

ACTS OF SYNOD 2008

Class 1 (Barrier Act Procedure)

No	Act	Reference
	None	

Class 2 (Others)

No	Act	Reference
1	Correspondence to Synod Included in Reports	08.12.6
2	Non-procedural Proposals Presented on the Floor of Synod	08.12.7
3	Stipend Assistance Regulations	08.17.2
4	Handbook of Practice and Procedure Barrier Act Compliance [Rescinded 2024]	08.17.3
5	Act Allowing Alternative Questions and Formula [Rescinded 2024]	08.20.5
5	Mutual Eligibility Act (Reformed Presbyterian Church of North America) 2008	08.25.5
6	Modification to Pulpit Supply Financial Arrangements amending Act 12, Class 2, 1982	08.34
7	Act concerning Substitute Members of Body Corporate in NSW	08.37.1
8	Deed Box Audit 2009 & each 3 years thereafter	08.37.2
9	Act concerning Approval to Mortgage Property	08.46

Note: There were two No. 5 Acts. The first of these has subsequently been rescinded so the original numbering has been retained.

CLASS 1 – ACTS WHICH HAVE PASSED THE BARRIER ACT

None

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

ACT 1 – Correspondence to Synod Included in Reports

Monday 12th May 2008

Minutes 08.12.6

That Act 1 Class 2 Synod 1983 as amended in Section 6 by adding the words 'together with correspondence' so that it reads:

The Clerk of Synod shall arrange for Committee Reports and Recommendations, together with correspondence, to be printed, and he distributes them so that they are in the hands of members not later than 21 days before the opening of Synod, extra copies being produced for binding with the minutes in due course. Correspondence with the potential to impugn the character or reputation of any person is not to be circulated to persons other than Synod members prior to Synod considering the same.

ACT 2 – Non-procedural Proposals Presented on the Floor of Synod

Monday 12th May 2008

Minutes 08.12.7

The Synod Standing Orders (Synod 1978 as amended 1984 & 1991) be amended by the insertion of the following clause 7 in section 1 (Motions):

7. To ensure careful consideration and wise decision making, copies of correspondence for transmission to Synod shall be supplied with the Reports. Any non-procedural proposal that arises from late correspondence or on the floor of the Synod that is not already anticipated in the prayer of an overture or petition regularly before the Synod, or the subject of a notice of motion in terms of clause 6 of this Act, shall be held over until the next session and, if contentious or of complexity, referred to a representative ad hoc committee for report to the next or later session, before being debated.

ACT 3 – Stipend Assistance Regulations

Tuesday 13th May 2008

Minutes 08.17.2

Synod approve the amendment of Act 11 Class 2, Synod 1990 as described in the Report and included as Appendix A to the Report.

Wording of Appendix A:

STIPEND ASSISTANCE REGULATIONS

[Synod 1990: Act 11, Class 2 amended by Act , Class 2, Synod 2008]

The word ‘stipend’ in these regulations means the Minimum Stipend - Taxable cash and non-cash components (excluding Manse, Car and Telephone)

1. FUNDS

The funds available to the Finance Committee include interest on monies invested for Stipend and Church Extension purposes, together with contributions made for such purposes from other sources and allocations from general funds. In its annual report to the Synod the Committee shall include a budget of anticipated income and expenditure for the calendar year of the Synod to assist in wise and stable planning. The Committee is empowered to appeal for funds to the church at large from time to time, but apart from modest variations dictated by prudence and common sense, shall not expend funds other than as authorised by Synod. Funds dispersed by Synod on recommendation of the Committee are for stipend of the minister unless funds are received with some special condition. In such event the funds shall be used for the purposes designated by the donor.

2. FINANCIAL ASSISTANCE

In order to facilitate and encourage the work of extension in new areas as well as existing charges which need to be worked up to self-support, the Synod may grant financial assistance, subject to funds being available. All assistance is on a needs basis with allocation being made on the basis of a year from 1 May to 30 April. Synod requires the recommendation of the Presbytery to be supported by a budget and evidence of the charge or station being efficiently worked according to some definite program of extension. The Presbytery shall send its recommendation to the Committee with such supporting detail as may be appropriate, and the Committee shall make recommendation to the Synod having regard to the resources available and the merit of the application.

3. LIMITS ON FINANCIAL ASSISTANCE

- a. A Fully Sanctioned Charge which is not fully self-supporting may receive assistance on a needs basis but not exceeding an amount of 50% of the minimum stipend. In normal cases a progressive reduction to nil over 5 years will be expected.
- b. A Special Development Charge (in former years termed a Church Extension Charge) is one with sufficient promise and support to justify the appointment of a full-time minister who has a seat on Presbytery, if ordained, but who is not inducted. It may receive for the initial two years up to 75% of the minimum stipend or up to 100% if a manse has to be rented, but thereafter the limits will be 50% and 75% respectively, with a progressive reduction over a further 5 or 7 years to nil. The Charge will be responsible for the entire Superannuation and Levy and will not receive a portion from the Committee's funds for these items.
- c. Financial assistance to a preaching station will normally not be given unless Synod classifies it as a Special Development Charge upon request of the Presbytery. A copy of the Presbytery submission shall be provided to the Finance Committee by the Presbytery well in advance of the Synod.
- d. Should the minister of an aid-receiving charge cease to act in that capacity, funding from the Synod shall cease during the period of vacancy.

4. LAND AND BUILDINGS

The necessary or desirable buildings for a congregation vary according to the circumstances. The Synod seeks to provide assistance by way of grants and loans from the Capital Assistance Fund and other designated monies, but funds for purchase of property are not available from Stipend Funds. If, during any stage of the development of an aid-receiving work, the congregation consider it necessary to purchase real estate, this will have no bearing on funding of Stipend except that the need may be thereby increased nearer to the maximum.

5. PAYMENT FOR PULPIT SUPPLY

The provisions of Act 12 Class 2 of Synod 1983 as amended apply.

6. MINISTERS FROM OVERSEAS

As enacted by Synod 1973, "It is required that any settled congregation inviting with a view to a call or calling a minister from overseas, must ordinarily meet the whole cost from their own resources. However, providing funds are available, assistance may be obtained for this purpose by way of a loan upon which interest must be paid - and the capital repaid within five (5) years."

ACT 4 – Handbook of Practice and Procedure Barrier Act Compliance

[THIS ACT RESCINDED by Act 4, 2024]

Tuesday 13th May 2008

Minutes 08.17.3

Synod notes that those matters in the edition of the Handbook of Practice and Procedure (approved by Synod 29 April 1992) of an obligatory character as standing rules for the church at large, its presbyteries or congregations, together with those of like character marked with an asterisk in Part 1 of the 2008 Report, have sufficiently met the requirements of the 'Act Anent the Method of Passing Acts of General Concern to the Church, and for Preventing of Innovations' (commonly called the Barrier Act), and pass from the matter.

ACT 5 – Act Allowing Alternative Questions & Formula

[THIS ACT RESCINDED by Act 3, 2024]

Tuesday 13th May 2008

Minutes 08.20.5

Synod approves the ‘Act Allowing Optional Alternative Questions & Formula while not reducing commitments in terms of Act of Synod 1952’ as set out in Appendix

Wording in Appendix:

PROPOSED ‘ACT ALLOWING OPTIONAL ALTERNATIVE QUESTIONS & FORMULA WHILE NOT REDUCING COMMITMENTS IN TERMS OF ACT OF SYNOD 1952’

WHEREAS the Synod of Eastern Australia, approved an Act Anent Questions and Formula in 1952 which set forth the questions and formula to be used in the Courts of the Church, which questions and formula were those approved by the General Assembly of the Free Church of Scotland in 1846, subject to the necessary modifications to relate them to this Church;

AND WHEREAS it is desirable given the changing ethnic mix with the church as well as for the better edification of congregations in whose presence vows are made that this Church should provide an alternative wording of the questions and formula on the strict understanding that such alternative does not in any way reduce the existing commitment in terms of Act of Synod 1952;

THE SYNOD DECLARE

That the Questions and Formula hereafter set out may be used as an alternative for the wording for the Questions and Formula in the Act of Synod 1952 on the understanding that no reduction in the commitments required by the Act of Synod 1952 is intended, and that if any question of interpretation shall arise the obligations of the said Act shall be decisive.

QUESTIONS

[To be satisfactorily answered by probationers before receiving licence, and by Office-bearers at the time of their admission.]

(1) Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only rule of faith and life?

(2) Do you sincerely believe and declare the Confession of Faith approved by the Synod of the Presbyterian Church of Eastern Australia and explained in the Act of Synod 1952 to be the confession of your faith; and do you acknowledge the doctrine contained in it to be the true doctrine to which you will constantly adhere?

(3) Do you sincerely acknowledge the Biblical warrant for the worship authorised by the Confession of Faith, which worship is illustrated in the Directory for Public Worship of 1645 and in Acts of Synod from time to time?

(4) Do you sincerely believe and declare that the form of church government warranted in Scripture is presbyterian, that is, rule by elders, equal in ruling power, and organised in congregational, regional and national assemblies with power to administer the affairs of the church, but always in accordance with the Holy Scriptures and as they shall be accountable to the Lord Jesus Christ, the Church’s only King and Head?

(5) Do you believe that Church and State are distinct and separate institutions, that both are accountable to the Lord Jesus Christ who has received all authority in heaven and earth from the Father, that the mutually helpful relationship between Church and State does not imply subordination

of one to the other in its own sphere, and, in particular, that the civil authorities have no jurisdiction or authoritative control in the spiritual affairs of Christ's Church? Do you acknowledge that in maintaining these Scriptural principles, and the ideal of a united Christian Church in a Christian nation, the Church does not regard the involvement of the State in matters concerning religion as of itself contrary to liberty of conscience, but nor does the Church believe that intolerance or persecution are lawful methods of advancing the kingdom of God?

(6) Do you promise in God's strength, to live a holy and exemplary life; to promote the purity, peace, unity and progress of this Church; and to follow no divisive course from the doctrine, worship, discipline and government of this Church, but rather to faithfully assert, maintain and defend the same, rejecting whatever is contrary to or inconsistent with it; and to submit yourself to the decisions of your brothers in the various courts of this Church.

Deacons

(6) Do you promise to perform faithfully all the duties of the office to which you have been called, including practising faithful stewardship yourself and encouraging it in others; cultivating the ministry of mercy in the congregation, and generally handling the Lord's money in a manner that is efficient and above reproach?

Elders

(6) Do you promise to perform faithfully all the duties of the office to which you have been called including encouraging the spiritual growth of the church members, seeking to bring others to know Christ, visiting the sick of mind or body, and attending on the meetings associated with your office?

Licentiates or others certified to preach

(6) Do you promise to seek diligently to become an able expositor of the Word of God, an understanding and helpful pastoral visitor, a faithful minister of God?

Ministers

(6) Do you solemnly affirm that you have not used any unlawful or improper means for obtaining this call directly, or indirectly through the hands of others at your request; and are zeal for the honour of God, love to Jesus Christ, and the desire of saving souls, your great motives and chief inducements to enter upon the work of the holy ministry, and not worldly plans and interests?

(7) Do you accept the call of this congregation [Or: the appointment to this charge] and promise, by God's grace, to perform faithfully, diligently and cheerfully all the duties of your office, including bringing to your congregation the fruits of careful and earnest study of the Word of God as well as understanding and faithful pastoral care; seeking to win the lost to Christ; and taking part in the meetings associated with your office in a positive and constructive way; while also paying due regard to your personal devotional life and walk with the Lord, as also the care of your family?

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FORMULA OF SUBSCRIPTION

[To be subscribed by Probationers before receiving Licence, and by all Office-bearers at the time of their admission.]

Ido hereby declare, that

(1) I believe the Scriptures of the Old and New Testaments to be the Word of God, and the only rule of faith and life.

- (2) I sincerely own and believe the whole doctrine contained in the Westminster Confession of Faith of 1647, and explained by the Presbyterian Church of Eastern Australia in the Act of Synod 1952, to be the truths of God; and I do sincerely believe and declare the same to be the confession of my faith.
- (3) I also sincerely acknowledge the Biblical warrant for the worship authorised by the Confession of Faith, which worship is illustrated in the Directory for Public Worship and in Acts of Synod from time to time.
- (4) I further sincerely believe and declare that the form of church government warranted in Scripture is presbyterian, that is, rule by elders, equal in ruling power, and organised in congregational, regional and national assemblies with power to administer the affairs of the church, but always in accordance with the Holy Scriptures and as they shall be accountable to the Lord Jesus Christ, the Church's only King and Head.
- (5) I believe that Church and State are distinct and separate institutions, that both are accountable to the Lord Jesus Christ who has received all authority in heaven and earth from the Father, that the mutually helpful relationship between Church and State does not imply subordination of one to the other in its own sphere, and, in particular, that the civil authorities have no jurisdiction or authoritative control in the spiritual affairs of Christ's Church. I acknowledge that in maintaining these Scriptural principles, and the ideal of a united Christian Church in a Christian nation, the Church does not regard the involvement of the State in matters concerning religion as of itself contrary to liberty of conscience, but nor does the Church believe that intolerance or persecution are lawful methods of advancing the kingdom of God.
- (6) I also promise, in God's strength, to live a holy and exemplary life; to promote the purity, peace, unity and progress of this Church; and to follow no divisive course from the doctrine, worship, discipline and government of this Church, but rather to faithfully assert, maintain and defend the same, rejecting whatever is contrary to or inconsistent with it; and to submit myself to the decisions of my brothers in the various courts of this Church.
- (7) I further promise to fulfil faithfully all the duties of my office.

Subscribed at Name

Date:

ACT 5 – Mutual Eligibility Act (Reformed Presbyterian Church of North America)
 Tuesday 13th May 2008
 Minutes 08.25.5

(a). The Synod of the Presbyterian Church of Eastern Australia (PCEA) recognises in the Reformed Presbyterian Church of North America (RPCNA) a church whose principles and practices are similar to our own. It requires adherence from its office bearers to the Westminster Confession of Faith and practices purity of worship as we do. We have benefited in recent years from the ministry of Rev. George D. Ball (formerly of the RPCI), who completed part of his training with the RPCNA. Another of our ministers, Rev. Dr. Rowland S. Ward, a number of whose publications are circulated within the RPCNA, was warmly welcomed as a visitor to your meeting of Synod in 2007. We have entered into formal relations with the Reformed Presbyterian Church of Australia (RPCA) in 2004 in terms of our Fraternal Relations Act 1993, and similarly with the Reformed Presbyterian Church of Ireland (RPCI) in 2006. Both the RPCNA and the PCEA are members of the ICRC. The Synod, therefore, desires to establish a relationship with the RPCNA in terms of our Fraternal Relations Act (1993), in the hope that we may be able to deepen and further strengthen the bond of fellowship between us to the glory

of God. Accordingly, the Synod of the PCEA would welcome recognition by the RPCNA in a corresponding Act.

(b). Synod affirms that we are also prepared to specifically provide for mutual eligibility in similar terms to what we have with the Free Church of Scotland (2005), the Reformed Churches of New Zealand (2006) and the Orthodox Presbyterian Church (2007), so that ministers, subject to the constitutional requirements of each church may move in a Presbyterian way between denominations. Mutual Eligibility is designed to implement the thinking of the Westminster Fathers as reflected in the Form of Presbyterian Church Government 1645, in its provisions for receiving ministers from other Reformed Churches, and to formalise it in an orderly way.

(c). The Synod of the PCEA acknowledges and is satisfied that RPCNA Presbyteries may issue Calls to eligible PCEA ministers and probationers, and likewise affirms the right of the PCEA Presbyteries to process Calls to eligible RPCNA men. Mutual eligibility does not impinge on the right and responsibility of the relevant RPCNA or PCEA Presbyteries to require that every incoming minister is familiar with the history, doctrine and practice of the church he is entering, so that he is able to subscribe heartily and intelligently to the formula of subscription. Mutual eligibility does not remove the requirement to produce full and satisfactory presbyterial certificates of character and attainment, including clearance under any relevant child protection legislation. When a PCEA congregation calls a minister, a meeting with the PCEA Presbytery may take place after the Call is issued and before it is accepted. This ought to ensure that the minister may assess more clearly whether he should accept the call, and know, should he accept it, that he would be admitted. This Act may be cited as the Mutual Eligibility Act (Reformed Presbyterian Church of North America) 2008.

ACT 6 – Modification to Pulpit Supply Financial Arrangements amending Act 12, Class 2, 1982

Wednesday 14th May 2008

Minutes 08.34

That Synod 1982: Act 12, Class 2 (Pulpit Supply) be amended as follows:

“2. That the recommended minimum rate of stipend payable for pulpit supply:-

- a. for Ministers, Probationers or Students who have other sources of income be 10% of the weekly minimum stipend per service, plus travelling allowance.
- b. for short term supply and limited Pastoral work (e.g., by retired Ministers or Missionaries) be 50% Minimum stipend per week plus accommodation and travelling expenses if necessary.
- c. for residential supply and full Pastoral work by a PCEA Minister, the minimum stipend plus usual church superannuation contribution, four weeks annual leave, accommodation and travelling expenses.
- d. for residential supply and Pastoral work by Probationers, or other supply, be 80% Minimum stipend, plus superannuation guarantee contribution, four weeks annual leave, accommodation and travelling allowance.
- e. for resident supply and Pastoral work by a Student with no other source of income be 50% minimum stipend plus superannuation guarantee contribution, four weeks annual leave and accommodation and agreed expenses of working the charge if necessary, with an additional figure related to his marital and income situation and the pastoral load.

3. The provisions of (2) above apply to ministers, probationers, students and missionaries of the PCEA, but may be negotiated as local circumstances dictate. In regard to supply by others the figures are not obligatory but may be varied according to local circumstances as determined by Deacons' Courts.”

ACT 7 – Act concerning Substitute Members of Body Corporate in NSW

Wednesday 14th May 2008

Minutes 08.37.1

Substitute Members of the Body Corporate in NSW: Pursuant to Section 14 of the Synod of Eastern Australia Property 1918 Act the Synod resolves that in the event of any of the Moderator, Clerk and Treasurer of Synod being unavailable for necessary decisions and/or execution of documents, the immediate past Moderator or, failing him, the one next preceding him who is able and willing to act, shall be the Moderator for the purpose of the Property Act, the Convener of Law and Advisory Committee shall be the Clerk, or failing him a person nominated by that Committee; and the Convener of Finance Committee shall be the Treasurer, or failing him a person nominated by the Finance Committee; and such substituted person or persons shall be entitled to make decisions and execute documents as if the holder of the office of Moderator, Clerk or Treasurer, as the case may be. A record shall be kept of any substitution and report made to the ensuing Synod.

ACT 8 – Deed Box Audit 2009 & each 3 years thereafter

Wednesday 14th May 2008

Minutes 09.38.3

Deed Box Audit: Synod directs that, commencing in 2009, and every three years thereafter, that the Clerk of Synod and the General Treasurer carry out a joint inspection to verify the content of the Deed Box, and that the Clerk make report of their findings to the following meeting of Synod.

ACT 9 – Act concerning Approval to Mortgage Property

Thursday 15th May 2008

Minutes 08.46

Should it be impracticable for Deacons' Courts to apply to the annual Synod for financial assistance and/or approval to mortgage congregational property, apart from places of worship, to enable them to purchase additional property for extension work in the charge, such application/approval to mortgage congregational property, is to be made to the Clerk of Synod in terms of the existing Capital Assistance Fund procedure.

In these instances the Synod Administration Committee is authorised to make a determination on the request to mortgage congregational property after receiving recommendation or otherwise from the Synod Finance Committee and advice of Presbytery's approval.