

CONTENTS

OPENING.....	1
RETIRING MODERATOR'S SERMON.....	1
ROLLS OF PRESBYTERIES.....	1
ELECTION OF NEW MODERATOR.....	2
ADMINISTRATION COMMITTEE.....	2
MODERATOR'S ADDRESS.....	3
ADMINISTRATION COMMITTEE REPORT.....	3
TRAINING OF MINISTRY COMMITTEE REPORT.....	4
PRESBYTERY REPORTS.....	4
CHURCH AND NATION COMMITTEE REPORT.....	5
<i>PRESBYTERIAN BANNER</i> REPORT.....	5
ORDER OF THE DAY.....	7
INTER-CHURCH RELATIONS COMMITTEE REPORT.....	8
INTER-CHURCH RELATIONS COMMITTEE REPORT.....	9
YOUTH AND FELLOWSHIP COMMITTEE REPORT.....	10
MISSIONS COMMITTEE REPORT.....	11
FINANCE COMMITTEE REPORT.....	11
MISSIONS EVENING.....	13
INTER-CHURCH RELATIONS COMMITTEE REPORT.....	14
GENERAL TREASURER'S REPORT.....	14
8: 14 COMMITTEE REPORT.....	14
PROVIDENT FUNDS COMMITTEE REPORT.....	15
LAW AND ADVISORY COMMITTEE REPORT.....	16
QUEENSLAND TRUST CORPORATION.....	19
NEW SOUTH WALES TRUST CORPORATION.....	19
VICTORIAN TRUST CORPORATION.....	20
COMMITTEE COMPOSITION.....	20
REPORTS OF EXAMINERS OF RECORDS.....	21
MODERATOR-ELECT FOR SYNOD 2002.....	21
TIME AND PLACE OF SYNOD 2002.....	22
PRINCIPAL ACTS.....	22
ACTS OF SYNOD 2002.....	23
LIST OF CORRESPONDENCE.....	23
MISSIONS BUDGET.....	24
INDEX.....	25

Minutes of the 2003 Meeting of The Synod of Eastern Australia

SESSION 1

MONDAY, 5TH MAY, 2003

7.00 P.M.

03.1 OPENING

In the Northern Rivers Congregation and within the Church Building, Maclean, on Monday, 5th May, 2003, at 7.00 p.m., the Synod of Eastern Australia met and was constituted with worship, conducted by the Moderator, the Rev. R.W. Murray.

03.2 MODERATOR'S SERMON

Mr Murray read from the twenty-fourth Chapter of Joshua. He then preached a sermon on the words from verse 15 – “As for me and my house, we will serve the Lord” – and dealing with *Covenant Commitment*.

03.3 ROLLS OF PRESBYTERIES

The Certified Rolls of Presbyteries were tendered, with apologies for non-attendance from those marked † hereunder.

Northern Presbytery	Ministers	Commissioned Elders
Armidale	D.P. Smith	K. Dawson
Brisbane	W.J.W. Hanna	K.G. Anderson
Hastings	A.L. Tripovich	D. Hamilton
Northern Rivers	R.W. Murray	J.D. Ramsay

Central Presbytery		
Hawkesbury/Nepean	D.K. Muldoon	D.E. Kerr
Hunter/Barrington	Vacant	G. King
Manning	W.P. Gadsby	F. N. Robinson
St. George's	J.A. McCallum	D.A. McIntosh
Synod Appointments: T.I. Leggott (Seconded to A.I.M.)		
S.R. Tamata (Missionary) †		

Southern Presbytery		
Geelong	J.M. Cromarty	D. Manly
Melbourne (Knox/G'Huntly)	R.S. Ward	J. Louden
Melbourne (Narre Warren)	G.D. Ball	J. Simpson
Ulverstone	G. Kinder	I. Hamilton
Synod Appointments: E.R. Lee † (retired)		
J. Pateman † (retired)		
I. MacKenzie		

03.4 APOLOGY

The Clerk notified the Court that an apology had been received from the General Treasurer (Mr. A.H. Steel) and that he had made arrangements for those reports for which he was responsible to be presented as follows:

Finance Committee (including the General Treasurer's report):	By Mr. D.E. Kerr,
8: 14 Foundation Committee:	By the Rev. R.W. Murray,
Victorian Trust Corporation:	By the Synod Clerk

Minutes of the 2003 Meeting of The Synod of Eastern Australia

An apology was received from Mr Keith Dawson for his inability to be present at the early sessions of the Synod.

03.5 WELCOMES

On behalf of the Administration Committee, the Clerk moved that Mr. D.A. McIntosh, commissioned elder for the St. George's congregation, be welcomed to his first Synod, and that the Rev. Dr. D.K. Muldoon be welcomed to his first Synod as an ordained minister. The motion was seconded and carried and these delegates were duly welcomed by the Moderator.

The Clerk moved that the Rev. Johan Plug, of the Reformed Churches of the Netherlands (Liberated), be welcomed to this Synod and that he be associated with the Synod, with the right to speak but not to vote. The motion was seconded and carried. Mr. Plug was welcomed by the Moderator.

03.6 ELECTION OF NEW MODERATOR

The Clerk reported that the Rev. Graham Kinder, minister of the Ulverstone congregation, was Moderator-elect. It was moved and seconded that this appointment be confirmed. The motion was carried and Mr. Kinder took the chair.

03.7 THANKS

It was resolved that the retiring Moderator be thanked for his work during the year and for his sermon, and that it be published in *The Presbyterian Banner* if possible.

03.8 ADMINISTRATION COMMITTEE

On behalf of the Administration Committee, the Clerk notified the Synod that it was now proposed to have an order of the day immediately prior to Inter-Church Relations Business to allow the Rev. Johan Plug, delegate from the Dutch sister-Churches, to address Synod.

There was also a fourth item of correspondence, from the Free Church of Scotland. The Committee was, therefore, proposing a further Deliverance:

9. Correspondence Item 4 be received and noted.

The Clerk presented Proposed Deliverance 1 of the Administration Committee. It was resolved that:

6. That the Timetable proposed by the Administration Committee be approved.

03.9 CLOSURE OF SESSION

Notices of motion were read and the session was closed with the singing of Psalm 128, prayer and the benediction at 8.15 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

SESSION 2

TUESDAY, 6TH MAY, 2003

9.00 A.M.

The session was opened with praise and prayer at 9.00 a.m.

03.10 MODERATOR'S ADDRESS

The Moderator read from Chapter 10 of Hebrews and delivered an address on the twenty-fourth verse of that Chapter.

03.11 MINUTES

The minutes of session 1 were read and confirmed.

03.12 ADMINISTRATION COMMITTEE REPORT

The Clerk presented the Administration Committee's Report. It was resolved that the report be received. After discussion it was resolved that:

2. Synod express its sympathy for all those connected with this church who have been bereaved since the last annual meeting of Synod.

The Rev. Dr. R.S. Ward led the court in prayer for those who have been bereaved and giving thanks for the lives of those who have passed away.

3. Correspondence Item 1 be received and noted, and that the Synod record its thanks for Mrs. Hockett's generous gift.

The Clerk presented Proposed Deliverance 4:

4. That Synod decline to receive Correspondence Item 2, refer it to the writer's Session, and warn him to take heed to his ways, bearing in mind the words of Titus 3:10-11.

The Moderator ruled the Proposed Deliverance out of order.

It was moved and seconded that the Petition be taken as read and, in view of the fact that the Synod has previously expressed its confidence in the minister referred to in the petition, Synod do not receive it.

It was moved and seconded that the Petition be received.

The petitioner was permitted to address the Synod regarding the reception of his petition.

On the second motion being put against the first, the first motion was preferred and became the motion before the court. On being put to the vote, it was resolved that the Petition be taken as read and, in view of the fact that the Synod has previously expressed its confidence in the minister referred to in the petition, Synod do not receive it.

Mr. Tripovich tendered dissent with the reason that:

A petitioner has been denied his lawful right of bringing his genuine concerns before the Synod for its consideration and judgement.

Mr. I. Hamilton adhered to Mr. Tripovich's dissent with reasons.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

Mr. D.A. McIntosh tendered simple dissent.

Mr. D. Kerr adhered to Mr. Tripovich's dissent and reasons and added the additional reason that:

Synod has not minuted its confidence referred to in this motion.

It was moved, seconded and carried that the Clerk and the Assistant Clerk be appointed to answer the reason for dissent proffered by Mr Tripovich.

The Moderator addressed some words to the petitioner, assuring him that Synod was concerned with the reputation of all its ministers and that the reputation of the minister referred to in his petition was not in question.

The Clerk pointed out that Mr. K. Dawson was now present in the Synod.

The Clerk continued to present the Proposed Deliverances of the Administration Committee. It was resolved that:

5. Correspondence 3 be received and noted.
6. Presbyteries and committees be permitted to meet when Synod is not in session.
7. Proposals for changes to the Committee Structure be in the hands of the Clerk by midday on Wednesday.
8. The following examiners of records be appointed: -

Northern Presbytery	Rev. J.M. Cromarty and St. Georges elder.
Central Presbytery	Rev. A.L. Tripovich and Narre Warren elder.
Southern Presbytery	Rev. J.A. McCallum and Northern Rivers elder.

9. Correspondence Item 4 be received and noted.
10. Correspondence Item 5, federal greetings from the Free Church of Scotland, be received and passed on to the Inter Church Relations Committee.

03.13 THANKS

It was resolved that the Moderator be thanked for his address, and that it be published in "*The Presbyterian Banner*" if possible.

03.14 TRAINING OF MINISTRY REPORT

The Convener (the Rev. J.M. Cromarty) presented the Report of the Committee. It was resolved that the report be received.

03.15 PRESBYTERY REPORTS

The Clerk presented the reports which had been furnished by the Clerks of the various presbyteries. It was resolved that the Reports be received.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

03.22 DISCUSSION

Synod went into informal session to discuss matters raised by the Church and Nation report and *The Presbyterian Banner* Editor's Report.

03.23 CHURCH AND NATION REPORT (CONT.)

Synod resumed formal session at 4.54 p.m. It was resolved that:

1. Synod thank the Editor of the Banner for his hard work during the year.

It was moved on notice and seconded that *The Presbyterian Banner* cease production by December 2003 and that alternative means be established for the dissemination of articles and Church news throughout the Church. On being put to the vote the motion was defeated.

The Convener continued to present the Proposed Deliverances of the Committee. It was resolved that:

2. Synod strongly urges each minister to submit an article each year for publication in the magazine.
3. Synod recommend each session/deacons' court sees to it that each family receives a copy of the magazine.

The Convener presented Proposed Deliverance 4 of the Committee:

4. That Synod recommend each session obtain a copy of the new Scottish psalter with a view to adopting it in our services.

An amendment was moved on notice and seconded that the Publications Committee provide, at Synod expense, evaluation copies of the New Scottish Psalter (both sol-fa and staff versions) to each Session when they become available, and that each session be requested to supply an evaluation report to their Presbytery prior to the following Synod.

On the amendment being put against the Proposed Deliverance, the Proposed Deliverance was preferred and became the motion before the court. On being put to the vote, it was resolved that:

4. Synod recommend each session obtain a copy of the new Scottish psalter with a view to adopting it in our services.

Mr. I. Hamilton tendered simple dissent.

It was proposed on notice and seconded that Synod authorise the Church and Nation Committee to approach the Free Church of Scotland to seek permission to publish the New Metrical Version of the Book of Psalms by our Church should there be, in the Committee's judgement, a need for it. On being put to the vote, the motion was defeated.

The Convener continued to present the Proposed Deliverances of the Committee. It was resolved that:

Minutes of the 2003 Meeting of The Synod of Eastern Australia

5. Synod recommend that sessions give urgent and earnest consideration as to how to outgrow the ingrown church.

03.24 CLOSURE OF SESSION

Notices of motion were read and the session concluded with prayer at 6.05 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

SESSION 4 TUESDAY, 6TH MAY, 2003 7.00 P.M.

The session was opened with prayer and praise at 7.00 p.m. The minutes of session 3 were read and confirmed.

03.25 CHURCH AND NATION

The Committee agreed to fall from Proposed Deliverance 6.

The Convener presented Proposed Deliverance 7 of the Committee. It was resolved that:

7. Synod approve the appointment of the Rev. Graham Kinder as Assistant Editor of *The Presbyterian Banner*.

03.26 ORDER OF THE DAY

An order of the day having been made for this purpose, the Convener of the Inter-Church Relations Committee, the Rev. W.P. Gadsby, presented the Rev. Johan, delegate from our Dutch sister-Churches, the Reformed Churches of the Netherlands (Liberated), to the Moderator, who welcomed him and invited him to address the Synod. Mr. Plug then addressed Synod, bringing greetings from the Dutch Churches and speaking about a number of issues which we both face.

The Rev. W.P. Gadsby responded on behalf of the Synod, expressing thanks for Mr. Plug's address and for his contribution to our understanding of several issues.

Dr. Ward also spoke thanking Mr. Plug.

It was moved and seconded that Mr. Plug be thanked for his address. The motion was carried by acclamation.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

03.27 INTER-CHURCH RELATIONS REPORT

The Convener (the Rev. W.P. Gadsby) presented the Committee's Report. While reporting on relations with the Reformed Presbyterian Church of Australia, the Convener also reported that he had received a letter of fraternal greetings from that Church.

It was resolved that this letter be received and noted with gratitude and that the Committee respond accordingly.

The Convener continued to present the Committee's Report. It was resolved that the report be received. After further discussion, the Convener presented the Proposed Deliverances of the Committee. It was resolved that:

1. **Fraternal Greetings.** Synod convey fraternal greetings to the Reformed Churches of the Netherlands (Liberated), and the Reformed Churches of New Zealand.
2. **Free Reformed Churches of Australia.** Synod note and approve the actions of the Committee with respect to the Free Reformed Churches of Australia.
3. **Consultative Committee.** The remit of Synod 2002 regarding the 'Australian Presbyterian and Reformed Committee' be continued; that the Committee be authorised to take all necessary steps to establish this consultative committee; and that report to be made to Synod 2004.
4. **Free Church of Scotland** The proposal to rescind the Federal Relations Act of Synod April 12, 1954 Class 1, as corrected by Act 1 Class 1 Synod 1984, be remitted to Presbyteries in terms of Barrier Act Procedure, and meantime that the same be passed as an interim act; and that the Free Church of Scotland be informed of this decision.

The Moderator was asked to rule this Proposal out of order, but declined to do so.

Dr. Ward tendered simple dissent.

03.28 CLOSURE OF SESSION

Notices of motion were read and the session was closed with the singing of Psalm 98 followed by the benediction, at 9.00 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

SESSION 4 WEDNESDAY, 7TH MAY, 2003 9.00 A.M.

The session was opened with prayer, praise and devotions at 9.00 a.m. The minutes of session 4 were read and confirmed.

03.29 INTER-CHURCH RELATIONS COMMITTEE

03.30

Synod continued to discuss Proposed Deliverance 4. After discussion, it was resolved that:

4. **Free Church of Scotland** The proposal to rescind the Federal Relations Act of Synod April 12, 1954 Class 1, as corrected by Act 1 Class 1 Synod 1984, be remitted to Presbyteries in terms of Barrier Act Procedure, and meantime that the same be passed as an interim act; and that the Free Church of Scotland be informed of this decision.

The Rev. Dr. R.S. Ward dissented with reasons and protested as follows:

1. The remit (02.028) was to pursue mutual rescission with the F.C.S. and report. The Committee has gone beyond this in proposing a unilateral change and has not even provided clear grounds by means of an overture to Synod as required (Handbook 5.37: 6.5a) and Barrier Act 1697.
2. The change occurs without further discussion with the F.C.S. in a manner which appears discourteous and which appears to slight our past relationship with the F.C.S. of many decades which has been of significant benefit to the P.C.E.A.
3. The interim rescission occurs without adequate consultation with the lower courts and gives the impression of Synod rule from the top down.
4. The passing of the Proposal as an interim Act is unwarranted given that there are no practical, urgent or emergency considerations which would justify such a step (cf. Handbook 5.40).
5. The associated remit (02.29), which aimed to supply a new form of relationship extending to the F.C.S. as well as to other churches, has not been fulfilled despite the specific direction of Synod.
6. The interim rescission leaves the P.C.E.A. with no legislation defining our relationship with the church from which we derived historically, and which is closest to us in respect of past association as well as co-operation in mission.
7. The action in my view reflects a short-sighted and insular position which will be detrimental to our best interests and to the furtherance of Reformed ecumenicity world-wide. It also impinges on the existing rights of ministers of both churches.
8. Although Synod Report 2002 rightly noted that the difficulties of several years ago in the F.C.S. did not warrant disturbing the Federal Relations Act, it will to many seem a natural implication that the present action derives from that, and that this church is improperly passing judgement on the internal discipline of another church in a complex case when no doctrinal issues are at stake.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

9. In view of the failure to follow constitutional steps I regard the decision as lacking binding force, and I protest in my own name and in the name of any who may adhere to me.

Mr. J. Ramsay adhered to Dr. Ward's reasons for dissent.

The Rev. T.I. Leggott tendered simple dissent.

It was resolved that a committee of Messrs. Hanna, Murray and Tripovich be appointed to answer Dr. Ward's reasons for dissent.

The Convener presented Proposed Deliverance 5. It was resolved that:

5. **Extension of Mutual Eligibility** The remit from Synod 2002 on this matter be continued

03.31 YOUTH AND FELLOWSHIP REPORT

The Moderator, being also Convener of the Youth and Fellowship Committee, vacated the chair which was occupied by the previous Moderator, the Rev. R.W. Murray. The Rev. G. Kinder presented the report of the Youth and Fellowship Committee. It was resolved that the report be received. After discussion, it was resolved that:

1. We express our gratitude to God for the number of young families attending our congregations.
2. Our thanks be expressed to:
 - a. The Sunday School Superintendents and teachers for their work in teaching and encouraging our children during the past year.
 - b. Mrs. Irene Steel for her diligence and work in supervising the search work.
 - c. Mrs. Margaret Kinder for her work in sending out the birthday cards.
3. Synod thank and encourage the Assistant Editor, Jonathan Murray, and Marcus and Shelley Gadsby (producers of *God's Kids*), and Susan Scott (Page Set-Up) for their work in the publication of *Run for Glory*, the youth segment of *The Presbyterian Banner*.

It was moved on notice and seconded that the Youth and Fellowship Committee be the facilitators of the Family Camps, but that the various congregations be responsible for their organisation. On being put to the vote, the motion was carried.

The Moderator *pro-tem* thanked the Convener for his work and vacated the chair. The Moderator resumed the chair.

It was resolved that standing orders be suspended to permit the moving of the following motion:

That the Clerk of Synod write to the Prime Minister, Mr. Howard, in the following suggested terms:

Minutes of the 2003 Meeting of The Synod of Eastern Australia

We, the members of the Synod of the Presbyterian Church of Eastern Australia, meeting at Maclean, N.S.W., extend to you as Prime Minister of Australia, our sincere Christian greetings.

Being aware of the difficult times in which we live and of the momentous decisions that you have been called upon to make in recent days, we assure you of our constant prayers for you and for all who are in positions of authority.

It is our earnest desire that Almighty God, the Father of our Lord Jesus Christ, will sustain you as you seek to lead our nation, and that you will know God's will as you fulfil your high office as Prime Minister of our country.

For this, we will continue to pray, etc.

The motion was moved and seconded. On being put to the vote, the motion was carried.

03.32 MISSIONS COMMITTEE REPORT

The Missions Committee Convener (the Rev. T.I. Leggott) presented the report. It was resolved that the report be received. After discussion, it was resolved that:

1. Synod express its prayerful support and interest in Rev Sam Tamata and Muriel as they recommence their ministry in Fiji.
2. The three year appointment of Rev Sam Tamata to Fiji, approved by Synod 2002, commence on 1 April 2003 and continue to 31 March 2006.
3. Synod express its continued prayerful support and interest in the work of Rev Trevor Leggott in his ministry with Australian Indigenous Ministries.
4. Synod adopt the budget for 2003 and express general agreement with the estimates for 2004.

03.33 FINANCE COMMITTEE REPORT

In the absence of the Convener (Mr. A.H. Steel), Mr. D.E. Kerr presented the report of this committee. It was resolved that the report be received. After discussion, it was resolved that:

1. Synod record our gratitude to God for the continued support by Church Courts and Congregational Members during 2002, noting especially a second distribution of \$114,002 from the Estate of the late Dorothy Anne Anderson, a donation of \$10,000 from an individual "In Memory of the late Rev Stewart Neil Ramsay" and a bequest of \$98,444 from the Estate of the late SN Ramsay.
2. The current Minimum Stipend of \$605 per week be increased by 6.00% (\$33.00 per week) 1/7/03 in terms of Synod 2002 resolution (Minutes 02.44/2)

Minutes of the 2003 Meeting of The Synod of Eastern Australia

3. Adjustment of Minimum Stipend (Excluding Manse, Car and Telephone) for 2003/2004 be made on 1st January and 1st July in line with the movement in *the Average Weekly Ordinary Time Earnings (AWOTE)* as published by the Australian Bureau of Statistics. In the event of a negative movement in any six monthly review period, no adjustment be made.
4. The Child Allowance of \$5 per dependent child per week, payable while the child continues at school i.e., to the completion of their secondary education, be phased out. Payments to ministers currently receiving the allowance to continue at the same rate until their children complete their schooling.

Mr. Kerr presented Proposed Deliverance 5:

5. Existing legislation, *Synod Delegates' Expenses* (Act 1 of Class 2, Synod 1984 - Decision Book page 16) viz. Section [b]" Where fares are necessary for members to attend Synod meetings, Synod will provide for economy class or equivalent travel on public transport. Should a journey entail continuous travel for an unreasonable time (e.g., greater than the equivalent of rail or road between Melbourne and Sydney or Sydney and Brisbane) then air travel may be provided for all or part of the journey at the most economical rate",
be amended by adding:
"If members choose to travel other than by air in these cases, then reimbursement may be claimed for an amount up to but not exceeding the air fare/home to airport/airport to Synod costs."

On being put to the vote the Proposed Deliverance was defeated.

Mr. Kerr presented Proposed Deliverance 6. It was resolved that:

6. Existing legislation, *Synod Delegates' Expenses* (Act 1 of Class 2, Synod 1984 - Decision Book page 16) Section [c] "Motor Vehicle Running Costs" be replaced with:
"Where travel is by motor vehicle, reimbursement for vehicle running costs and accommodation may be claimed as follows:
Motor Vehicle Running Costs - Costs on basis of one claim per congregation represented at Synod. Reimbursement to be at the rate of 16c per kilometre. The rate to be ***reviewed annually and adjusted (in increments of 1c or more) to 27% of the Work Related Car Expenses deduction rate (Method 1 "Cents per Kilometre Travelled") for motor vehicles with engine capacity of 2.600 litres and over, as set by the Australian Taxation Office***"
(Changes in bold italics)
7. Stipend Relief for 2003/2004 be granted Hawkesbury-Nepean Deacons' Court up to \$7,380, Narre Warren Deacons' Court up to \$4,000 and Ulverstone Deacons' Court up to \$ 13,500, all on a strictly needs basis.
8. Stipend Relief for 2003/2004 be granted to Armidale Deacons' Court up to 50% of the *Minimum Stipend* on a strictly needs basis.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

03.34 CLOSURE OF SESSION

Notices of motion were read and the session was closed with prayer at 12.30 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

SESSION 5 WEDNESDAY, 7TH MAY, 2003 7.00 P.M.

The session was opened with prayer and praise at 7.00 p.m. The minutes of session 5 were read and confirmed.

03.35 MISSIONS EVENING

The Convener of the Missions Committee (the Rev. T.I. Leggott) gave an outline of the programme for the evening. He then introduced the Rev. Ian MacKenzie and Alina MacKenzie to the Moderator who welcomed them and asked them to address the Synod. Mr. MacKenzie described their attitude toward mission work and spoke of the work that they had been doing in the Glen Huntly area of Melbourne. Mrs. MacKenzie then spoke, telling more of the work that they had been doing. The Convener expressed the thanks of the Synod to Mr. and Mrs. MacKenzie.

Mr. Leggott then introduced Glenda Cresswick of The Leprosy Mission to the Moderator who invited her to address the Synod. Mrs. Cresswick gave an interesting address on the work of The Leprosy Mission and of her involvement in that work. The Convener thanked Mrs. Cresswick on behalf of the Synod.

Mr. Leggott then gave an update on the mission work in Fiji. He was able to provide recent information regarding the establishment of the Rev. S.R. Tamata there.

Mr. Leggott also spoke about the work of the Australian Indigenous Ministries.

The Convener then introduced Jonathan and Grace Wright of the Australian Indigenous Ministries to the Moderator, who welcomed them and asked them to address the Synod. Mrs. Wright gave an account of the work in which she had been involved in Borooloola. Mr. Wright then spoke about how he had become involved in the work of A.I.M. Mr. Leggott expressed the thanks of the court to Mr. and Mrs. Wright.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

1. The Committee's action in approving the extension of the term of the 8:14 Foundation loan of \$45,000, granted to the Hunter-Barrington Deacons' Court (Synod minutes 02.47.2), from approximately five years to up to ten years, be confirmed.

It was moved and seconded that the appreciation of Synod be expressed to the Deacons' Court of the Northern Rivers Congregation for its assistance in providing bridging finance, through the 8: 14 Foundation, to the Deacons' Court of the Hunter congregation, and that its example be commended to other Deacons' Courts. On being put to the vote the motion was carried.

03.41 PROVIDENT FUNDS COMMITTEE REPORT

The Convener of the Provident Funds Committee (the Rev. Dr. R.S. Ward) presented this report. It was resolved that the report be received. After discussion, it was resolved that:

1. The Superannuation and Long Service Leave levy be renamed the Superannuation Levy, and that Synod request Deacons' Courts to note that the Levy for 2003 is 15% of minimum stipend/non-cash benefits payable in the 2003 calendar year. with an installment of not less than 25% by each of 28/2, 31/5, 31/8 and 30/11 to be paid to the Synod Treasurer.
2. From 1/7/2003 each member's superannuation account be credited with 18% of minimum stipend, funded 15% from the Levy proceeds and 3% from the Third Millennium Provident Fund.
3. The vesting provisions for Superannuation be amended so that Superannuation Guarantee component is always fully vested and the Additional Employer component is vested at 2% per completed month of service excluding the first three years of service.
4. Effective 1/7/2003 the insurance provision be amended so that 10% of the Superannuation Guarantee component only is applied to purchase term life and permanent total disablement insurance.
5. The Long Service Leave Fund be wound up and existing entitlements in the LSL Fund as at 1.01.2003 be paid over to the congregation of each member and be available as supplemental stipend/non cash benefit or as an additional contribution to Superannuation for the minister or his wife, or as the minister directs. Any surplus on winding up is to be placed to the credit of the Third Millennium Provident Fund.
6. With effect from 1.01.2003 the terms of ministerial settlement include a week of paid annual leave in addition to the presently required four weeks per year in respect of every minister. This additional week applies to service from the point the minister completes five years ministerial service until he reaches his 70th birthday. This additional week must be taken when due or within twelve months thereafter or it is forfeited, and it cannot be cashed out except for amounts due at the time of death or retirement.
7. At the written request of a minister to his Deacons' Court the terms in 6 above shall be varied so that the Congregation assumes responsibility for providing Long Service Leave at the rate of one week per year in lieu of the extra week of annual leave in 6 above. If this option is taken, the Long Service Leave cannot be accumulated beyond 10 years, and cannot be cashed out except for amount due at the time of death or retirement. So long as a person completes 5 years service within the PCEA, the LSL accumulates from the beginning of his service until he reaches his 70th birthday. In the event of transfer from one congregation to another the liability for LSL is to be adjusted between the congregations concerned. LSL liability (if any) is to be noted on Congregational Annual Accounts.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

8. Synod further remind ministers that the four weeks annual leave provided is a valuable part of the benefit provided to ensure active and effective ministry, and should not be accumulated without extremely good cause. Presbyteries, Sessions and Deacons' Courts are reminded to keep a close eye on this matter so as to limit risk of ministerial burnout or unreasonable stress on the manse family.
9. The latter part of clause C6 be amended to read "contributions sufficient to cover any Superannuation Guarantee Levy or the like for students employed in supply work are made from the funds of the congregation or preaching station concerned."
10. Section C7 be amended to read as follows: "Under current law it is possible for Deacons' Courts by arrangement with the minister to make additional salary sacrifice contributions. A member may also make personal contributions from his after tax income. The investment medium required must be specified in writing. On termination the result of the investment of such contributions is not subject to vesting provisions but is always the property of the member."
11. The Committee Regulations as amended by the above decisions and appended to this Report be noted.

03.42 LAW AND ADVISORY REPORT

The Convener (the Rev. Dr. W.J.W. Hanna) presented the report of this committee. It was resolved that the report be received.

The Rev. Dr. R.S. Ward presented his Minority Report. It was resolved that the Minority Report be received. Dr. Ward withdrew Proposed Deliverances 2 and 3 of his Report.

The Committee Convener presented the Proposed Deliverances of the Committee Report. It was resolved that:

1. Synod adopt the "Procedures for Dealing with Allegations of Sexual Misconduct" set out in this Report as an interim set of procedures to be followed by the various judicatories of the Church.
2. Synod request the Law and Advisory Committee to draw up proposals to guard against the occurrence of sexual misconduct, particularly against minors.
3. Synod note the section of the Report dealing with the impact of the Privacy Amendment (Private Sector) Act 2000, and request Presbyteries, Sessions and Committees to be careful to avoid breaching it.

Dr Ward moved Proposed Deliverance 1 of his report. The motion was seconded. On being put to the vote it was resolved that:

Synod resolve as follows and request Sessions and Deacons Court to paste this decision in the front of their current minute book for convenience of reference, and to keep it in mind and implement it at all times.

Caring for the People Guidelines

1. The activities of the congregations are under the ultimate supervision of the Session. Ensure the session knows what is happening in the various areas and that a liaison person reports as necessary.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

2. Supervision of others should be carried out by appropriately experienced people who are well known to the congregation, and have been connected with it for at least six months., Police checks may be appropriate (or even mandatory) in some situations. No person with a previous record of sexual molestation can be involved in a supervisory position, except with the express authorisation of Presbytery which is only granted in the most exceptional circumstances where risk is minimal and can be completely eliminated by conditions.
3. When children are involved out of sight or hearing of others two adults should supervise. Those leading camps or outings should sign a declaration that they have never been charged with or convicted of sexual abuse or with trafficking in illicit substances.
4. Avoid one to one counselling of the opposite sex. In any counselling, ministers in particular should not stray out of their area of competence.
5. Ministers/elders should exercise great care in visiting persons of the opposite sex on their own. It is generally to be avoided: take your wife or another person.
6. Ensure leaders know that any suspected physical or sexual abuse must be reported to the Session immediately and the Synod's protocol followed. Do not trivialise any allegation.
7. A check with the previous church that there are no outstanding issues/adverse history concerning persons seeking membership with the PCEA should be the rule. A Session shall not issue a disjunction certificate if there is any suspicion/allegation of abuse without first investigating, duly minuting the result, and/or qualifying the certificate.
8. Membership lists should only be used outside the Session according to an agreed procedure. Health information secured for camps or outings is to be used only for the purpose obtained and kept in confidence. Exercise care in personal information on notice sheets or in church announcements.
9. Don't hold working bees around the church premises without some competent person supervising, particularly where heights are involved or the use of special tools.
10. Outside groups using PCEA facilities must commit in writing to having proper supervision of their people at all times, as well as meeting other conditions set by the local Deacons' Court (e.g. no smoking, no raffles or gambling, appropriate Public Liability insurance, responsibility for damage).

03.43 CLOSURE OF SESSION

The session was closed with prayer at 12.30 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

SESSION 8 THURSDAY, 8TH MAY, 2003 2.00 P.M.

The session was opened with prayer and praise at 2.00 p.m. The minutes of session 7 were read and confirmed.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

03.44 ANSWERS TO REASONS FOR DISSENT

The Committee appointed to answer the reasons for dissent tendered by the Rev A.L. Tripovich (*Minutes* 03.12) reported to Synod. It was resolved that the answers be engrossed in the minutes as follows:

The reason for dissent given by the Rev. Tripovich is based on an incorrect premise. In fact, the members of the Church do not have a blanket “lawful right of bringing [their] genuine concerns before Synod.” This right is limited by a number of factors.

1. Matters should be brought up in an orderly manner by way of Sessions and Presbyteries before Synod is approached.
2. Matters should be brought up in a timely manner. There is no absolute right to revive old matters.
3. Matters which have already been dealt with should not be revived again.

The petition fails all of these criteria. The petitioner did not, therefore, have a lawful right to bring this matter before Synod.

The Committee appointed to answer the reasons for dissent tendered by the Rev. Dr. R.S. Ward (cf. *Minutes* 03.29) reported to Synod. It was resolved that the answers be engrossed in the minutes as follows:

1. The Committee pursued mutual rescission with the Free Church of Scotland. When the Free Church refused this, the Committee decided that the way forward was to report to Synod by way of a positive recommendation to rescind the Act. There were no proposed amendments to this recommendation. An overture is defined as “a resolution or law passed by the general Assembly and sent down to Presbyteries for approval or otherwise” (Forbes).
2. We had previously indicated our desire to proceed to rescind the Act, and the views of the Free Church were also reported. It was not discourteous to proceed to implement the procedure for this to be accomplished.
3. Decisions regarding relations with other churches is the right of Synod. Consultation takes place through the Barrier Act procedures, where Class 1 legislation needs to be amended.
4. This matter has been discussed for 3 years and a decision was needed to relieve the conscientious scruples of Synod members and to clear up ambiguity in our relations to the two churches in Scotland.
5. The Committee indicated that it did not have time to complete this investigation of mutual eligibility, but it did not believe that this warranted further delay on this matter.
6. The way is now clear to enter into negotiations with the Free Church of Scotland on mutually agreeable terms – as is the case with other churches. We are confident that the strong ties which exist between the churches will continue.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

7. It is not a “short-sighted and insular” position to respond to significant developments and changes in other churches. Indeed, such review and response indicates an intelligent and responsible approach to ecumenicity. It would be short-sighted and insular to tie ourselves so tightly to one church that our development of relations with other churches was impeded. The rights of ministers are determined by the rules and regulations of the churches in which they serve.
8. No action was taken for a number of years in the hope of reconciliation or resolution of difficulties. When this was not forthcoming, it was agreed, for this and for other reasons, that we should move toward mutual rescission of the Federal Relations Act. In any case, if there are internal difficulties within another church, it is quite proper to review our relationship with that church.
9. We do not believe that the procedure is unconstitutional.

03.45 QUEENSLAND TRUST CORPORATION

The Clerk presented the report on behalf of the Trustees. It was resolved that the report be received. There were no Proposed Deliverances attached to this report.

03.46 NEW SOUTH WALES TRUST CORPORATION

The Clerk presented the report on behalf of the Trustees. It was resolved that the report be received. After discussion, it was resolved that:

1. Synod give thanks to God for the generosity of the late Rev S.N. Ramsay.
2. Synod record its thanks to Mrs. Margaret Hockett for her generous gift.

The Clerk presented Proposed deliverance 3. It was resolved:

3. That, to give some protection to members of the Body Corporate (the Trustees) of the *Synod of Eastern Australia Property Act 1918*, as regards personal liability in respect of breaches of trust, so long as they have not acted in bad faith, and also to enable a member of the said Body Corporate to reimburse himself for his expenses incurred in the administration of the trust, SYNOD resolves to submit the following amendment (or as re-phrased or amended by the Attorney General as necessary, without changing the meaning of the amendment) to the Attorney General, Attorney General’s Department (NSW), for introduction into the Legislature of New South Wales for enactment:

Act - ***The Synod of Eastern Australia Property Act 1918***

Amendment -
[1] ***Limitation of Liability***

Insert new Section after Section 14

“(1) No Member shall except in the case of bad faith, be liable or accountable for any acts matters or things done or omitted to be done by such Member in or about or in connection with the carrying out of the rights powers or authorities conferred by this Act”

Right of reimbursement

Minutes of the 2003 Meeting of The Synod of Eastern Australia

(2) Every Member shall be entitled to be reimbursed out of the funds vested in the body corporate in respect of all costs charges and expenses of and incidental to the trusts herein declared”

[2] *Interpretation of terms*

Section 16

Insert after “The synod” means “The Synod of Eastern Australia”

““Member” means each person who is for the time being a member of the trustees””

There were twenty-three votes for this motion, with no opposing votes.

03.47 VICTORIAN TRUST CORPORATION

The Clerk presented the report on behalf of the Trustees for Victoria, in the absence of the Secretary (Mr. A.H. Steel). It was resolved that the report be received. A time of discussion ensued. There were no proposed deliverances attached to this Report.

03.48 S.N. RAMSAY BEQUEST

It was moved and seconded that the S.N. Ramsay bequest be disbursed as follows:

Armidale loan (8: 14 Foundation)	\$25 000
Publications (unless and until otherwise decided by Synod) Interest only to be used for the time being	\$5 000
Synod General Fund	\$10 000
Balance plus interest to be disbursed as decided by Synod 2004	

It was further moved and seconded that the General Treasurer be allowed to utilise the proceeds of the bequest of the late S.N. Ramsay and that the Finance Committee bring a proposal to Synod 2004 for the disbursement of this bequest.

On the second motion being put against the first, the second motion was preferred and became the motion before the court. On being put to the vote, it was resolved that the General Treasurer be allowed to utilise the proceeds of the bequest of the late S.N. Ramsay and that the Finance Committee bring a proposal to Synod 2004 for the disbursement of this bequest.

03.49 COMMITTEE COMPOSITION

The Administration Committee proposed the following Committee structure:

Administration and Inter-Church Relations

Clerk (Convener Administration), Moderator, Moderator-elect, Assistant Clerk, Convener of Law and Advisory, Convener of Inter-Church Relations (W.P. Gadsby).

Church and Nation (including Publications and Psalmody)

G. Ball (Convener), I. Hamilton, G. Kinder, J.Simpson, Geelong elder.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

Finance

A.H. Steel (Convener), K.I. Kerr, D.J. Ramsay, D.E. Kerr.

Provident Funds

R.S. Ward (Convener), G.D. Ball, J.B. Loudon, K.I. Kerr.

8: 14 Foundation

Treasurer (Convener), Clerk of Synod, Moderator, one representative from each Presbytery.

Law and Advisory

W.J.W. Hanna (Convener), R.W. Murray, W.P. Gadsby, Hunter elder.

Missions

D.P. Smith (Convener), I. Conley, T.I. Leggott, D.K. Muldoon, F.N. Robinson.

Training of Ministry

R.W. Murray (Convener), W.J.W. Hanna, J.A. McCallum, J. Ramsay.

Youth and Fellowship

D.K. Muldoon (Convener), Robert Alley, Jonathan Murray, Marcus Gadsby, F.N. Robinson.

It was resolved that the Committee structure as proposed be adopted.

03.50 REPORTS OF EXAMINERS OF RECORDS

The Clerk of the Central Presbytery apologised for the absence of the Central Presbytery Minute Book. It was resolved that Mr. Tripovich be appointed to examine the Central Presbytery Record and to report to next Synod. The minutes of the Northern and Southern Presbyteries were reported to be in order apart from a sequential numbering of pages. It was resolved that they be attested, subject to the pages being numbered sequentially in due course.

03.51 MODERATOR-ELECT FOR SYNOD 2004

It was resolved that the Rev. T.I. Leggott be appointed Moderator-elect for Synod 2004.

03.52 ASSISTANT CLERK *PRO TEM*

It was moved, seconded and carried that the Rev. D.P. Smith be appointed Assistant Clerk *pro tem* from the rising of this Synod.

03.53 RESIGNATION OF THE REV. J.M. CROMARTY

The Clerk reported that he had received an extract minute from the Clerk of the Southern Presbytery concerning the resignation of the Rev. J. M. Cromarty from the pastoral charge of the Geelong congregation, which resignation is to take effect from 24th May, 2003.

03.54 THANKS

It was resolved that the thanks of the court be conveyed to the Clerk.

03.55 TREASURER'S REPORT

In the absence of the General Treasurer, Mr. D.E. Kerr indicated the cost of this Synod.

Minutes of the 2003 Meeting of The Synod of Eastern Australia

03.56 TIME AND PLACE OF SYNOD 2004

It was moved and seconded that Synod 2004 be held in the Sydney area at a time and place to be determined by the Administration Committee and to be advised to commissioners at least five months prior to the opening of Synod. The motion was carried.

03.57 PRINCIPAL ACTS

It was resolved that the Clerk draw up a list of the Principal Acts of Synod 2003, and include it with the Minutes.

03.58 THANKS

It was resolved that the thanks of the court be conveyed to the General Treasurer (Mr. A.H. Steel) and to Mr. D.E. Kerr for deputising for him at this time. The motion was carried by acclamation.

It was moved and seconded that the thanks of the Court be conveyed to the Northern Rivers Congregation and, in particular, to those who have contributed so much to the comfort of the delegates – especially, to Mrs. Roberta Murray for all the hard work which she has done in co-ordinating the arrangements. The motion was carried by acclamation.

It was moved and seconded that the thanks of the Court be conveyed to the Moderator. The motion was carried by acclamation.

Thanks were expressed to the Conveners of Committees for their work.

03.59 REV. E.R. LEE

It was resolved that Synod express its prayerful concern and interest in the health of the Rev. E.R. Lee, and wish him and Barbara every blessing in the Lord.

03.60 CONFIRMATION OF MINUTES

The minutes of this closing session were read and confirmed.

03.61 CLOSURE OF SYNOD 2003

Synod 2003 was closed with the singing of Psalm 130 and with the benediction, at 3.50 p.m.

W.J.W. Hanna
Clerk

G. Kinder
Moderator

Minutes of the 2003 Meeting of The Synod of Eastern Australia

ACTS OF SYNOD 2003

Appended by the Direction of Synod (03.57)

Class 1 (Barrier Act Procedure)	Article
1. Act to rescind Federal Relations Act	03.30

Class 2 (Others)	Article
1. The Rev. G. Kinder appointed as Assistant Editor of <i>The Presbyterian Banner</i>	03.25.7
2. The Rev. S.R. Tamata's appointment as missionary in Fiji	03.32.2
3. Increase in Minimum Stipend	03.33.2
4. Adjustments to Minimum Stipend	03.33.3
5. Phasing out of Child Allowance	03.33.6
6. Amendments to Provident Fund Regulations	03.41
7. Procedures for investigating complaints of sexual impropriety	03.42.1
8. Amendment to N.S.W. Property Act	03.46.3

LIST OF CORRESPONDENCE

	<u>Date received</u>	<u>Sender</u>	
1.	5/7/2002	Mrs. M. Hockett	Thanks to Synod
2.	21/11/2002	Mr. Murray Logan	Petition
3.	1/3/2003	The Clerk – Northern Presbytery	Report concerning failure to meet.
4.	15/4/2003	Free Church of Scotland	Letter of Information
5.	3/5/2003	Free Church of Scotland	Federal Greetings, etc.

INDEX

8-14 Foundation Committee Report.....	14	Moderator's Address.....	3
Administration Committee.....	2, 3	New South Wales Trust Corporation.....	19
Answers to reasons for dissent.....	18	Order of the day.....	7
Assistant clerk <i>pro tem</i>	21	Plug, The Rev. Johan.....	7
Church and Nation Report.....	5, 6, 7	<i>Presbyterian Banner</i> Report.....	5
Committee Composition.....	20	Presbytery Reports.....	4
Correspondence		Principal acts.....	22
Item 1.....	3	Principal Acts.....	22, 23
Item 2.....	3	Provident Funds Committee Report.....	15
Item 3.....	4	Queensland Trust Corporation.....	19
Item 4.....	4	Reports of Examiners of Records.....	21
Item 5.....	4	Resignation of the Rev. J.M. Cromarty. .	21
Election of new Moderator.....	2	Retiring Moderator's Sermon.....	1
Examiners of Records.....	21	Rev. E.R. Lee.....	22
Finance Committee Report.....	11	Rolls of Presbyteries.....	1
General Treasurer's Report.....	14	S.N. Ramsay Bequest.....	20
Inter-Church Relations Report.....	8, 9, 14	Time and Place of Synod 2002.....	22
Law and Advisory Committee Report....	16	Training of Ministry Committee Report...5	
List of Correspondence.....	23	Training of Ministry Report.....	4
Missions Budget.....	24	Treasurer's Report.....	21
Missions Committee Report.....	11	Victorian Trust Corporation.....	20
Missions Evening.....	13	Welcomes.....	2
Moderator-elect.....	21	Youth and Fellowship Report.....	10