

Presbyterian Church of Eastern Australia
ACTS OF SYNOD 1985

Class 1 (Barrier Act Procedure)

No	Act	Reference
	None	

Class 2 (Others)

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CLASS 1 – ACTS WHICH HAVE PASSED THE BARRIER ACT

None

CLASS 2 – ACTS OF SYNOD OF GENERAL INTEREST TO THE CHURCH

ACT 1 – Time and place of Synod meetings

Monday 13th May 1985

Sederunt 2

That meetings of Synod be not necessarily held during school holidays.

That the meetings be held within the bounds of Congregations able and willing to provide the necessary support and facilities.

ACT 2 – Closed Court minutes

Monday 13th May 1985

Sederunt 2

Synod rule that it shall be the normal practice for clerks of Presbytery, and of Synod and its Commission to record in the ordinary minutes the substantial content of proceedings in closed court, including decisions taken in closed court, but without divulging matters, deemed by the Court to be of such a nature that they must be kept confidential.

ACT 3 – Re-appointment of Mr Wm Walker as Auditor

Monday 13th May 1985

Sederunt 2

Synod confirm its request to Mr Walker to continue to audit the accounts of the Synod.

ACT 4 – Minimum stipend 1985/86

Monday 13th May 1985

Sederunt 3

That the minimum stipend be increased by \$15 per week to \$271 per week as from 1st July 1985; and by a further \$15 to \$286 per week as from 1st January 1986.

ACT 5 – Lindfield lease account funds

Monday 13th May 1985

Sederunt 3

That the present balance and future receipts of Lindfield Lease Account be placed in the 8:14 Foundation.

ACT 6 – Australia-wide Public Liability Insurance Policy

Monday 13th May 1985

Sederunt 3

1. That an Australia wide Public Liability policy be effected in the name of the trust corporations and including organizations within the church, in respect of all activities of the church including manses which may be let, but excluding the Lindfield Retirement Units and the East St Kilda investment properties, and that the limit of liability be set at \$1,000,000.
2. That the premium for the aforesaid policy be paid from General Funds and reimbursed in equal shares by each Deacons' Court. For this purpose the Synod itself is to be reckoned as if it were a Deacons' Court thus each of the current 14 Deacons' Courts bears 1/15th of the cost, and the Synod bears the balance.

3. That the relevant Deacons' Courts effect and maintain Public Liability cover in the name of the Trustees and the Deacons' Court in respect of the Lindfield Retirement Units and the East St Kilda investment properties to a limit of not less than \$1,000,000, and lodge a copy of the policy with the Secretary of the relevant Trust Corporation which shall report annually on this.

ACT 7 – Appointment to Victorian Trust Corporation

Monday 13th May 1985

Sederunt 3

That Mr John Bertram Loudon, Paymaster, of 18 Outlook Drive, Nunawading be appointed as a member of the body corporate The Trustees for Victoria of the PCEA, to fill the current vacancy.

ACT 8 – Sale of Property at East St Kilda

Monday 13th May 1985

Sederunt 4

Synod:

1. Approve the sale of part or all of the property known as 88-92 Alma Road, East St Kilda (ie Manse and adjoining villa) at fair market value as ascertained by professional advisors at the time (realizable value expected to be not less than \$300,000 in total).
2. Note the Deacons' Court's express determination to compensate any tenants whose tenancies are terminated by sale by paying the fair value of floor-coverings, window furnishings, fixed room heaters or outside buildings that have been provided by the tenant; to pay any pensioner tenant affected \$250 to assist in relocation costs; to give not less than 60 days notice of any termination of tenancy; to provide references should it not be possible to provide alternative accommodation in church owned property.
3. Approve the application of the proceeds of any sale generally as follows, and always subject to any and all requirements of the Free Presbyterian Property Act, 1953, of the State of Victoria, and to the employment of duly qualified solicitors for conveyancing work
 - a. Approximately \$15,000 for repairs and maintenance on the remaining flats and on the church.
 - b. Approximately \$75,000 for the erection of a 2 storey manse on the vacant land overlooking Alma Park.
 - c. The sum of \$100,000 designated for development of Eastern Suburbs work (capital to be invested as appropriate in manse/church and trustee securities.)
 - d. Balance (likely to be around \$100,000) to be held in trustee securities with the likelihood of purchase of a couple of small OYO flats in the vicinity of existing church property.

And further, that the Deacons' Court be authorized to obtain any necessary Bank accommodation in order to cover costs pending receipt of proceeds of any sale. And that the whole transaction be subject to supervision of the Presbytery, including the relocation of the present tenants of the flats.

ACT 9 – Reports to Synod by Presbyteries on Church Extension and Evangelism in established charges

Monday 13th May 1985
Sederunt 4

That provision be made by Synod to receive reports on the work of Church Extension and Evangelism in established charges by means of an annual report from each Presbytery to this Committee.

ACT 10 – Regulation anent Investment of Synod Funds

Tuesday 14th May 1985
Sederunt 5

Synod direct that all investment of Capital Funds shall be as decided by the Trustees or a majority of them in consultation with the relevant Committee Convener and the General Treasurer.

ACT 11 – Formal Recognition of Free Reformed Churches

Tuesday 14th May 1985
Sederunt 6

Synod recognises the Free Reformed Churches of Australia to be true and faithful churches of the Lord Jesus Christ, rejoices at the opportunity of involvement together in the International Conference, and expresses the hope that continued contact will open the way to closer relations in the future; at the same time recognising our mutual responsibility to exhort one another to continued obedience to the Word of God, and the doctrine and practice which is according to godliness.

ACT 12 – Amendment to Missions Committee Regulations

Wednesday 15th May 1985
Sederunt 8

That Recommendation 12 of Missions Committee Regulations 1981 (page 9) be rescinded and that prospective candidates for Free Church Mission Fields apply to this Committee for recognition and seconding to the Free Church of Scotland Mission.

ACT 13 – Draft Revised Practice

Wednesday 15th May 1985
Sederunt 9

1. That Synod endorse the Committee's general procedure in dealing with the submissions on the draft revised Practice.
2. That Synod direct the Law & Advisory Committee to proceed carefully with the revision –
 - a. drawing the attention of the Church to variations in practice between the 'blue book', the draft revised Practice, and the actual practice observed in the several congregations and courts;

- b. continuing work on chapters 1 to 3 only during 1985/86, and conferring again in August 1985 to formulate proposed legislation by which Synod might resolve the anomalies;
- c. maintaining maximum contact with all lower courts.

ACT 14 – Amendments to NSW Property Act of 1918

Wednesday 15th May 1985

Sederunt 9

1. That Synod, recognising the need for amendments to The Synod of Eastern Australia Property Act of 1918, and having considered the proposed bill to amend the said Act, prepared by our Procurator, hereby adopts the said proposed bill subject to the addition of a Schedule Clause 6 (1) parallel to that in the Victorian Act, the renumbering of Clause 6 subsections 1-11 to subsections 2-12, and the addition of a Schedule of Real Property at the close of the Act.
2. That Synod remit this proposed bill to Presbyteries for their consent in terms of the Barrier Act, 1697.
3. That Synod request the Law & Advisory Committee to circulate the proposed bill to all lower courts and congregations in New South Wales for their approval.
4. That the following instructions be conveyed to lower courts and congregations:
 - (a) when a unanimous decision is achieved, the Moderator is to declare it so, and the fact is to be recorded in the minutes of the meeting; should there be any dissents, these are to be recorded, and the number of them stated in the minutes;
 - (b) the confirmed relevant extract minutes of the respective meetings are to be typed on A4 sheets of paper, one side only, and certified by Clerk and Moderator;
 - (c) the extracts thus prepared are to be forwarded to the Clerk of Synod as soon as practicable following their confirmation and certification;
 - (d) where there is disapproval of the proposed bill, a clear and complete statement of the reasons is to be furnished to the Clerk together with the above-mentioned extracts;
 - (e) all returns are to be in the hands of the Clerk by 31 March 1986.
5. The results of the above procedure are to be presented to an ensuing meeting of the Synod for decision as to whether to proceed to seek legislation by the Parliament of New South Wales.

ACT 15 – Authorisation of Lease of Lismore Manse

Thursday 16th May 1985

Sederunt 11

Should the Lismore Deacons, Court desire to lease the Lismore Manse and the Northern Presbytery consent the Synod hereby authorize such Lease in terms of Section 11 of the Synod of Eastern Australia Property Act 1918.

ACT 16 – 1985 Super/LSL Levy (\$1186)

Thursday 16th May 1985

Sederunt 11

That Deacons' Courts note the Super/LSL Levy for 1985 is \$1,186 (=9% of minimum stipend 1.7.84-30.6.85), and same should be remitted in two instalments (with arrears if any) before 31.12.85.

ACT 17 – Transfer of Management of Retirement Fund

Thursday 16th May 1985

Sederunt 11

Synod authorise and direct the Trustees of the Presbyterian Church of Eastern Australia Retirement Fund to transfer the assets of the Fund to the management of Mercantile Mutual Life Insurance Company Limited with effect from 1st July 1985.

ACT 18 – Amendment to Provident Fund Regulations; Compulsory Term Life Assurance

Thursday 16th May 1985

Sederunt 12

The Synod further resolve that the last sentence of Section C.4 of the Regulations be deleted and replaced by the following: It shall be a condition of membership in the Retirement Fund that 10% of the church's contribution for the member be applied to purchase term life assurance benefits including permanent total disablement as defined, such cover to cease on the 30th June following the attainment of the member's 50th birthday. In the event of death or permanent total disablement as defined the insurance benefit will be paid in addition to the balance in the member's investment account.

ACT 19 – Sale/Mortgage/Purchase of Property by Hawkesbury-Nepean Congregation

Thursday 16th May 1985

Sederunt 12

Whereas the Hawkesbury-Nepean Deacons' Court have the possibility of purchasing for \$100,000 or thereabouts, an Anglican Church property at Mt Druitt Road, Mt Druitt on which is erected a church building with sufficient land for a manse to be erected as well, Synod authorize the purchase of the said property subject to the following conditions -

1. The consent of the congregation expressed by resolution at a duly constituted congregational meeting shall be obtained before any purchase or binding agreement to purchase is made. At such meeting the proposed method of funding and the manner in which manse accommodation will be provided if the existing manse at Oxley Park be sold is to be furnished in clear detail prior to the resolution being proposed.
2. The Synod authorize the sale and/or mortgage of the Oxley Park manse and the vacant land at Castlereagh in order to assist in the financing of the purchase, subject to there being lodged with the

Trustees at or immediately after any sale a valuation or estimate of value from an independent firm of Estate Agents which confirms the price obtained was not less than a fair and reasonable valuation.

3. The Synod authorize the lodging of the deeds of the property, if purchased, as security for a loan or mortgage, whether registered or unregistered, and also approve an appeal to Deacons' Courts for donations to assist in the purchase and in financing the construction of a new manse (if such is proceeded with).

4. The Central Presbytery must be informed in writing of the resolutions of the Deacons' Court and congregation to approve the purchase, and the method of funding, and must satisfy itself that there is reasonable unanimity in the congregation in support of the purchase, and that the financial requirements can be met without detriment to the stability and progress of the congregation.

5. The body corporate, 'The Trustees of the Synod of Eastern Australia' is authorized to sign and seal all necessary documents provided that it is furnished evidence that the requirements of Clauses 1-4 have been carried out. Should the purchase be effected without the necessity of lodging the deeds as security, the deeds shall forthwith be handed to the Trustees in terms of Section 4 of the 1918 Property Act, but may be released again should same be necessary as security for the financing of a new manse.

ACT 20 – Continuity of Synod Standing Committees

Thursday 16th May 1985

Sederunt 13

In the interests of continuity, that standing committee members are expected to serve on their committees for at least three years unless otherwise stated by Synod.

ACT 21 – NSW Trust Corporation. Emergency Arrangements

Thursday 16th May 1985

Sederunt 13

It was resolved, That in the event of either or both of the Moderator and Clerk being unavailable this year for signing and sealing documents, then for the purposes of the N.S.W. Property Act the Rev. John Macintosh Cromarty and the Rev. Raymond William Murray be the Clerk of the Synod, and the Moderator of Synod respectively and as required.