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**SESSION 1**

**MONDAY, 2<sup>ND</sup> MAY, 2005**

**7.00 P.M.**

**05.1 OPENING**

Within the Elanora Conference Centre, Elanora Heights, on Monday, 2<sup>nd</sup> May, 2005, at 7.05 p.m., the Synod of Eastern Australia met and was constituted with worship, conducted by the Moderator, the Rev. T.I. Leggott.

**05.2 MODERATOR'S SERMON**

Mr Leggott read from the Revelation 2: 1-7. He then preached a sermon entitled "Left your first love?", based on this portion of God's Word.

**05.3 ROLLS OF PRESBYTERIES**

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

<b>Northern Presbytery</b>	<b>Ministers</b>	<b>Commissioned Elders</b>
Armidale	D.P. Smith	K. Dawson†
Brisbane	vacant	J. Greensill
Hastings	A.L. Tripovich†	D. Hamilton
Northern Rivers	R.W. Murray	J.D. Ramsay
Residential Supply (Brisbane): W.J.W. Hanna		

<b>Central Presbytery</b>		
Hawkesbury/Nepean	D.K. Muldoon	T. Reeve
Hunter/Barrington	S.R. Tamata	S. Upton
Manning	W.P. Gadsby	F. N. Robinson
St. George's	J.A. McCallum	A.H. Steel
Synod Appointments: T.I. Leggott (Seconded to A.I.M.)		

<b>Southern Presbytery</b>		
Geelong	Vacant	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)		
Residential Supply (Glen Huntly): I. MacKenzie		

**05.4 WELCOMES**

The Clerk informed the Moderator that the Rev. J. Klazinga of the Reformed Churches of New Zealand was present as a delegate from that Church. The Moderator welcomed Mr. Klazinga to the Synod. It was resolved that he be associated with this Synod, with the right to speak but not to vote.

**05.5 ELECTION OF NEW MODERATOR**

The Clerk reported that the Rev. S.R. Tamata was Moderator-elect. It was moved and seconded that this appointment be confirmed. The motion was carried and Mr. Tamata took the chair.



2. Synod express its sympathy for the family of the late Mr. Graeme King, former member of Synod, and for all those connected with this church who have been bereaved since the last annual meeting of Synod.

Mr. D. Hamilton led the court in prayer for those who have been bereaved and gave thanks for the lives of those who have passed away.

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

3. Correspondence Item 1 be received and dealt with under Inter-Church Relations Committee business.
4. Correspondence Item 2 be received and dealt with under Inter-Church Relations Committee business.
5. Correspondence Item 3 be received and dealt with under Missions Committee business.

The Clerk presented Proposed Deliverance 6, that:

6. Correspondence Item 4 be received, that the Clerk's resignation be accepted and that Synod now move to appoint a new Clerk.

#### **05.13 AMENDMENT**

It was moved as an amendment that Correspondence Item 4 be received, the Clerk's resignation be accepted as requested by him with effect from 31/5/2005, and a Committee consisting of the Moderator, the assistant Clerk and the Rev. R.W. Murray be appointed to draft a suitable minute of appreciation for submission to a subsequent sederunt.

On the amendment being put against the Proposed Deliverance, the amendment was preferred and became the motion before the court. On being put to the vote, the motion was carried.

It was moved on notice and seconded that the appointment of a new Clerk be considered along with the appointment of committees.

#### **05.14 SUSPENSION OF STANDING ORDERS**

It was resolved to suspend standing orders to permit the motion that Synod now proceed to the appointment of a new Clerk.

It was moved that Synod now proceed to the appointment of a new Clerk.

On the two motions being put against each other, the second motion was preferred and became the motion before the Court. On being put to the vote, it was resolved that Synod now proceed to the appointment of a new Clerk.

**05.15 APPOINTMENT OF CLERK**

It was moved and seconded that the Rev. W.P. Gadsby be appointed Clerk of Synod from 1<sup>st</sup> June, 2005. On being put to the vote the motion was carried. Mr. Gadsby asked for, and was granted, time to consider the acceptance of the office.

**05.16 ADMINISTRATION COMMITTEE REPORT**

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

8. Proposals for changes to the Committee Structure be in the hands of the Clerk by midday on Wednesday.
9. The following examiners of records be appointed: -

Northern Presbytery	Rev. Dr. D.K. Muldoon and Geelong elder.
Central Presbytery	Rev. G. Kinder and Brisbane elder.
Southern Presbytery	Rev. R.W. Murray and Manning elder.

**05.17 APPEAL BY SOUTHERN PRESBYTERY**

Since this appeal brought both the Administration Committee and the Southern Presbytery to the bar of Synod, the Moderator relinquished the chair, which was occupied by the Rev John McCallum. The Administration Committee and the Southern Presbytery were called to the bar. The Rev. G.Kinder presented the appeal on behalf of the Southern Presbytery. The Clerk and the Rev. W.P. Gadsby replied on behalf of the Administration Committee. Mr. Ian Hamilton presented the Southern Presbytery's reply. After a time for questions, the parties were removed from the bar.

The Rev. R.W. Murray was appointed Clerk *pro tem*.

It was moved seconded and agreed that the decision of the Administration Committee be upheld, the voting being 7 for and 1 against the motion.

The parties were recalled to the bar and the decision was communicated to them.

The Rev. Dr. R.S. Ward tendered dissent with reasons as follows:

I dissent for the reasons set out in the appeal, particularly 1,2,and 3, and because the ruling cited from the ruling of the 1998 Moderator *pro tem*. cites only his first reason which is part of a series of seven relating to a complex matter involving accusation of breach of vows and requiring the 3-year secondment of a minister to A.I.M. to be rescinded.

Further, the Synod of 2000 (minutes p. 17) specifically refused to reject a petition from Mr. Logan the substance of which had been discussed by previous Synods.

The Rev. G.D. Ball, the Rev. G. Kinder, Mr. D. Manly and Mr. J. Loudon tendered simple dissent.



**05.25 CHURCH AND NATION REPORT (CONT.)**

Mr. Ball presented the Proposed Deliverances of the Church and Nation Committee. It was resolved that:

1. Synod commend the basic approach to church decline as outlined in the Committee Report to the prayerful concern of our congregations.
2. Synod authorise the Committee to proceed with the drafting and publication of a second edition of the booklet, "Introduction to the PCEA", on the basis of the indicative costs reported. Interested parties should submit suggestions to the Convener by 30<sup>th</sup> June 2005.
3. Synod record its thanks to the editor of the Presbyterian Banner, Dr. R.S. Ward, for another year's work. Thanks also to the team who produced "Run for Glory", consisting of Ray Murray, Jonathan Murray, Marcus and Shelley Gadsby, Irene Steel, Margaret Kinder and Susan Scott.
4. That Synod record its thanks to the webmaster, W.P. Gadsby, for managing the website.

**05.26 INTER-CHURCH RELATIONS REPORT**

The Convener (the Rev. W.P. Gadsby) presented 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:

**(a) Relations With Churches in Australasia**

**1. Reformed Churches of New Zealand (Sister Church)**

1.1 That the Clerk convey Synod's fraternal greetings to the RCNZ.

1.2 That the ICR Committee's remit to discuss with the RCNZ ways in which our unity of faith may be expressed in tangible ways be continued.

**2. Free Reformed Churches of Australia**

The Convener presented Proposed Deliverance 2.1:

2.1 That Synod thank the Committee, and the Rev. Graham Kinder for meeting with the FRCA deputies in February 2005.

An amendment was proposed:

*That the following words be appended to Proposed Deliverance 2.1:*

*"and that the Synod now request:*

- a. *that Dr. Ward be invited to table his correspondence (for distribution to the Synod delegates) to and from the F.R.C.A. in relation to his interpretation of Genesis 1-11 and answer any queries arising from such correspondence,*
- b. *that the Church and Nation committee to formulate, for the benefit of the wider P.C.E.A. and any other party, a clear and concise statement in relation to the*

*areas of concern of the above, such statement to form a proposed deliverance of Synod 2006.”*

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

2.1 Synod thank the Committee, and the Rev. Graham Kinder for meeting with the FRCA deputies in February 2005.

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

2.2 That the ICR Committee be authorized to continue discussions with the FRCA.

2.3 That the Committee be authorized to send one delegate to meet with the FRCA to discuss further the matters of concern between us.

### **3. Christian Reformed Churches of Australia**

3.1 That the Clerk convey the greetings of Synod to the CRCA, and encourage the Committee to maintain contact.

### **4. Reformed Presbyterian Church of Australia**

That the Clerk convey Synod's fraternal greetings to the RPCA, and request the Committee to liaise both with the Southern Presbytery and the RPCA to monitor relations between us, with a joint Presbytery and Committee report to be presented to Synod 2006.

The Rev G. Ball abstained from the vote.

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

### **5. Southern Presbyterian Church**

5.1 That Synod convey special greetings to the Southern Presbyterian Church and thank them for their ongoing pulpit supply assistance the Ulverstone Congregation, particularly during times of illness of the pastor of the congregation.

## **(b) Relations With Churches Overseas**

### **1. Free Church of Scotland**

1.1. That the Clerk convey Synod's fraternal greetings to the Free Church of Scotland.

### **2. Reformed Churches of the Netherlands (Liberated) (Sister Church)**

2.1 That the Clerk convey Synod's fraternal greetings to the RCN(L).

2.2 That the ICR Committee's remit to discuss with the RCN(L) ways in which our unity of faith may be expressed in tangible ways be continued.

### **3. International Conference of Reformed Churches**

3.1 That the Convener of the Inter-Church Relations Committee be appointed to represent the PCEA at ICRC2005.

**(c) Extension of Mutual Eligibility, etc.**

1. That Synod continue the Committee's remit to pursue formal Fraternal Relations with churches which are members of the International Conference of Reformed Churches.

**05.27 CLOSURE OF SESSION**

Notices of motion were called for and the session concluded with prayer at 5.58 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**SESSION 4            TUESDAY, 3<sup>RD</sup> MAY, 2005            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.

**05.28 CORRESPONDENCE ITEM 1**

The Synod took up consideration Correspondence 1, an overture from the Central Presbytery regarding relations with the Free Church of Scotland. It was moved and seconded that the prayer of the overture be granted in the following terms:

1. Without conceding that there was illegality, Synod does now rescind its 2004 decision rescinding the Federal Relations Act of 1954 as corrected 1984;
2. re-enact its rescission of the Federal Relations Act of 1954 as corrected 1984;  
and
3. remit these decisions, with the above premises, to Presbyteries in terms of the Barrier Act 1697 for their approval or disapproval, *simpliciter*, with numbers voting recorded, and with the Presbyteries to report their decisions to the Clerk by 31<sup>st</sup> December 2005.

On being put to the vote, the motion was defeated.

**05.29 CORRESPONDENCE ITEM 2**

The Synod took up consideration Correspondence 2, an overture from the Central Presbytery regarding the Admission of Ministers from Other Churches. It was moved and seconded that the prayer of the overture be granted in the following terms:

## **Act anent Admission of Ministers and Probationers from other Presbyterian and Reformed Churches**

The Synod directs that the following Overture be sent under the Barrier Act to Presbyteries for their approval or disapproval *simpliciter*, with returns to be in the hands of the Clerk of Synod by 31 December 2005.

“Whereas there is the need for clearly defined procedures for the admission of ministers and probationers from other Presbyterian or Reformed churches; and

Whereas the only procedure presently authorized is by reference to a meeting of Synod (per Act 18, Class 2, Synod 1983, “Act Anent Admission of Ministers from other Churches”); and

Whereas the church would benefit by having a more streamlined procedure, delegating the authority to admit to the presbytery of the bounds;

Now therefore, Synod hereby enacts and ordains as follows:

The Synod declares that where a congregation of the Presbyterian Church of Eastern Australia wishes to address a call to an ordained minister of another Presbyterian or Reformed church it shall be competent for it to do so, subject to the following conditions and in accordance with the following procedures:

(1) When a presbytery receives a request to moderate in a Call to an ordained minister of another Presbyterian or Reformed church it shall immediately inform the Training of Ministry Committee of this fact.

(2) The Presbytery shall forward to the minister concerned for completion and return a Form of Application, including, but not necessarily limited to (a) a transcript of his tertiary academic record; (b) a certificate of good standing from the presbytery/classis with which he is connected and (c) certification that he has received approval to work with minors in terms of the relevant child protection legislation in the State of the Commonwealth of Australia in which he resides, or in which it is proposed that he take up residence.

(3) The Presbytery shall arrange to confer face to face with the minister concerned in reference, among other things, to:

- a. his character and current ministerial status;
- b. his state of health, and medical fitness to undertake the work of ministry, as certified by a registered medical practitioner;
- c. the body by which he was ordained, and his ministerial experience since the time of his ordination;
- d. his willingness to undertake ministry in the PCEA and his preparedness to give an unqualified subscription to the Formula; and to do so in accordance with the explanation as to ‘Purity of Worship’ contained in the second declaration of the Act of Synod 1952 Anent Questions and Formula; and
- e. whether his knowledge of the *Practice and Procedure of the PCEA* is such as will render him a competent person to act as Moderator of a Session and to assume the responsibilities which normally fall upon PCEA ministers in the courts of the Church.

The Presbytery shall assure itself that the minister is fully committed to maintaining the peace and unity of this Church and does not hold opinions or follow practices likely to be divisive.

(4) Following this conference, and consideration of the completed Form of Application, the Presbytery shall forward a copy of the Form of Application, and report its findings to the Training of Ministry Committee, and shall suspend all further procedure till the Committee reports (in terms of Paragraph (7) below) that there is no impediment to the Call's proceeding.

(5) Within 14 days of receiving the Presbytery's report, the Convener of the Training of Ministry Committee shall (by letter) inform all Presbytery Clerks of the request, stating the name and denominational affiliation of the minister, along with the name and presbytery of the congregation which has requested moderation in a Call. The letter shall state that if any presbytery have objection to the Call's proceeding it must lodge this with the Convener of the Training of Ministry Committee within thirty clear days of the receipt of the Convener's letter by the Clerk of Presbytery.

(6) If any Presbytery raises objection, the Training of Ministry Committee shall refer the matter *simpliciter* to the ensuing Synod, and the provisions of Act 18, Class 2, Synod 1983, "Act Anent Admission of Ministers from other Churches" shall be followed. The reference to Synod by the Committee shall automatically suspend procedure until a final decision is pronounced by the Synod. The Presbytery concerned in the proposed Call shall be entitled to send representatives to state its case at the bar of the Synod.

(7) If no objection from Presbyteries has been received by the Training of Ministry Committee within the specified time, the Committee shall deliberate and determine whether the minister concerned is qualified in terms of its terms of reference to hold ministerial charge in the PCEA.

(8) The Committee shall intimate its decision to the Presbytery within 14 clear days of the expiry of the deadline for Presbyteries to comment.

(9) If the decision is in favour of the minister, the Presbytery shall proceed as normal in the case of a Call, with the exception that the Call may be placed directly in his hands without the need to prosecute it at the bar of the presbytery from which he is to be disjoined.

(10) No induction shall take place till the relevant PCEA presbytery receives from the other denomination official certification that the minister has resigned from his previous charge.

(11) The PCEA shall not require any minister so inducted to relinquish any existing right to be called by the denomination or denominations from which he has come, or which he has previously served.

(12) The PCEA shall not apply these procedures to ordained PCEA ministers who have resigned to accept calls to other Presbyterian and Reformed churches. The status of a PCEA minister who has resigned his charge in order to accept a call to another Presbyterian or Reformed church shall be determined by the Presbytery which accepts his resignation, in accordance with the *Handbook of Practice and Procedure*, 4.55, and Act 19, Class 2, 1986. If a PCEA Congregation requests the Presbytery to moderate in a call of this man back to the PCEA, the Presbytery shall first determine whether his name is to be placed on the Register

of Ministers Without Charge in the PCEA (Act 19, Class 2, 1986), and thus made eligible for a call. If the decision of Presbytery is favourable, it shall notify the Clerk of Synod accordingly, it being understood that this status is provisional, and subject to a call's being issued, and accepted by the minister concerned. If the call does not proceed, or is declined, the name of the minister shall be removed from the Register of Ministers Without Charge.

(13) Once inducted to the pastoral charge of a Congregation of the PCEA the minister shall be under the exclusive oversight of the courts of the PCEA.

(14) Any previous legislation of the PCEA in conflict with these provisions, to that extent is hereby rescinded.”

It was moved as an amendment that the overture be referred to the Inter-Church Relations Committee for report to next Synod.

On the amendment being put against the overture the prayer of the overture was preferred and became the motion before the court. On being put to the vote the motion was carried.

### **05.30 CLOSURE OF SESSION**

Notices of motion were read and the session was closed with prayer, at 9.00 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

## **SESSION 5                      WEDNESDAY, 4<sup>TH</sup> MAY, 2005                      9.00 A.M.**

The session was opened with prayer, praise and the reading of Philippians, Chapter 2, at 9.00 a.m. The minutes of session 4 were read and confirmed.

### **05.31 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. Jim Klazinga, delegate from the Reformed Churches of New Zealand, to the Moderator, who welcomed him and invited him to address the Synod. Mr. Klazinga then addressed Synod, bringing greetings from the Reformed Churches of New Zealand. Mr. Klazinga went on to communicate something of the history and structure of the R.C.N.Z., to speak about some decisions of the last R.C.N.Z. Synod (2002) and to respond to some decisions of the P.C.E.A. Synod in 2004.

Mr. Gadsby then presented the Rev. Andrew Stewart, delegate from the Reformed Presbyterian Church of Australia, to the Moderator, who welcomed him and invited him to address the Synod. Mr. Stewart then addressed Synod, bringing greetings from the Reformed

Presbyterian Church of Australia and speaking about relations between our two Churches as well as the common challenges which we face.

It was moved by Mr. Gadsby and seconded that Mr. Klazinga and Mr. Stewart be thanked for their addresses. The motion was carried by acclamation.

### **05.32 MOTION ON NOTICE**

It was moved on notice that:

The Synod of the of the Presbyterian Church of Eastern Australia (PCEA), having for many years had a close relationship with the Free Church of Scotland (FCS), a church having identity of constitutional principle with the PCEA,

and having resolved that the previous relationship via the Federal Relations Act 1954/84 should be modified,

and having declared in 2004 a revised relationship in terms of our Fraternal Relations Act 1993, (which is in the same terms as the Act on the same subject of the Assembly of the FCS in 1992),

and having affirmed at the same time its desire to deepen and strengthen still further the bond of fellowship between us for the glory of God and the good of his people, particularly between members of the ICRC,

and knowing of the desire of the FCS to maintain close relations with the PCEA, even to an extent more close that that herein described,

the Synod hereby acknowledges the right of presbyteries to process calls to FCS ministers and probationers eligible for call, and its desire that the FCS modify its Federal Relations Act to reflect this and to allow calls by FCS presbyteries to be transmitted to PCEA ministers and probationers.

In neither case does the PCEA intend that this mutual eligibility shall impinge on the right and responsibility of the relevant FCS or PCEA presbytery to require full and satisfactory presbyterial certificates of character and attainments before admission, including clearance under any relevant child protection legislation, and assurance that any incoming minister is familiar with the historical position of the church he enters as well as its practice and procedure, so that he is able to subscribe the formula of subscription intelligently and heartily, and participate harmoniously and constructively in the life of the church he enters. Where a minister is called by a PCEA congregation such a meeting with the presbytery may take place after a call is issued and before it is accepted in order that the called minister may assess more closely whether he should accept the call and know, should he accept it, that he will be admitted.

This Act may be cited as Mutual Eligibility Act (Free Church of Scotland) 2005.

On being put to the vote, the vote was tied. The motion was carried on the casting vote of the Moderator.

**05.33 APPOINTMENT OF CLERK**

The Rev. Peter Gadsby indicated that he wished to decline the post of Clerk of Synod. It was agreed that further consideration be given to this matter later.

**05.34 YOUTH AND FELLOWSHIP REPORT**

The Convener of the Youth and Fellowship Committee, the Rev. Dr. D.K. Muldoon, 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 praise God for the good number of family and youth camps conducted during the year. We encourage greater participation in such camps. Since we are so scattered between congregations and even within congregations we must make every effort to encourage one another by this means.
2. We pray for youth groups seeking to fulfil the great commission.
3. We thank God for the dedicated team, led by Rev Ray Murray, that has produced *Run for Glory*.
4. We thank God for
  - ! the Sunday School superintendents and the children they nurture in the Lord.
  - ! Mrs Irene Steel for her faithful labour in supervising the Search work.
  - ! Mrs Margaret Kinder for kindly sending our birthday cards to the young in our church.

**05.35 MISSIONS COMMITTEE REPORT**

The Missions Committee Convener, the Rev. D.P. Smith, presented the Committee's report. It was resolved that the report be received. A time of discussion ensued. After discussion, it was resolved that:

1. That Synod ratify the disbursement of monies from the MMMRF to Dr P. Dickson, to the North East Indian Rehabilitation Programme and to Tear Australia Inc. for the Tsunami Relief.
2. That Synod, through the Missions Committee, arrange two pastoral visits in 2005 to Fiji in order to link the PFCF with a local group such as the PRC ministry, thus providing an exit strategy for the PCEA under the mission's budget by the end of 2006.
3. That Synod express its continued prayerful support and interest in the work of Rev Trevor Leggott in his ministry with Australian Indigenous Ministries.
4. That Synod adopt the budget for 2005 and express general agreement with the estimates for 2006.

**05.36 CLOSURE OF SESSION**

There being no notices of motion, the session was closed with prayer at 12.35 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**SESSION 6 WEDNESDAY, 4<sup>TH</sup> MAY, 2005 3.45 P.M.**

The session was opened with praise and prayer at 3.45 p.m. The minutes of Session 5 were read and confirmed.

**05.37 MISSIONS COMMITTEE REPORT**

Synod continued to consider Missions Committee business. In the absence of the Convener, the Clerk presented a further deliverance:

5. That Synod confirm the secondment of the Rev. Trevor Leggott to serve as General Director of Australian Indigenous Ministries for a further three years from 1/1/2006.

**05.38 CORRESPONDENCE ITEM 3**

Synod took up consideration of Correspondence Item 3, a petition from the Central Presbytery as follows:

*To the members of the Synod of Eastern Australia, the petition of the undersigned humbly shows that*

Whereas the Synod in 1998 (Minutes, p.25), resolved that:

...Synod ordain that the work in Fiji be recognised as a preaching station under the oversight of the Central Presbytery, the station to be known as the Presbyterian Free Church of Fiji;

and

Whereas our missionary, Mr Tamata, has now been returned to Australia;

Wherefore, the Central Presbytery request Synod to take the foregoing into consideration, and to clarify for this court its responsibility for Fiji, pursuant to the decision of 1998 (Minutes, p.25), and in the light of subsequent developments with our mission work there, or to do otherwise as Synod in its wisdom may deem best for the work of

the Lord under our care.

On behalf of the PCEA Central Presbytery,

W. Peter Gadsby  
Clerk of Presbytery

The Central Presbytery was called to the bar of Synod. The moderator, being a member of the Central Presbytery, vacated the chair, which was occupied by the Rev. Graham Kinder.

It was moved and seconded that the petition be granted in the following terms:

Synod resolve to place the care of the Fiji work under the Missions Committee with a view to completion of the exit strategy.

On being put to the vote, the motion was carried.

The Central Presbytery was removed from the bar. The Rev. Kinder vacated the chair which was resumed by the Moderator.

### **05.39 FINANCE COMMITTEE REPORT**

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

1. We record our thanks to God for temporal blessing for another year and pray for wisdom in the administration of such in 2005.
2. Adjustment of Minimum Stipend (Excluding Manse, Car and Telephone) for 2005/2006 be made on 1<sup>st</sup> January and 1<sup>st</sup> July in line with the movement in the *Average Weekly Earnings, Australia (Full-time adult ordinary time earnings)* 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.
3. Stipend Relief for 2005/2006 be granted to the following Deacons' Courts, on a strictly needs basis:
  - \$18,000 - Armidale (Approximately 50% of minimum stipend)
  - \$18,000 - Hawkesbury-Nepean
  - \$10,000 - Narre Warren with, say, up to 30% increase if necessary.
  - \$18,000 - Ulverstone (Approximately 50% of minimum stipend)
4. Special Financial Assistance of up to \$3,000, on a strictly needs basis, be made available to Ulverstone Deacons' Court, only if and when Stipend Relief of 50% of minimum stipend, has been availed of. The additional \$3,000 to come from Stipend Relief funds.

**05.40 GENERAL TREASURER'S REPORT**

The General Treasurer, Mr. A.H. Steel, presented his report. It was resolved that the report be received. It was resolved that:

1. The Treasurer's action in disbursing \$22,665 to the Health Employees Superannuation Trust without Synod's direction be confirmed.
2. The Treasurer be authorised to open accounts with Banks, in addition to the National Australia Bank, so as to achieve the best return on funds held pending investment/disbursement.

**05.41 8: 14 FOUNDATION REPORT**

The Convener (Mr. A.H. Steel) presented the report of the 8: 14 Foundation. It was resolved that the report be received. After discussion, it was resolved that:

1. Net rents received from the student accommodation in the Armidale Church/manse building, be continued to be used by the Deacons' Court, to assist in payment of ministerial Stipend and Superannuation contributions, if required - the position to be reviewed and reported to Synod annually.

**05.42 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. That the report of the Trustees concerning the proposed variation in the application of the D.K. M<sup>c</sup>Intyre, James Ross and Susan M<sup>c</sup>Intyre M<sup>c</sup>Donald bequests be noted.

**05.43 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.

**05.44 PROVIDENT FUNDS COMMITTEE REPORT**

The Convener of the Provident Funds Committee (the Rev. Dr. R.S. Ward) presented this report. It was moved and seconded that the report be received. It was moved as an amendment that:

That the Provident Fund Committee report be received with the exception of the first section (from "Dr.W.J.W. Hanna" to "see 1985 Synod Reports") since this section contravenes the privacy guidelines passed by Synod 2004.

On the amendment being put against the motion, the motion was preferred and became the motion before the court. On being put to the vote, it was resolved that the report be received.

Dr. Hanna dissented with the reason that the inclusion of this material in the report violated the individual's right to privacy.

**05.45 CLOSURE OF SESSION**

There being no notices of motion, the session was closed with prayer at 5.30 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**SESSION 7 WEDNESDAY, 4<sup>TH</sup> MAY, 2005 7.00 P.M.**

The session was opened with praise and prayer in the St. Georges Church Building, Castlereagh Street, Sydney, at 7.30 p.m. It was resolved that the reading of the minutes of Session 6 be deferred until the next session. The Moderator then read from Proverbs 11: 24-34 and after a few words, called on the Convener of the Missions Committee, the Rev. D.P. Smith, to take over the conduct of the Missions Evening.

**05.46 MISSIONS EVENING**

Mr. Smith gave an outline of the programme for the evening. He then introduced the Rev. T.I. Leggott to the Moderator who welcomed him and asked him to address the Synod. Mr. Leggott gave an account of some aspects of the Mission work conducted by the Australian Indigenous Ministries.

Mr. Smith then introduced Dr. Sunil Gokhavi to the Moderator who invited him to address the Synod. Dr. Gokhavi then spoke about medical mission work in India and especially in Lakhnadon Christian Hospital.

The Moderator thanked Dr. Gokhavi and Mr. Leggott on behalf of the Synod.

**05.47 CLOSURE OF SESSION**

There being no notices of motion, the session was closed with the singing of Psalm 100, and prayer at 9.40 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**SESSION 7                    THURSDAY, 5<sup>TH</sup> MAY, 2005                    9.00 A.M.**

The session was opened with praise and prayer at 9.00 a.m. The minutes of sessions 5 and 6 were read and confirmed.

**05.48 PROVIDENT FUNDS COMMITTEE REPORT**

The Convener, the Rev. Dr. R.S. Ward, continued to present the report. After discussion, it was resolved that:

1. Synod approve the calculation of the levy on the basis of a careful estimation at the beginning of the year of minimum stipend payable in the calendar year.
2. Synod note the legal requirement for quarterly contributions to Superannuation and note the levy for 2005 of \$1,374 per quarter payable by the end of February, May, August and November.
3. Synod note that vacant congregations are liable for only 50% of the levy otherwise payable (pro-rated for vacancy part year).
4. Synod approve a variation in the existing rules so that Synod 2005 that contribution rates for new members will be 10% of the minimum stipend for the first five years, and thereafter the standard rate of 18% and that all such contributions to new members will be fully vested in the member.
5. Synod approve a subsidy towards Superannuation Levy of \$600pa for congregations receiving stipend relief, such subsidy to be effective 1/1/2005 and to be met from the Third Millennium Provident Fund income.
6. Noting
  - (a) the Superannuation Fund has superseded the provisions of the Widows and Orphans and Aged and Retired Ministers Funds, both General and NSW, as currently recorded in the Synod Treasurer's accounts; and
  - (b) the terms of the D.K. McIntyre Bequest, the James Ross Memorial Fund and the Susan McIntyre McDonald Bequest are such that they may be combined in the accounting records as one, and investment with other funds devoted to the same objects;  
Synod approve the combination of the funds in (b) with the Supplementary Benefits Fund, the combined fund to be called the Superannuation Support Fund [SSF] rather than the Third Millennium Provident Fund, and this change be effective in the accounts from 1/1/2005.
7. Synod approve the addition of \$15,000 to the amount treated as capital in the Superannuation Support Fund by transfer from S.S.F. Working Funds.

8. Synod ratify the action of the Committee in liaising with members and acting on the instructions of those who wished to adopt the HESTA plan.
9. Synod agree to treat the PCEA Retirement Fund members as entitled to the provision of government regulation on Fund and Investment choice with effect 1/7/2005, and recognize the Health Employees Superannuation Trust Australia [HESTA] as its default fund, the employer name being Presbyterian Church of Eastern Australia (employer number 673675), with the Core Pool as the default choice within that fund.
10. Synod remind fund members of the advisability of seeking professional advice in regard to both choice of Fund and investments within any particular fund, so that it meets their particular needs, as this is their responsibility and not that of the church.
11. Synod rename the Provident Funds Committee the Superannuation Committee.
12. Synod approve the revised regulations for the Committee as appended to the Report [with any changes necessitated by any variation in the proposed deliverances.]

#### **05.49 APPOINTMENT OF CLERK**

The Clerk, having agreed to defer his resignation from that post until 31/8/2005, it was resolved that the Rev. T.I. Leggott be appointed Clerk of Synod from 1/9/2005.

#### **05.50 ASSISTANT CLERK**

It was resolved that the Rev. Peter Smith be appointed Assistant Clerk from 1/9/2005.

#### **05.51 DECLARATION OF FIDELITY BY THE CLERK**

The Rev T.I. Leggott, whose position as Clerk becomes effective from 1<sup>st</sup> September, 2005, made the declaration of fidelity viz: *I do solemnly affirm and declare that I will faithfully discharge the duties to be entrusted to me, so help me God.*

#### **05.52 DECLARATION OF FIDELITY BY THE ASSISTANT CLERK**

The Rev D.P. Smith, whose position as Assistant Clerk becomes effective from 1<sup>st</sup> September, 2005, made the declaration of fidelity viz: *I do solemnly affirm and declare that I will faithfully discharge the duties to be entrusted to me.*

#### **05.53 VICTORIAN TRUST CORPORATION**

The Secretary (Mr. A.H. Steel) presented the Report of the Trustees for Victoria of the Presbyterian Church of Eastern Australia. It was resolved that the report be received. A time of discussion ensued. There were no proposed deliverances attached to this Report.

#### **05.54 LAW AND ADVISORY COMMITTEE REPORT**

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

Dr. Ward tendered simple dissent.

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

1. That Section A.3 of the *Procedures for Dealing with Allegations of Sexual Misconduct* be amended to read:

*A.3 The Church is also aware of the vulnerability of its office-bearers, members and adherents to malicious accusations, and is committed to ensuring that all accusations are investigated fully and completely so that the guilty may be brought to justice and the innocent cleared. It is fully understood that even a seemingly trivial act may have a very significant impact on the victim.*

2. That Section B.3 of the *Procedures for Dealing with Allegations of Sexual Misconduct* be amended to read:

*B.3 The interview should be conducted in as non-threatening manner as is possible. This is especially important if a minor is involved. Genuine complainants should never be made to feel that they are being “revictimised.”*

3. That the first paragraph of Section 7.16 of the *Handbook of Practice and Procedure* be amended to read:

*7.16 Confession, and an apparently sincere profession of repentance, when duly weighed by the court, and found to be satisfactory as far as man’s fallible judgement can reasonably go, form a sufficient ground for removing a sentence of suspension or excommunication and restoring the party to the full communion and fellowship of the church. Care should be taken to distinguish between sincere and false expressions of repentance.*

Dr. Ward dissented with the reasons that:

Although it is said by the Committee that the distinction between repentance and remorse in the Report has no bearing on how Handbook 7.16 is to be read once amended, nevertheless I record my dissent.

1. Definitions in a Christian context of terms such as remorse and repentance are to be defined not by general dictionaries and popular newspapers, but by the Word of God.
2. Biblically, remorse is included in repentance even false repentance (such as Esau and Judas). In true repentance although forgiven by God one may feel remorse.
3. The authorities of the Reformed tradition support the Biblical distinction, rather than the virtual identity of remorse and repentance set out in the Report, and Handbook 7.16 must logically be read in the light of the last two lines on p.52 of the Report.

Mr. Louden tendered simple dissent.

**05.55 MOTION ON NOTICE**

It was moved and seconded that the remit concerning Sexual Molestation issues be continued for a further year with the Committee to take into consideration matters raised at this Synod. On being put to the vote, the motion was carried.

**05.56 COMMITTEE COMPOSITION**

The Administration Committee proposed the following Committee structure:

**Administration and Inter-Church Relations**

**Law and Advisory**

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

**Church and Nation (including Publications and Psalmody and Website)**

**Youth and Fellowship**

D. K. Muldoon (Convener), R. S. Ward (Publications), W. P. Gadsby (Website), D. Hamilton, I. Hamilton, T. Reeve.

**Finance**

**Provident Funds**

**8: 14 Foundation**

A.H. Steel (Convener), R. S. Ward (Convener Superannuation), J. A. McCallum, J B Louden, D E Kerr, J Audet.

**Missions**

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

**Training of Ministry**

G. Kinder (Convener), G. D. Ball, S. R. Tamata, D. Manly, J. Ramsay, D. Hamilton

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

**05.57 CLOSURE OF SESSION**

There being no notices of motion, the session was closed with at 1.40 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**SESSION 8            THURSDAY, 5<sup>TH</sup> MAY, 2005            1.30 A.M.**

The session was opened with prayer at 1.30 a.m. The minutes of Session 7 were read and confirmed.

**05.58    REPORTS OF EXAMINERS OF RECORDS**

The minutes of the Northern Presbytery for 2004-2005 were reported to be in order. It was resolved that they be attested. Mr. Gadsby apologised for the fact that the Central Presbytery record was not available for examination. It was resolved that the examination of the Central Presbytery record be deferred to next Synod. The examiners of the Southern Presbytery record considered that there was a problem with the Southern Presbytery record concerning a decision to regard certain members as “members in association.”

It was resolved that the decision of the Southern Presbytery regarding Associate Church Membership be rescinded and that, if Presbytery desires to carry it further, refer it to Synod 2006 for its consideration.

It was further resolved that the Southern Presbytery record as amended be attested.

**05.59    MODERATOR-ELECT FOR SYNOD 2006**

It was resolved that the Rev. D.P. Smith be appointed Moderator-elect for Synod 2006.

**05.60    TREASURER’S REPORT**

The General Treasurer, Mr. A.H. Steel, indicated the cost of this Synod.

**05.61    TIME AND PLACE OF SYNOD 2006**

It was moved and seconded that Synod 2006 be hosted by the Hunter-Barrington Congregation at a time 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.

**05.62    PRINCIPAL ACTS**

It was resolved that the Clerk draw up a list of the Principal Acts of Synod 2005, and include it with the Minutes.

**05.63    ABSENT MEMBERS/ILL HEALTH**

It was resolved that Synod express its prayerful concern and interest in the health of the Rev. E.R. Lee and the Rev. A.L. Tripovich and Mr. Jim Simpson, and wish them every blessing in the Lord.

**05.64 THANKS**

It was resolved that the thanks of the court be conveyed to the General Treasurer (Mr. A.H. Steel). The motion was carried.

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

It was resolved that the thanks of Synod be conveyed to the Clerk of Synod for his work during the meeting of synod, and together with his approaching retirement, the thanks for his faithful labours as Clerk of Synod since 1993.

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

It was resolved that the thanks of the court be conveyed to the St Georges Congregation for hosting the Missions Evening.

**05.65 CONFIRMATION OF MINUTES**

The minutes of this closing session were read and confirmed.

**05.66 CLOSURE OF SYNOD 2005**

Synod 2005 was closed with prayer and the benediction, at 2.34 p.m.

W.J.W. Hanna  
Clerk

S.R. Tamata  
Moderator

**ACTS OF SYNOD 2005**

**Appended by the Direction of Synod (04.55)**

<b>Class 1 (Barrier Act Procedure)</b>	<b>Article</b>
Nil	
<b>Class 2 (Others)</b>	<b>Article</b>
1. Act anent Admission of Ministers and Probationers from other Presbyterian and Reformed Churches	05.29
2. Mutual Eligibility Act (Free Church of Scotland) 2005	05.32
3. Revised Superannuation Fund Regulations	05.48.12
4. Procedures for dealing with complaints of sexual impropriety	05.54.1,2,3

**LIST OF CORRESPONDENCE**

	<u>Date received</u>	<u>Sender</u>	<u>Subject</u>
1.	9/3/2005	The Clerk – Central Presbytery	Overture regarding Relations with the Free Church of Scotland
2.	9/3/2005	The Clerk – Central Presbytery	Overture regarding admission of ministers, etc., from other Churches
3.	14/3/2005	The Clerk – Central Presbytery	Petition regarding Central Presbytery's responsibility for work in Fiji
4.	18/3/2005	The Clerk of Synod	Resignation

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