

## ACTS OF SYNOD 1992

### Class 1 (Barrier Act Procedure)

No	Act	Reference
	None	

### Class 2 (Others)

No	Act	Reference
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2	PCEA Representative at 1993 Free Church of Scotland Disruption Anniversary	16.9
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### CLASS 1 – ACTS WHICH HAVE PASSED THE BARRIER ACT

Nil

[Note: In the original circulated minutes the clerk had wrongly classified item 84 in the minutes as an Act which had passed the Barrier Act, though it had not. It merely extends the opportunity for Presbyteries to submit returns. The Act is therefore stated in the list above as Act 21, Class 2, anent Presbytery returns re NSW Property (Amendment) Act]

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

#### ACT 1 – Submission of Synod reports on computer disk

Tuesday 28<sup>th</sup> April 1992

Minutes 92.16.1

Synod request 1993 Committee Reports to be submitted to the Clerk in the forms both of printed pages (hard copy) and computer disk files, as described in the Administration Committee report.

**ACT 2 – PCEA Representative at 1993 Free Church of Scotland Disruption Anniversary**

Tuesday 28<sup>th</sup> April 1992

Minutes 92.16.9

Synod endorse the action of the Clerk in declining the invitation from the Free Church to send a delegate to the 1992 General Assembly, but note that 1993 marks the 150th Anniversary of the Disruption, and appoint this year's Moderator to represent our Synod on that historic occasion and inform the Free Church accordingly.

**ACT 3 – Committee to arrange celebration of Disruption and founding of PCEA**

Tuesday 28<sup>th</sup> April 1992

Minutes 92.16.16

Synod appoint a Committee comprising the Rev. Edwin Lee (Convener), Rev. Willie Mackay and Dr Wes Hanna to organize ways in which we as a church may next year commemorate the Disruption, and in which we may commemorate in 1996 the founding of the PCEA in Sydney on 10 October 1846.

**ACT 4 – Provision by Trustees of copies of deeds on request**

Tuesday 28<sup>th</sup> April 1992

Minutes 92.18

That when an application for a copy of a deed or document be received by the Trustees, from a signatory to a deed or a beneficiary of a trust, that the Trustees be given permission to, and be so directed to, make such copies available to the applicants; the cost of such copying to be borne by the applicants.

**ACT 5 – St Andrew's, Richmond property**

Tuesday 28<sup>th</sup> April 1992

Minutes 92.19

The Synod, having considered the report re the property at Westmarket Street, Richmond (Deed Book 44 No.353) conveyed to the Synod on April 10, 1855 in terms of Declaration of Trust (Book 3866 No.816), note

- a. that the *Presbyterian Church Act* of 1865, while giving assurance of title to congregations subject to the General Assembly in Section 1 yet does so in such a manner as in no way prejudicially to affect or deprive any person of any rights to which he is in anyway entitled (refer section 3), thus preserving the rights of the Synod of Eastern Australia which continued outside the unions of 1864 and 1865 in terms of the Protest of 15 November 1864;
- b. that the Church Archives show that the possibility of exercise of rights as circumstances required was in the mind of the Synod at the time of securing the 1918 Property Act and accounts for the absence of a schedule of properties to the Act;

- c. that the Uniting Church in Australia, which makes no binding profession of adherence to the doctrines of the Westminster Confession of Faith, is not currently using the property for public worship and has other and adequate property in the town which is being so used, while the Synod of Eastern Australia still maintains the identical principles set forth in 1846 upon its foundation and would be better able to advance these principles if its rightful property, conveyed to it on such trusts, was secured to it;
- d. that the application by *The Uniting Church in Australia Property Trust (NSW)* for issue of a title was supported by their statement that they were not aware of notice of any claim to an interest when in fact they were aware of our claim;
- e. that the Land Titles' Office has sought recall of the title issued to *The Uniting Church of Australia Property Trust (NSW)* on November 21, 1991 by letter dated April 8, 1992;

THE SYNOD RESOLVE

- a. to approve the action taken by the Synod Clerk to protect the Church's interests;
  - b. to record its appreciation to Mr J.L.Clugston, LLB, M.Litt., and to the Synod's Procurator, Mr F.Maxwell Bradshaw, MA, LL.M, for their invaluable services in reference to this matter, noting their 'total agreement' on the state of the case and our legal position expressed April 25, 1992;
- AND THE SYNOD pursuant to the *Synod of Eastern Australia Property Act 1918*, Section 14, appoint the Administration Committee (consisting of the Moderator, the Moderator-elect, Synod Clerk, Assistant Clerk and Convener of Law & Advisory Committee) to act for the Synod and the body corporate *The Trustees of the Synod of Eastern Australia* in all matters pertaining to the disputed property with a view to securing the just interests of the church, the Committee having full power to take such legal steps as may be necessary and also to direct the said body corporate to execute such documents as may be necessary to bring the matter to finality.

**ACT 6 – Mr G.J.Moody appointed to Victorian trust corporation 21.2**

Tuesday 28<sup>th</sup> April 1992  
Minutes 92.21.2

That pursuant to provisions of Act 5691, Mr Gregory John Moody, structural draftsman, of 3 Salvia Court, Warranwood, Vic.3134, be and hereby is appointed a member of the body corporate, *The Trustees for Victoria of the Presbyterian Church of Eastern Australia*.

**ACT 7 – Presbyteries and church growth**

Tuesday 28<sup>th</sup> April 1992  
Minutes 92.24

Synod request each Presbytery carefully to consider the work within their bounds, in particular,

- (a) the changes which might be necessary in attitudes and methods more adequately to comply with our Lord's words to us to seek the good of others and not the mere preservation of traditions that are either no longer relevant or an impediment to helpful communication of the gospel in our society,
- (b) positive ways in which the building up of a thoroughly instructed church loyal to Christ and his word as set out in the Westminster Confession and Catechisms may be furthered.
- (c) positive steps to establish the church in the areas where the mass of people are living and dying without Christ, particularly also, areas near to our universities.

**ACT 8 – Adoption of new Church Practice, chapter 6 (Common Procedure) 30.3**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.30.3

Synod adopt Chapter 6 (Common Procedure) of the new *Practice*, as printed in 1991 Synod Reports with the amendments in the 1992 Synod Report, to replace the corresponding Sections of the Free Church of Scotland *Practice*, 1964 edition, and to regulate procedure in church courts henceforth.

**ACT 9 – Adoption of new Church Practice, chapter 7 (Church Discipline) 30.4**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.30.4

Synod adopt Chapter 7 (Church Discipline) of the new *Practice*, as printed in 1991 Synod Reports with the amendments in the 1992 Synod Report, to replace the corresponding Sections of the Free Church of Scotland *Practice*, 1964 edition, and to regulate procedure in church courts henceforth.

**ACT 10 – Adoption of completed new Church Practice**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.30.5

Synod

- a. affirm the completed practice Chapters 1 to 7 as its *Handbook of Practice and Procedure* in succession to the Free Church of Scotland *Practice* of 1964,
- b. direct that up to 100 indexed copies be produced together with an updated *Decision Book*, 3 copies to be supplied to each congregation and the balance to be available at a price sufficient to cover production costs,
- c. commend the study and careful use of the *Handbook* to office-bearers and others, reminding users of the provisions of Chapter 1.10 and 1.11,
- d. thank all those who have contributed to the completion of this work since it was recommenced in 1982, and particularly the Law and Advisory Committee.

**ACT 11 – Treasurer’s and Finance Committees’ Reports to be combined**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.33

It was resolved that for the future the Treasurer's and Finance Committee Reports be combined with one set of proposed deliverances.

### **ACT 12 – 8:14 Foundation loan to Ulverstone Congregation**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.36

An advance of \$18,000 be made to the Ulverstone Deacons' Court in order that they may discharge the bridging finance employed in the purchase of their new manse, subject to the following conditions:

1. that the loan be repaid at not less than \$1,000 pa, plus any dividend received from the Farrow Finance Investment and any designated gifts.
2. that when able, repayment be accelerated.
3. that the terms of the loan be reviewed in 1997.

### **ACT 13 – 8:14 Foundation loan repayments: Melbourne**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.37

The schedule of repayment for the 8:14 Foundation advance to Melbourne be not less than \$5000 per annum.

### **ACT 14 – Reimbursement of commissioner's travel expenses**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.38.2

Act 1, Class 2, Synod 1984 be amended by adding:

i. delegates' expenses

“c. 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 adjusted, using as a guide, future Car Running Costs (Fuel, Tyres, Service and Repairs) surveys for Private passenger car rates (engine capacity 2.6 litre or thereabouts based upon 15,000 kilometres per annum) as conducted and published by the NRMA's Technical Department .
- Vehicle kilometreage to be calculated from Charge to place of Synod and return.

Accommodation:

- Reasonable cost of overnight accommodation, including meals, for outward and return journey, where the distance travelled is greater than from Sydney/Melbourne or Sydney/Brisbane. Reimbursement may be claimed by each Synod Delegate.”

**ACT 15 – Veto powers re investments**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.41

Act 10, Synod 1985 be amended by the following addition:

Veto power may be exercised over any investment by

- a. the Trustees on matters of legality.
- b. the relevant Committee Convener on matters affecting Committee policy.
- c. the General Treasurer on matters of viability and prudence.

**ACT 16 – Amendment of Provident Fund Regulation C5**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.43.4

Synod amend Regulation C5 to read 8.4% in lieu of 8% and amend Regulation C4 to read 10.5% in lieu of 10%.

**ACT 17 – Statement of PCEA Mission Policy**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.44.7

Whilst not precluding support to persons working through other agencies in the health education and welfare area, Synod affirm (without prejudice to the regulations of the Missions Relief Fund) that its primary commitment in its Mission policy is to work with sister churches or directly to establish congregations of Christ's church loyal to the Biblical faith as confessed in our subordinate standards. The Synod would also encourage members interested in service overseas to seek the guidance of the Missions Committee at an early stage in order that, where practicable, the gifts of such persons may be recognised and commended to the church and, where possible, utilised in line with Mission policy.

**ACT 18 – Fiji Mission Work**

Wednesday 29<sup>th</sup> April 1992

Minutes 92.44.10

- a. In order to allow Leone Tupua to give himself to the work of ministry in a full-time capacity and to have an appropriate base from which to work,
  - i. that Leone receive support sufficient to enable him to dedicate himself to study and pastoral duties for an initial period of three years.
  - ii. that a place of residence for Leone and his family be provided in a suitable location in Suva as long as he continues under the pastoral arrangements indicated in i. above.
  - iii. that assistance with the rent or purchase of a place of worship be given as the work progresses and the need is demonstrated.
  - iv. that it be clearly understood that financial support from the PCEA will be given on a diminishing basis, since it is recognised that it is the responsibility of local believers to provide for the stipend and living accommodation of the one who ministers to them.

v. that property bought by the PCEA for use in the ministry in Fiji will be registered under the name of The Trustees for Victoria of the PCEA, but it is the expectation that when the church in Fiji is in the position of being able to purchase comparable properties, these will be transferred to the church in Fiji on appropriate terms.

b. that a program of further studies be prepared to assist Leone in his study of God's Word and the sum of \$169 given for books for Fiji be applied in connection with texts needed for the study programme.

c. that for a further period of 3 years to the rising of Synod 1995, Leone be authorised to administer the sacraments.

d. that the Synod concur in the suggestion from Leone that the name of the work in Fiji be known henceforth as the *Presbyterian Free Church of Fiji*.

e. that the sum of \$500 be allocated for literature for Fiji including gifts to the Fiji Bible College.

#### **ACT 19 – Reception of Mr G.Kinder as Student for the Ministry**

Thursday 30<sup>th</sup> April 1992

Minutes 92.68

Synod note with thankfulness to God Mr Graham Kinder's application for reception as a student for the ministry of the Gospel; and that Synod confirm Central Presbytery's decision to grant provisional recognition to Mr Kinder as from the commencement of his theological studies and assure Mr Kinder of our prayerful support.

#### **ACT 20 – Reappointment of Banner editor for 3 years**

Thursday 30<sup>th</sup> April 1992

Minutes 92.75

As prescribed by Act of Synod 1989 (p.17 of minutes), Synod now review the appointment of the editor of the *Banner*.

It was resolved that the current editor be reappointed for a period of three years.

#### **ACT 21 – Presbytery returns re NSW Property (Amendment) Act 84**

Thursday 30<sup>th</sup> April 1992

Minutes 92.84

Synod note the returns under the Barrier Act; acknowledge greater time is appropriate for full consideration of the proposed Bill entitled 'The Synod of Eastern Australia Property (Amendment) Act' as approved by Synod 1992; direct the Synod Clerk to send copies of the Bill as approved to Presbyteries for approval or otherwise in terms of the Barrier Act 1697, Presbyteries to report the

result by extract minute with the number of votes for and against to the Clerk of Synod by 31 December 1992; and further direct the Law and Advisory Committee to furnish information and help to Presbyteries requiring the same.