbytery.

PRESBYTERIAN LOW FEE CHRISTIAN SCHOOLS [2019]

E4.01 Name. Presbyterian Low Fee Christian Schools (hereinafter referred to collectively as "Christian Schools") shall refer to Casino Christian School, Nambucca Valley Community Christian School and St Andrew's Christian School, Grafton and any other low fee Christian schools that the Trustees may establish in the future.

E4.02 Governance.

(a) The Proprietor of each Christian School is The Presbyterian Church (NSW) Property Trust ("the Property Trust") pursuant to The Presbyterian Church (NSW) Property Trust Act 1936 ("the Act").

(b) Pursuant to Section 18 of the Act, the Trustees have declared that the management and control powers of committees of management of congregations shall not extend to the management and control of schools and that the governance, management and operation of schools will be an activity of the church generally under a Constitution to be granted by the General Assembly.

(c) Each Christian School shall be a separate administrative and financial reporting entity but governed collectively by the Board subject to the powers of the Trustees and the Assembly.

(d) Notwithstanding that each Christian School shall be governed collectively by the Board, each school that was originally a congregational programme shall remain congregational property of the congregation that founded the school and subject to the procedures of the Act and the laws of the Church in respect of congregational property.

(e) Subject to NSW Education Standards Authority ("NESA"), the Property Trust is the Teacher Accreditation Authority ("TAA") to make accreditation decisions for teachers at each Christian School and this authority is not able to be delegated by the Trustees to the Board. Accordingly, the Trustees have resolved to appoint the Principal of each school as the prime authorised delegate for certifying teachers under the Teacher Accreditation Act 2004.

(f) While the Board may encourage sharing of knowledge, policies and best practices between schools, the assets or funds of one school shall not be merged with those of another or transferred from one school to another.

(g) Pursuant to Section 13 of the Act the General Assembly grants this Constitution to provide for the governance, management and operation of the Christian Schools.

E4.03 Object. The object of each Christian School shall be to provide high-quality, Christ-centred education in accordance with the tenets of the Presbyterian Church.

E4.04 Students. Students of good character, irrespective of their social, cultural or faith backgrounds, shall be eligible for enrolment as students. All enrolments shall be at the discretion of the Principal of each Christian School.

E4.05 Christian Schools Board. The governance, management and control of Christian Schools shall be vested in the Christian Schools Board ("the Board").

E4.06 Membership. The Board shall consist of up to fifteen persons, with no fewer than eight being ministers, communicants or adherents of the Presbyterian Church, and the balance of members so elected shall have equivalent status in another Protestant Church:

(i) up to four members (including the current Minister) may be appointed by each of the three congregations that founded the three named schools in E4.01 (twelve in total), with one member from each congregation retiring annually but eligible for reappointment by the relevant congregation.

(ii) The current minister of each congregation of the three congregations that founded the three named schools in E4.01.

(iii) Up to three members (who need not be Trustees) may be appointed by the Trustees, with the General Manager being one of the three members appointed by the Trustees;

and in respect of any other low fee Christian schools established by the Trustees in the future the Trustees may appoint up to three extra members to the Board with those members having a connection to the relevant school, and the ministers of the relevant local congregation shall also be a member of the Board.

Members of current School staff, including each Principal, are not eligible for appointment to the Board. Spouses of permanent full-time staff are not eligible for appointment to the Board. Former members of School staff, including former Principals, shall not be eligible to be appointed to the Board for a period of at least 12 months following their resignation as a staff member, including as a casual staff member.

All members of the Board, including the current Minister of each founding congregation if the Minister decides to sit on the Board in accordance

with Clause E4.06 (ii) shall be required to satisfy the training and board governance requirements of all Board members as determined by the NSW Education Standards Authority (NESA). [2023]

E4.07 Reporting to the General Assembly. The Board shall report annually to the General Assembly that, other than for the current Minister of each founding congregation, persons appointed or reappointed to the Board have provided a current letter signed by the Minister or session clerk (or in another Protestant church, the minister or another person holding relevant office in that church) confirming the regular attendance of the nominee at that church and the nominee's Christian life and good character. If a member of the Board ceases to be in active fellowship with a Protestant church, that person's position shall be declared vacant by the Board.

E4.08 Chairman. The Chairman shall be appointed by the Trustees from within the members of the Board.

E4.09 Vacancy. The Trustees shall have the power to fill any casual vacancy on the Board at their discretion.

E4.10 Meetings and Quorum, Trustees veto. The Board shall meet at least once every school term; and no less than six members shall form a quorum. The Trustees shall have the power to veto any decision, and this does not restrict the Trustees' other powers.

E4.11 Seat Forfeited. Any member of the Board who shall be absent from three consecutive meetings without having obtained leave from the Board shall forfeit that member's seat, and the seat may be declared vacant accordingly.

E4.12 Principal. The Board will appoint a Principal for each Christian School, who shall provide effective management of that Christian School.

E4.13 Qualification of each Principal. The Principal of each Christian School shall be a member of the Presbyterian Church (or of equivalent status within another Protestant denomination) who is in active fellowship with the congregation and who adheres to one or more of the historic Reformed Protestant creeds. The appointment, suspension or dismissal of a Principal shall be with the Board, but such an appointment, suspension or dismissal shall be made only at a meeting specially convened for the purpose at seven days' notice and at such meeting the motion for an appointment, a suspension or a dismissal must be carried by an absolute majority of the Board and shall be subject to the Trustees' veto and other powers described in E4.10.

E4.14 Remuneration of a Principal. The remuneration and terms of appointment of each Principal shall be fixed by the Board.

E4.15 School Staff. Subject to requirements of statutory authorities, the Board delegates to each Principal the authority to appoint and/or dismiss all staff at the Principal's appointed school. All persons appointed by each Principal as an employee must:

(a) declare that they accept the doctrinal standards of the Church;
(b) strive consistently to live a Christian life; and
(c) be in active fellowship with a Christian Protestant Church.

E4.16 Chaplain. The Minister of each founding congregation shall be the Chaplain for their respective School unless the Minister advises the Board that they would prefer not to be the Chaplain for their respective School. In this circumstance:

(a) The Board in consultation with the Principal of the relevant school may appoint a Chaplain.
(b) The Chaplain shall be a communicant member of the Presbyterian Church (or of equivalent status within another Protestant denomination) who is in active fellowship with the congregation and who adheres to the Westminster Confession of Faith read in light of the Declaratory Statement of 1901.

E4.17 Visitor. The Moderator shall be the Visitor to each Christian School.

E4.18 Local Presbyterian Church. The Board and each Principal shall seek to maintain close pastoral and spiritual relationships with the Minister of each founding congregation in order that each shall assist the other in ministry work. The Board may establish local sub-committees, including in the areas of property maintenance and construction, school communications and engagement with local parents and friends, with the power to co-opt staff, parents and friends to assist in the work of those sub-committees. Any sub-committees so formed will be convened and chaired by a Board member approved by the Board, and shall have the power only to make recommendations to the Board.

E4.19 Relationship to other Presbyterian Churches.

The Board and each Principal shall seek to establish and develop a positive relationship with other Presbyterian churches in the region with the aim that congregation members have an awareness of the school and that opportunities for mutual encouragement, prayer and support might be established. [2025]

E4.20 Annual Reports. An annual report, signed by the Chairman and each Principal for the Principal's respective Christian School, shall be presented by the Board to the General Assembly.

E4.21 New Low Fee Christian Schools. The Trustees may establish new low fee Christian schools, which shall in their governance, operation and management be under this Constitution and the Board unless other arrangements for governance, operation and management for a particular school are put in place.

PRESBYTERIAN WOMEN'S ASSOCIATION OF AUSTRALIA IN THE STATE OF NEW SOUTH WALES [2018]

E5.01 Name. The name of the Association shall be the Presbyterian Women's Association of Australia in the State of New South Wales and it shall be the State Unit of the Presbyterian Women's Association.

E5.02 Aim. The aim of the Association shall be:

(a) to unite women of the Presbyterian Church throughout the State in fellowship for worship, mutual help and inspiration and for united service to Christ and His Church in the local congregation, at home and overseas, by spreading the knowledge of God as revealed in His Son Jesus Christ; and to provide a channel of information, expression of opinion and action in all matters which concern women;

(b) to extend the range of Presbyterian women's influence by co-operation and/or affiliation with other organisations (other than political organisations) of a religious, educational, social, national and international character, working for the advancement of God's Kingdom, as the State Conference may approve.

E5.03 Membership. The members of the Association shall be women who are members of the Presbyterian Church and other interested women who join branches of the Association. Only members who are either communicants or adherents of the Presbyterian Church shall be eligible to hold office. Where Presbyterians are in a co-operative situation with another Church, they may seek affiliation for their Women's Group.

Women who are unable to attend Branch meetings may become Associate Members.

A Register of Associate Members is kept by PWA State Council.

E5.04 Organisations. The Association shall be organised into local branches, Presbytery Groups, and State Council and Standing and Special Committees.

E5.05 Local Branches. Branches may be formed in each congregation with the approval of the Session. Branches shall determine the days, times, regularity of meetings, with approval of Session

Where there is more than one Branch in a congregation, it is desirable that all Branches meet together at least once a year.

At the Annual Meeting of each Branch there shall be elected from among the Branch members, a President, one or more Vice-Presidents, a Secretary, and Treasurer. Where possible a Representative for each of the Standing and Special Committees of the Association (see 10) is to be appointed. A Representative shall attend, as far as possible, the meetings of the Standing and Special Committees to which that Representative is appointed, and keep their branch informed of matters discussed at those committees.

Each branch shall elect annually two voting delegates to the State Conference.

E5.06 Presbytery Groups. A Presbytery Group shall consist of all branches in a Presbytery.

The Presbytery Group shall elect annually from those nominated by constituent local branches a Representative who shall represent that Presbytery Group on the State Council. No person shall hold the office of Representative for more than three consecutive years.

The Presbytery Group Representative is responsible for organising the Annual Rally and may co-opt a Treasurer and Secretary to assist. The Annual Rally will feature speakers from the PWA Standing and Special Committees.

The Offering should be allocated to the Committees represented at the Rally.

The Representative shall by invitation visit and give encouragement and assistance to the local branches.

Should a vacancy occur during the year State Council shall have power to appoint (in conjunction with the Presbytery Group) an acting Presbytery Group Representative to hold office until the next Presbytery Group Rally.

E5.07 State Conference. The Annual PWA State Conference shall be held at the same time as the NSW General Assembly.

The State Conference shall be the ruling body of the Association and it shall deal with all matters of general policy and its decisions shall govern all organisations and members within the Association.

The State Conference shall consist of the State Council and two voting delegates from each branch.

Any members of the Association may attend the State Conference, but only elected delegates and members of State Council may vote on any motion.

The first business of the State Conference shall be the election of a State President, three State Vice-Presidents (one City, one Country North and one Country South), State Secretaries, State Treasurer, Sales Manager and ten members to the State Council.

Representatives from one quarter of the branches shall form a quorum.

E5.08 State Council. There shall be a State Council which shall consist of the State President, the three State Vice-Presidents, the State Secretaries, the State Treasurer, Sales Manager, the immediate past State President for one year only, the Conveners of Standing and Special Committees or their deputies, the representatives of Church enterprises appointed under clause (b) hereof, the representatives of Presbytery Groups, one other representative of each Standing Committee and Market or her alternate, and ten members elected by the State Conference.

The State Council shall:

(a) appoint its own Executive Committee;

(b) appoint special representatives, conveners and/or committees as required to represent Church enterprises and deal with publications and matters not already covered by the work of the standing committees; such representatives and conveners to report to Council as Council shall determine and keep branches acquainted with these activities;

(c) appoint representatives to the Presbyterian Women's Association of Australia;

(d) appoint representatives to such outside bodies as are not directly concerned with the work of any Standing Committee;

(e) arrange the business for the State Conference;

(f) in the case of a vacancy occurring in any position elected by State Conference, have power to fill such vacancy, which appointment shall hold good until the next meeting of the State Conference.

E5.09 Standing Committees. There shall be four Standing Committees of the Association:

(a) CHRISTIAN EDUCATION concerned with the spiritual development and Christian maturity of members and others;

(b) DORCAS concerned with matters relating to Social Services of the Church;

(c) HOME MISSION AND CHURCH EXTENSION concerned with the Church's witness and pastoral care in enterprises of Ministry and Mission;

(d) PWMU concerned with matters relating to World Mission.

Each Standing Committee shall consist of the Convener, State President, State Vice-Presidents, State Secretary, State Treasurer, one member appointed by each Branch in accordance with the provisions of (6) and other interested PWA members and shall:

(a)` elect its own Convener;

(b) elect its own Executive on which shall be ex-officio the State President;

(c) control its own finances and send annual audited financial statements to the State Treasurer;
(d) elect one representative or her alternate to the State Council;
(e) elect its own office-bearers and appoint sub-committees (as required) which must each include at least one member of the standing committee;
(f) nominate representatives to Assembly committees or other bodies as required;
(g) report to the State Conference and to the State Council as determined by the Council.

E5.10 Special Committees. Special Committees are committees set up by State Council to fulfil a special function. The appointment of the Special Committee's Convener is made by Council. The Committee has the right to recommend to Council a suitable nominee.

E5.11 Finances. Branches shall collect a membership fee, as determined by State Conference, from each member and forward the fees to the State Treasurer for the administration costs of the Association.

E5.12 Amendment of Constitution. This constitution may be amended by a two-thirds majority of those voting at an annual State Conference provided that written notice of the proposed amendment has been forwarded to the State Secretary in time to be circulated to all Branches two calendar months before the first day of the State Conference.

All amendments shall be deemed to be provisional only until confirmed by the General Assembly of the Church.

E5.13 By-Laws. The State Conference may make by-laws not inconsistent with this constitution providing for matters of order of business and procedure at meetings, the conduct and method of elections and voting, quorums at meetings, finance and subscriptions, the giving of notice, and generally to give effect to this constitution.

Unless otherwise expressly provided for in the by-laws the conduct of business and of meetings shall be, so far as possible, in accordance with the practice and procedure of the General Assembly.

By-laws may be disallowed by the General Assembly.

SCOTS ALL SAINTS COLLEGE [2018]

E6.01 Name. The name of the college shall be Scots All Saints College ("the College").

E6.02 Formation. The College was formed through the acquisition of All Saints' College Bathurst ("ASC") by the Trustees on 19 December 2017 and the merger of ASC and The Scots School Bathurst on the approval of the General Assembly 2018.

E6.03 Object. The object of the College shall be to provide high-quality education from a Christian world view for boarding and day scholars in accordance with the standards of the Presbyterian Church of Australia.

E6.04 Students. Children of good character shall be eligible for enrolment at the College irrespective of religious affiliation. All enrolments will be at the discretion of the College. [2019]

E6.05 College Council. The Governance of the College and the oversight of effective management of the College shall be vested in a College Council consisting of:

(a) Twelve persons, not less than seven of whom shall be ministers or communicants of the Presbyterian Church, elected by the General Assembly. Any who are not members of the Presbyterian Church must have an equivalent status in another Protestant Church; and

(b) The Chairman of Trustees who shall be a member by virtue of his office, or his nominee who is a Trustee.

The College Council will report annually to the General Assembly that persons nominated by the College Council for appointment or reappointment to the College Council have provided a current letter signed by the minister and session clerk (or in another Protestant church, the minister and another person holding relevant office in that church) confirming the regular attendance of the nominee at that church and the nominee's Christian life and good character. If a person is nominated by a member of Assembly to fill a College Council position, such a letter must accompany the nomination form. If a member of the College Council ceases to be in active fellowship with a Protestant church, that person's position shall be declared vacant by the College Council. [2019]

E6.06 Members' Term of Office. Four members of the College Council elected by the Assembly shall retire annually but shall be eligible for re-election. Upon expiry of their respective terms of office, each College Council

member shall be eligible to be elected for a further term of three years. At all times at least seven members shall be ministers or communicants of the Presbyterian Church.

E6.07 Meetings and Quorum. The College Council shall meet at least once every quarter and six members shall form a quorum except as provided in Clause E7.11 (b).

E6.08 Seat Forfeited. Any member of the College Council appointed by the Assembly who shall be absent from three consecutive meetings without having obtained leave from the College Council shall cease to be a member and that person's position may be declared vacant by the College Council.

E6.09 Vacancy. If through death, resignation or otherwise there is a vacancy in the membership of the College Council elected by the Assembly the College Council may fill the vacancy by appointing a new member. The person so appointed shall, subject to the approval of the Assembly at its first meeting after such appointment, hold office for the same term as the person whose position is being filled.

E6.10 Chairman. The College Council shall annually elect a Chairman from its own number. The Chairman shall have both a deliberative as well as a casting vote. The Chairman shall be and continue to be either a minister or a communicant of the Presbyterian Church. This requirement shall apply in full to any person elected as a Deputy Chairman or deputised to act as Chairman or Deputy Chairman.

E6.11 Principal.

(a) The Principal of the College shall be a minister or communicant of the Presbyterian Church (or of equivalent status within another Protestant denomination) who is in active fellowship with his congregation and who adheres to one or more of the historic Reformed Protestant creeds. The remuneration and terms of agreement in the appointment of the Principal shall be fixed by the College Council.

(b) Any appointment, suspension or dismissal of a Principal shall be made only at a meeting specially convened for the purpose at not less than fourteen days' notice and for which not less than 75% of College Council members, including the Chairman of Trustees or his nominee, shall form a quorum. At such meeting a motion for appointment, suspension or dismissal of a Principal can be carried only if 75% or more College Council members present vote in the affirmative.

(c) The Principal shall provide effective management of the College.

E6.12 Local Congregation. The College Council shall seek to develop and maintain close links with Bathurst Presbyterian Church in order that each shall assist the other in ministry work.

E6.13 Annual Reports. An annual report regarding the College signed by the Chairman and the Principal shall be presented to the General Assembly each year.

E6.14 Visitor. The Moderator shall be the Visitor to the College.

E6.15 Chaplain. The College Council may appoint a College Chaplain. If such a Chaplain is to be a minister then the Chaplain must be a minister of the Presbyterian Church in which case the proposed appointment of the Chaplain must first be approved by the Presbytery. The Principal may appoint other persons in chaplaincy roles in the College, subject to the approval of the College Council.

THE SCOTS COLLEGE

E7.01 Name. The name of the college shall be The Scots College.

E7.02 Object. The object of the College shall be to provide high-quality education from a Christian world view for boarding and day scholars in accordance with the standards of the Presbyterian Church of Australia.

E7.03 Pupils. Children of good character shall be eligible for enrolment at the College irrespective of religious affiliation. All enrolments shall be at the discretion of the College.

E7.04 Council. The governance of the College and the oversight of effective management of the College, educational and financial, shall be vested in a Council. The Council shall have full power to make regulations for, and to act generally in the management of, the College.

E7.05 Membership. The Council shall consist of thirteen persons as follows:

(a) twelve persons elected by the General Assembly each for a term of three years; and

(b) the Chairman of Trustees or his deputy who shall be a Trustee.

At least nine persons elected by the Assembly shall be ministers or communicants of the Presbyterian Church. All other persons (being up to three in number) elected by the Assembly must have status in another Protestant Church equivalent to a minister or communicant member of the Presbyterian Church. The Council will report annually to the General Assembly that persons nominated by the Council for appointment or reappointment to the Council have provided a current letter signed by the minister and session clerk (or in another Protestant church, the minister and another person holding relevant office in that church) confirming the regular attendance of the nominee at that church and the nominee's Christian life and good character. If a person is nominated by a member of Assembly to fill a Council position, such a letter must accompany the nomination form. If a member of the Council ceases to be in active fellowship with a Protestant church, that person's position shall be declared vacant by the Council.

E7.06 Seat Forfeited. Any member of the Council appointed by the Assembly who shall be absent from meetings of Council over three consecutive months during which meetings are held without having obtained leave from the Council shall cease to be a member and that person's position may be declared vacant by the Council.

E7.07 Office Bearers. The Council shall appoint a Chairman, Deputy Chairman and Secretary who shall be elected annually by the members of Council.

Each office bearer must be a member of the Presbyterian Church. The Chairman shall have both a deliberative and a casting vote and shall be, and continue to be either a minister or a communicant of the Presbyterian Church. This requirement shall apply in full to any person deputised to act as Chairman.

E7.08 Quorum. Six members of the Council shall constitute a quorum, except as hereafter specified.

E7.09 Members retire. Four members of the Council elected by the Assembly shall retire annually but shall be eligible for re-election.

E7.10 Vacancy. The Council shall have power to fill any casual vacancy on the Council. The person so appointed to fill the vacancy shall, subject to the approval of the Assembly at its first meeting after such appointment, hold office for the same term as the person whose place the person appointed fills.

E7.11 Visitor. The Moderator shall be the Visitor to the College.

E7.12 Principal. The Principal of the College shall be a minister or communicant of the Presbyterian Church (or of equivalent status within another Protestant denomination) who is in active fellowship with his congregation and who adheres to one or more of the historic Reformed Protestant creeds. The Council shall have the power of appointment and dismissal of the Principal. Such appointment or dismissal shall only be made at a meeting specially convened for that purpose, and at such special meeting the quorum shall be nine. The remuneration and terms of agreement in the appointment of the Principal shall be fixed by the Council. The Principal shall provide effective management of the College.

E7.13 Teachers. All teachers shall be appointed by the Principal, subject to the approval of the Council.

E7.14 Chaplain. The Council may appoint a College Senior Chaplain. If such a Senior Chaplain is to be a minister then the Chaplain must be a minister of the Presbyterian Church in which case the proposed appointment of the Chaplain must first be approved by the Presbytery. The Principal may appoint other persons in chaplaincy roles in the College, subject to the approval of the Council.

ASSEMBLY

F1.01 Business of the Assembly. The Assembly shall conduct its business in accordance with the following regulations:

(a) The hours of meeting of the Assembly shall be as recommended by the Business Committee and approved by the Assembly.

(b) Morning and afternoon tea breaks may be taken for up to 20 minutes, the timing of such recesses to be at the Moderator's discretion.

(c) During the Assembly there will be three periods of 30 minutes each of expository Bible teaching at times to be determined by the Business Convener.

(d) Speeches shall be limited in time as follows:

* Conveners of Committees and the Chairman of Trustees speaking to the Report..... 15 minutes
* All other Conveners speaking to the report ..... 10 minutes
* Overturists and Petitioners (per overture or petition) 10 minutes
* Appellants and Complainants (per party) ..... 15 minutes
* All other speeches..... 5 minutes

All speeches may be initially extended by 2 minutes at the discretion of the Moderator.

All speeches may be further extended only by resolution of the House. [2025]

(e) The total time for questions during the presentation of each report, overture, petition, appeal or complaint shall be limited to 30 minutes subject to extension by resolution of the House.

(f) Notices of Motion must be submitted to the Business Convener in duplicate.

(g) Video and/or audio recording of Assembly business (except for the opening service, the communion service, and the Assembly expositions) shall not be permitted for the purposes of reproduction or broadcasting without the express permission of the Assembly.

CONDUCT PROTOCOL UNIT [2021]

F2.01 Name. There shall be an activity of the Presbyterian Church in New South Wales known as the Conduct Protocol Unit. The Conduct Protocol Unit exists under delegation from The Presbyterian Church (NSW) Property Trust (the Trustees) and the General Manager as Head of Entity in accordance with the Children's Guardian Act 2019 (NSW).

F2.02 Governance of Unit. A subcommittee of the Trustees, called the "Child Safety Subcommittee", comprising two Trustees, two members of the Social Services Committee and the Chair of Trustees as Convener (five members in total), shall provide governance oversight of all matters of child safety within the Church, including the oversight of the management of the Conduct Protocol Unit (CPU) with regard to child safety.

F2.03 Management of Unit. Management of the CPU shall be the joint responsibility of the CEO of Presbyterian Social Services and the General Manager as Head of Entity.

F2.04 Director of Unit. The Director of CPU appointed by the Child Safety Subcommittee, shall administer the Conduct Protocol Unit under the authority of the Trustees Child Safety Subcommittee and shall report jointly to the CEO of Presbyterian Social Services and the General Manager as Head of Entity.

F2.05 Responsibilities of Unit. The responsibilities of the Conduct Protocol Unit shall include but not be limited to providing all congregations, presbyteries, organisations and committees with support, advice and resources in relation to:

i. child safety and child protection in accordance with the Children's Guardian Act 2019 (NSW); and
ii. conduct that is referred to in Breaking the Silence, breaches the Breaking the Silence Code of Conduct or matters that may not be dealt with under Breaking the Silence but involve similar moral failure.

These responsibilities are more specifically outlined as functions below.

F2.06 Functions of Unit. The functions of the Conduct Protocol Unit shall be to:-

(a) maintain policy and procedures for dealing with and preventing abuse within the church (subject to the requirements of the general law and the church's Code of Discipline), including child abuse, risk of significant harm, reportable conduct, sexual misconduct and/other such conduct that breaches the Breaking the Silence Code of Conduct,
(b) maintain, distribute and promote the Breaking the Silence Policy

Statement and Code of Conduct as adopted and amended by the Assembly from time to time and as required under the Children's Guardian Act 2019 (NSW) or other government legislation or agencies and approved by the Trustees Child Safety Subcommittee.

(c) implement and manage compliance with child protection and other relevant obligations within the church, ensuring that all relevant systems are integrated and adhered to including the conduct of regular internal quality assurance audits,

(d) establish and monitor the procedure of reporting, investigating, considering and dealing with allegations of abuse within the church,

(e) assist with, organise and/or review investigations, risk management, employment screening and reporting of relevant employment proceedings as appropriate within the church,

(f) advise and assist supervising bodies within the church in disciplinary matters which relate to allegations of a breach of Breaking the Silence Code of Conduct,

(g) initiate education programmes for all congregations and organisations within the church, and its personnel in relation to matters covered by the Conduct Protocol Unit,

(h) provide assistance for personnel, congregations and organisations within the church in relation to abuse matters, including the provision of resources, confidential help in relation to Community Services and civil authorities, and an effective 'help line' for support when dealing with these matters,

(i) advise and assist supervising bodies within the church, upon their request, in matters that may not be dealt with under Breaking the Silence but involve similar moral failure.

(j) provide access to a counselling referral service (or provide details of other counselling services) appropriate for people affected by abuse within the church,

(k) promote interdenominational cooperation for dealing with and preventing abuse,

(l) act in accord with delegation from the General Manager as Head of Entity under the Children's Guardian Act 2019 (NSW),

(m) assist the General Manager as Head of Entity in making representations where appropriate to the Office of the Children's Guardian and other relevant government ministers and agencies including the review and amendment of relevant legislation in other States and Territories where Breaking the Silence has been formally adopted by the relevant State General Assembly,

(n) assist the General Manager as Head of Entity with media communications on child safety and child abuse issues.

F2.07 Funding. Funding for the Conduct Protocol Unit will be provided by the Assembly as described in Regulation D1.07.

LONG SERVICE LEAVE

F3.01 Name. There shall be a fund entitled The Long Service Leave Fund (The Fund) which shall be administered by the Ministry and Mission Committee (The Committee).

F3.02 Beneficiaries. Beneficiaries of The Fund shall be ministers, commissioned gospel workers and deaconesses for whom contributions have been paid annually at the rate set by the Assembly and who have completed the qualifying period of service. [2023]

F3.03 Contributions. Contributions to The Fund shall be paid to the committee in each calendar year by any agency of the church which has employed a minister, commissioned gospel worker or deaconess as at 1 July of that year. The amount of the annual contribution shall be determined from time to time by the Assembly but shall not be less than 2.4% of the basic stipend determined by the Assembly for ministers or the full salary determined for commissioned gospel workers or deaconesses as at 1 July of that year. The Committee shall have discretionary powers to vary the contribution for cases of fractional appointments, provided always that the relevant agency of the church will be responsible for any unfunded liability. [2025]]

F3.04 Period of Leave and Qualifying Period. The amount of long service leave provided shall be two months in respect of each ten years of unbroken service with the Presbyterian Church of Australia in the State of New South Wales, including any congregation or agency. This qualifying period shall include reasonable sick leave. It shall exclude, in all cases, any period of service outside of New South Wales, provided that The Committee shall have authority to enter reciprocal arrangements with the churches in other States to provide for portability of long service leave. [2021]

F3.05 Annual Leave Not Affected. Long service leave shall not affect normal annual leave.

F3.06 When Taken. Long service leave shall be taken as soon as practicable after it is due. Before long service leave may be taken, however, it must be approved by the relevant session or other church agency, and The Committee. When required by The Code II 5.28, the proposed leave must also be approved by the relevant presbytery.

F3.07 Procedure. The Committee shall notify persons becoming eligible for long service leave and encourage them to take it as soon as possible. When the proposed leave has been approved by the session, and, when required

by The Code II 5.28, the presbytery, the person concerned shall notify The Committee of the agreed leave period. When the leave period has ended, the Committee shall pay to the congregation or other agency an amount equivalent to the stipend or salary, plus travel and technology entitlements, plus superannuation entitlements being paid to the person who has taken long service leave, provided that such an amount shall not exceed the basic stipend, travel and technology entitlements for that period as published by the Committee, and the superannuation entitlement calculated on the basic stipend. [2025]

F3.08 Death of a Beneficiary. If a beneficiary of The Fund dies during service, any long service leave entitlement shall be paid to that person's estate.

F3.09 Discretionary Powers. Notwithstanding the provision of these regulations, The Committee shall have discretionary powers to deal with exceptional cases not provided for therein and with all matters pertaining thereto.

APPENDIX

A. THE BARRIER ACT
The Church of Scotland 1697

The General Assembly, taking into their consideration the Overture and Act made in the last Assembly concerning Innovations, and having heard the report of the several Commissioners from Presbyteries to whom the consideration of the same was recommended, in order to its being more ripely advised and determined in this Assembly; and considering the frequent practice of former Assemblies of this Church, and that it will mightily conduce to the exact obedience of the Acts of Assemblies, that General Assemblies be very deliberate in making of the same, and that the whole Church have a previous knowledge thereof, and their opinion be had therein, and for preventing any sudden alteration or innovation, or other prejudice to the Church, in either doctrine or worship, or discipline, or government thereof, now happily established; do, therefore, appoint, enact and declare that before any General Assembly of this Church shall pass any Acts which are to be binding rules and constitutions to the Church, the same Acts be first proposed as Overtures to the Assembly, and, being by them passed as such, be remitted to the consideration of the several Presbyteries of this Church, and their opinions and consent reported by their Commissioners to the next General Assembly following, who may then pass the same into Acts, if the more general opinion of the Church, thus had, agree thereunto.

B. QUESTIONS AT ORDINATION AND INDUCTION

(1) Ministers:

To be answered by members of the congregation:

(1) Do you, the members and adherents of this congregation, adhere to the call which you have already subscribed in favour of Mr. A.B. to be your minister?

(2) Do you now cordially receive him as your minister, promising to provide for him suitable maintenance, and give him all due respect, encouragement and obedience in the Lord?

To be answered by ministers:

(1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only rule of faith and practice? [GAA2019]

(2) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, and read in the light of the Declaratory Statement contained in the Basis of Union adopted

by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures, and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to assert maintain and defend the same?

(3) Do you own and accept the purity of worship as practised in this Church?

(4) Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto? And do you promise that through the grace of God, you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain, and defend the same?

(5) Are zeal for the glory of God, love to the Lord Jesus Christ, and a desire to save souls, and not worldly interests or expectations, so far as you know your own heart, your great motives and chief inducements to the work of the Holy Ministry?

(6) Do you accept this call, and promise through grace to perform all the duties of a faithful minister of the gospel among this people?

(7) Do you promise to give conscientious attendance upon the courts of this church, and to direct your best attention to the business thereof, doing all in the spirit of faithfulness, brotherly kindness, and charity?

(8) Do you promise, in the strength of Divine grace, to lead a holy and circumspect life, to rule well your own house, and faithfully, diligently, and cheerfully to perform all the parts of the ministerial work to the edifying of the Body of Christ in love?

(9) All these things you profess and promise through grace, as you shall be answerable at the coming of the Lord Jesus Christ?

(2) Licentiates:

To be answered by Licentiates:

(1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only rule of faith and practice? [GAA2019]

(2) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, and read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures, and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to assert, maintain, and defend the same?

(3) Do you own and accept the purity of worship as practised in this Church?

(4) Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto; and do your promise that through the grace of God, you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain and defend the same?

(5) Are zeal for the glory of God, love to the Lord Jesus Christ, and a desire to save souls, and not worldly interests or expectations (so far as you know your own heart), your great motives and chief inducements to the work of the Holy Ministry?

(6) Do you promise in the strength of Divine grace to lead a holy and circumspect life, faithfully fulfilling all appointments and instructions given you by competent authority, in accordance with the laws of this Church?

(7) All these things you profess and promise through grace, as you shall be answerable at the coming of the Lord Jesus Christ?

(3) Elders:

To be answered by members of the congregation:

(1) Do you, the members and adherents of this congregation now confirm the election of A.B. and C.D. to the office of ruling elder in this congregation?

(2) Do you promise to render him/her/them all due respect and encouragement in the discharge of his/her/their office?

To be answered by elders:

(1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only rule of faith and practice? [GAA2019]

(2) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, and read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures, and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to assert maintain and defend the same?

(3) Do you own and accept the purity of worship as practised in this Church?

(4) Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto? And do you promise that through the grace of God you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain, and defend the same?

(5) Do you adhere to your acceptance of the call of this congregation, to exercise among them the office of ruling elder?

(6) Do you engage through Divine Grace to discharge with diligence and faithfulness the various duties of your office, watching over the flock, showing yourself a pattern of good works, and giving a conscientious attendance on the meetings of Session, Presbytery, and Assembly, when duly called to do so?

(7) All these things you profess and promise through grace, as you shall be answerable at the coming of the Lord Jesus Christ?

(4) Deacons: [2024]

To be answered by deacons:

(1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, the only rule of faith and practice?

(2) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, and read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith, and do you engage firmly and constantly to adhere to the same?

(3) Do you own and accept the purity of worship as practiced in this Church?

(4) Do you own and accept the Presbyterian form of government to be founded on the Word of God and agreeable thereto, and do you engage firmly and constantly to adhere to the same?

(5) Do you adhere to the acceptance of the call of this Congregation to exercise among them the office of Deacon?

(6) All these things you profess and promise, through grace, as you shall be answerable at the coming of the Lord Jesus Christ?

GAA 2023 Min. 30(6):
Confirm that:

a) deacons, along with ministers and elders, hold office in accordance with the doctrine of the Church;
b) admission to the office of deacon, after proper election, is by means of ordination, which ordination is for life unless voided by resignation or deposition;
c) entry into the exercise of the office of deacon may be by induction, which

induction is for life unless voided by resignation or deposition, or by appointment by the Session for a period of time before becoming eligible for reappointment for a further stated period.

C. THE FORMULA

To be signed by ministers, licentiates and elders

I own and accept the Subordinate Standard of this Church, with the explanations given in the Articles contained in the Declaratory Statement, as an exhibition of the sense in which I understand the Holy Scriptures, and as a confession of my faith. I further own the purity of worship practised in this Church and the Presbyterian government thereof to be founded on the Word of God and agreeable thereto; and I promise that through the grace of God I shall firmly and constantly adhere to the same, and to the utmost of my power shall, in my station, assert, maintain, and defend the doctrine, worship and government of this Church.

D. EDICTS

(1) Election of Elders.

The session of this congregation has decided to add *two* more people to the eldership. A meeting of the congregation will be held in *Wakool* Church on the *30th of June 20__* to elect the new elders. Communicant members are invited to hand to the Session Clerk on or before the *12th of June 20__* the nomination of people suitable for election to the position of elder.

22nd May 20__ . *A. Signature*
Session Clerk

(2) Admission of elder from another congregation.

The session plans to admit A. B. who was an elder of the congregation at *Moonbi*, to the session in this congregation. If any communicant has any objections to A. B. becoming an elder in our congregation, you must hand your objection, in writing, to the Session Clerk on or before the *20th of November 20__*. If no relevant objection is received, the session will admit A. B. to the eldership in this congregation according to the rules of the church.

30th November, 20__. *A. Signature*
Session Clerk

(3) Ordination/Induction of elders.

The session of this congregation having decided to proceed to the ordination and induction of A. B. and induction of C. D. and E. F. to the position of elder has directed that this announcement be read. Notice is now given that if any person has any objection to offer against the life or doctrine of A. B., C. D. or E. F. they must give that objection in writing to the Session Clerk on or before the *20th of November 20__*. If no relevant objection is lodged, the session will proceed to the ordination and/or induction at the *morning* service within the *Wakool* Church on the *11th of December 20__* .

30th November, 20__ . *A. Signature*
Session Clerk

(4) Resignation of minister.

The resignation of the Reverend A. B. as minister of this congregation having been received, the Presbytery of the *Riverina* now summons the Reverend A. B., the other members of the session, the communicants and all others having interest, to attend the meeting of the Presbytery to be held at *Moulamein* on the *16th of May 20__* at *7.30 p.m.* so that they may state their reasons, if they have any, why Mr. B.'s resignation should not be accepted, or otherwise declare their mind in regard to the resignation. Any who do not attend will be held as consenting to the resignation.

30th April, 20__ . *A. Signature*
Presbytery Clerk

(5) Translation of Minister.

A call from the congregation at *Wilcannia* to the Reverend A. B., minister of this congregation, to be their minister, having been forwarded to the Presbytery of the *Riverina*, the presbytery now summons the Reverend A. B., the other members of session, the communicants and all others having interest, to attend the meeting of the presbytery to be held at *Moulamein* on the *16th of May 20__* at *7.30 p.m.* so that they may state their reasons, if they have any, why Mr. B.'s transfer should not proceed, or otherwise declare their mind in regard to the transfer. Any who do not attend will be held as consenting to the transfer.

30th April, 20__ . *A. Signature*
Presbytery Clerk

(6) Vacancy in a pastoral charge.

The Presbytery of the *Riverina* has declared the congregation at *Wakool* to be vacant in consequence of the transfer/resignation/death of the Reverend A. B. . The office-bearers and members of this congregation are now called upon to take steps to fill the vacancy as soon as possible, according to the rules of the church.

The congregation is required to meet within the next six weeks to receive reports from its office bearers, to fix the terms of call to a minister and to appoint a Selection Committee.

Attention is drawn to the rules of the church giving powers to a presbytery to submit to the congregation the name of a minister or licentiate and to proceed to the appointment of a minister should the congregation fail to issue a call within twelve months.

1st November, 20__ . *A. Signature*
Presbytery Clerk

(7) Ordination/induction of minister.

The Presbytery of the *Riverina* having decided to proceed to the [ordination and] induction of the Reverend/M A. B. as minister of this congregation has directed this announcement to be read. Notice is given that if any person has any objection to offer against the life or doctrine of the Reverend/M A. B. , the objection must be handed, in writing, to the Clerk of the Presbytery on or before the *1st of February 20__*. If no relevant objection is received, the presbytery will proceed to the [ordination and] induction of the Reverend/M. A. B. on *Tuesday 27th February* at *7.30 p.m.* at the *Wakool* church and admit him/her as the minister of this congregation.

6th February, 20__ . *A. Signature*
Presbytery Clerk

(8) Attestation of the reading of an edict.

This edict was read to the congregation at *Wakool* on the *13th February 200_* and to the congregation at *Yallakool* on *20th February 20__* by me.

20th February 20__ . *A. Signature*
Session Clerk

(9) Congregational Meeting.

To be read in connection with the following edicts:

Resignation of minister

Translation of minister

A meeting of the congregation will be held on *Sunday 27th February 20__* at *10 a.m.* for the purposes of considering the resignation/transfer of the minister of our congregation and appointing representatives to state to presbytery the view of our congregation in regard to the resignation/transfer.

6th February 20__ . *A. Signature*
Session Clerk

E. CERTIFICATES

(1) Status of elder.

It is hereby certified on the *1st day of June 20__* in the name of the session of the congregation at *Wakool* that A. B. of *10 Yallakool Road, Wakool* is bona fide member of session.

A. Signature
Session Clerk

(2) Status of minister/licentiate.

It is hereby certified on the *1st day of June 20__* in the name of the Presbytery of the *Riverina* that the Reverend/M A. B. is an ordained minister/a licentiate of the Presbyterian Church of Australia and leaves the Presbytery of the *Riverina* holding this status.

A. Signature
Presbytery Clerk

(3) Transfer of candidate for the ministry.

It is hereby certified on the *1st day of June 20__* in the name of the Presbytery of the *Riverina* that A. B. is a candidate for the ministry of the Presbyterian Church of Australia and is now transferred from the presbytery of the *Riverina* to the jurisdiction of the presbytery of the *Clarence.*

A. Signature
Presbytery Clerk

(4) Transfer of adherent/communicant.

It is hereby certified on the *1st day of June 20__* that A. B. is an adherent/a communicant member of the Presbyterian Church of Australia and leaves the congregation at *Wakool* holding this status.

A. Signature
Session Clerk

F. FORMS

(1) Extract minute.

At *Wakool* and within the Presbyterian Church on the *6th* day of *June 20__* the session of the congregation at *Wakool* [or the Presbytery of *the Riverina*] met and was constituted with prayer.

Among other things:
[*Here take in the minute*]
The meeting was closed with prayer.

Extracted from the records of the session of the congregation at *Wakool* [or the Presbytery of *the Riverina*] this *6th* day of *June 20__* by me.

A. Signature
Session/Presbytery Clerk

(2) Commission for elder to presbytery.

This is to certify that at a duly constituted meeting of the session of the congregation at *Wakool* held on the *1st* day of *December 20__* A. B. of *2 Yallakool Road, Wakool 2710* was commissioned to represent the session in the Presbytery of *the Riverina* from the *1st* day of *January 200_* to the *31st* day of *December 200_* .

3rd December 20__ . *A. Signature*
Session Clerk

(3) Commission for alternate elder to presbytery.

This is to certify that at a duly constituted meeting of the session of the congregation at *Wakool* held on the *1st* day of *December 20__* C. D. of *23 Yallakool Road, Wakool 2710* was appointed as an alternate elder for *A. B.* to represent the session in the Presbytery of *the Riverina* from the *1st* day of *January*

20__ to the *31st* day of *December 20__* [or at its next meeting on the *21st* day of *February 20__*].

3rd December 20__ . *A. Signature*
Session Clerk

(4) Commission for elder to Assembly.

This is to certify that at a duly constituted meeting of the session of the congregation at *Wakool* held on the *1st* day of *December 20__* A. B. of *2 Yallakool Road, Wakool 2710* a bona fide member of the session of *Wakool* was appointed to represent the session in the New South Wales General Assembly which is appointed to meet at Sydney in June, 20__ .

3rd December, 20__ . *A. Signature*
Session Clerk

(5) Call to minister.

We, the undersigned communicant members of the pastoral charge of *Wakool*, desiring to promote the glory of God and the good of the church, being without an inducted minister, and being assured by sound information or our own experience of your gifts and qualifications for the work of the ministry within this pastoral charge, have agreed to invite, call and entreat you, the Reverend/M A. B. to take up the pastoral office among us. Upon your acceptance of our call we promise to provide for you suitable maintenance and to give you all due respect, encouragement and obedience in the Lord.

In witness of this we have subscribed our names this *1st* day of *February 20__* .

[*Here take in names and addresses*]

The above signatures are attested by

15th February 20__ . *A. Signature*
Commissioner

(6) Concurrence in call to minister.

We, the undersigned adherent members of the pastoral charge of *Wakool* signify our concurrence in the call to you, the Reverend/M A. B. to the pastoral charge of this pastoral charge.

[*Here take in names and addresses*]
The above signatures are attested by

3rd December 20__ . *A. Signature*
Commissioner

(7) Demission of pastoral charge by minister.

I, the Reverend A. B. minister of the pastoral charge of *Wakool*, being moved by just and sufficient causes, hereby demit my pastoral charge purely and simply into the hands of the Presbytery declaring that, in so far as I am concerned, the pastoral charge shall be held vacant and it shall be free to the congregation to call, and to the Presbytery to admit, another minister. And I consent that this my Deed of Demission shall be recorded in the Presbytery's books.

Witness my hand this *30th* day of *November 20__ .*

A. Signature
Minister

Witnesses: A. Witness
B. Witness

(8) Appeal or dissent and complaint.

I, A. B. , appeal [*or dissent and complain*] to the Presbytery of the *Riverina* [or the General Assembly] against the decision of the session of the congregation at *Wakool* [or, of the Presbytery of the *Riverina*] on the *1st* day of *May 20__* concerning

[Here take in a brief description of the subject]

on the following grounds [or for the following reasons].
1.) [Here take in the grounds or reasons]
2.)
3.)

4th May 20__ . *A. Signature*

(9) Overture.

To the General Assembly of the Presbyterian Church of Australia in the State of New South Wales:

Whereas:
A.
B. [Here state the premises of the overture]
C.

Now therefore the Presbytery of the *Riverina* [or the session of the congregation at *Wakool*] overtures the General Assembly to take these premises into consideration and to

[Here take in what is required]

or to do otherwise as the Assembly in its wisdom may deem fit.

3rd December 20__ . *A. Signature*

(10) Petition.

To the General Assembly of the Presbyterian Church in the State of New South Wales [or to the Presbytery of the *Riverina* or to the session of the congregation at *Wakool*]:

This petition shows that:

[Here state the premises of the petition]

Now therefore A. B. asks the General Assembly [or the Presbytery or the session] to take these premises into consideration and to

[Here take in what is desired]

or to do otherwise as the Assembly [or presbytery or session] in its wisdom may deem fit.

3rd December 20__ . *A. Signature*

(11) Reference.

The Presbytery of *the Riverina* [or, the Session of the congregation of *Wakool*] duly convened and constituted on the *1st* of *December 20__* resolved to

refer to the General Assembly [or, the Presbytery of the *Riverina*] for opinion, advice, decision, direction or judgement the matter contained in the following extract minute;

[Here take in the extract minute of presbytery or session]

Extracted from the records of the Presbytery of the *Riverina* [or the Session of *Wakool*] this *3rd day of December 20__* , by me

A. Signature
Session/Presbytery Clerk

G. MODES OF ADDRESS

General Assembly:
The General Assembly

Presbytery:
The Presbytery of

Moderator of Assembly:
The Reverend. *Rev.* A. B. [2018]

Former Moderator General:
The Reverend *Rev.* A. B. [2019]

Minister:
The Reverend *Rev.* A. B. or Pastor A. B.

"The Reverend *(Rev).*" is always followed by Christian names, initials or "Mr." and "The Reverend *(Rev.)*" is never used in the plural form. If a wife is included in the address it should appear as "The Reverend A. and Mrs. B."

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