

ACTS OF SYNOD 2010

Class 1 (Barrier Act Procedure)

No	Act	Reference
	None	

Class 2 (Others)

No	Act	Reference
1	Alternative Questions and Formula	10.16
2	RPCA Offer of Mutual Eligibility	10.19.3
3	PFC (India) Fraternal Relationship Offer	10.19.4
4	Training of Ministry Use of Internet/Digital Media	10.23.2
5	Superannuation	10.30.1-2
6	Stipend Relief Distribution	10.32.4
7	E-Banking and Bank Signatures	10.34
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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 – Alternative Questions and Formula

Tuesday 4th May 2010

(Minutes 10.16)

For further assurance of where a minister stands, and without prejudice to those who disagree with the 2008 “Act allowing Optional Alternative Questions and Formula”, while not reducing commitments in terms of the Act of Synod 1952”, Synod resolves that where a minister or student for the ministry is to be inducted to office or licensed using the 2008 Questions and Formula, such person shall also subscribe the Formula of 1952.

ACT 2 – RPCA Offer of Mutual Eligibility

Tuesday 4th May 2010

(Minutes 10.19.3)

The Synod of the Presbyterian Church of Eastern Australia (PCEA) recognises in the Reformed Presbyterian Church of Australia (RPCA) a church whose worship and doctrines are similar to its own, with adherence to the Westminster Confession of Faith a major requirement for office bearers. The Synod notes the long and cordial relationship between the PCEA and the RPCA formalised in 2004 at the request of the RPCA. The Synod wishes to establish a relationship of mutual eligibility

with the RPCA to deepen and further strengthen the bond of fellowship between us. By this the Synod of the PCEA understands and is satisfied that the RPCA Presbytery may issue calls to ministers of the PCEA, and likewise affirms the right of the PCEA Presbyteries to process calls to RPCA ministers. In neither case does this mutual eligibility impinge on the right and responsibility of the relevant RPCA or PCEA Presbytery to require full and satisfactory Presbyterian certificates of character and attainment before admission. This may include clearance under any relevant child protection legislation, and assurance that any incoming minister is familiar with the history, doctrine and practice of the church so that he is able to subscribe to the formula of subscription intelligently and heartily and participate harmoniously and constructively in the life of the church. Where an RPCA 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 would be admitted.

This Act may be cited as the Mutual Eligibility Act (Reformed Presbyterian Church of Australia) 2010.

ACT 3 – Presbyterian Free Church (India) Fraternal Relations

Tuesday 4th May 2010

(Minutes 10.19.4)

Synod recognises the long association which the PCEA has had with the Presbyterian Free Church (formerly the Free Church of Central India) and offers fraternal relations in terms of our Act of Synod 1993.

ACT 4 – Training of Ministry Use of Internet/Digital Media

Tuesday 4th May 2010

(Minutes 10.23.2)

Synod varies the wording of ACT ANENT RESPONSIBILITIES OF THE TRAINING OF THE MINISTRY COMMITTEE [Act 14, Class 2 Synod 1983], paragraph c as follows:

After “to be conducted by correspondence and/or lectures” add these words: “and/or through use of the internet and/or through use of digital media”.

Paragraph c therefore now reads: “To prepare and implement, with the approval of Synod, a course of training in biblical subjects, theology and church history, suited for elders and other interested persons, to be conducted by correspondence and/or lectures and/or through use of the internet and/or through use of digital media, certificates to be issued upon successful completion of each section.”

ACT 5 – Superannuation

Wednesday 5th May 2010

(Minutes 10.30.1-2)

1. Synod approve the changes to the Superannuation Levy set out in the Report, viz: All congregations pay an annual levy of 5% of minimum stipend (or 1.0% if aid-receiving) and 2.0% for any additional minister in the same charge.

In addition, each congregation with an inducted or supply minister pays 9% SG for each of its ministers but not beyond the end of the quarter following attainment of the age of 70 years. An ordained PCEA minister eligible for call giving full time residential supply receives SG based on minimum stipend; all others receive SG based on actual earnings so long as they meet the legal threshold (currently \$450 per month).

2. Synod agrees the Levy changes apply from 1/1/2010, and for 2010 are to be calculated on the minimum stipend as at 1/1/2010 (\$42,861), so that self-supporting congregations pay \$1500 per quarter (9% + 5%) and others \$1071 per quarter (9%+1%), or \$1179 per quarter (9%+2%) and vacant congregations \$536 per quarter (5%) as the case may be.

ACT 6 – Stipend Relief Distribution

Wednesday 5th May 2010

(Minutes 10.32.4)

- a) Stipend relief be always granted on a strictly needs basis and subject to the availability of funds at the time of the request. Requests to be made at least on a quarterly basis from 1st May annually.
- b) Should there be insufficient Synod funds in hand, at the time of the annual Synod, to meet requests for stipend relief from congregations; the amount allocated to each congregation shall be equal to the percentage of their assistance sought when applied to the total of stipend relief applied for by all congregations.
- c) Actual amounts approved for individual congregations are to be set aside in Synod's books of account so as to ensure funds are in hand to meet requests if and when made by individual congregations.
- d) Where Synod is unable to provide the full amount of aid requested and funds are received for stipend relief after it has approved allocations for assistance sought by congregations, such funds are to be allocated to the respective congregations in the same proportion as the approved allocations were made. Aid-receiving congregations may then take up additional funds to bring total aid received up to the limit approved by Synod.
- e) Any undrawn funds previously set aside for congregations remaining as at 30th April each year are to be transferred to the main Synod Stipend Relief account.

ACT 7 – E-banking and Bank Signatures

Wednesday 5th May 2010

(Minutes 10.34)

That the Treasurer be authorised to open bank accounts with Bendigo Bank and utilise other services including their Internet Banking facility – Bendigo e-banking.

Authorised signatories to operate Synod's bank account(s) be any two of DE Kerr, TI Leggott, JA McCallum, KR Shaw and AH Steel.

Authorised users of Bendigo e-banking be any two of TI Leggott, KR Shaw and AH Steel.

ACT 8 – Overture to Presbyteries – Amendment of 1918 Property Act

Tuesday 4th May 2010

(Minutes 10.14.1)

Synod remit the following overture to Presbyteries for their consideration and approval or otherwise. The voting is to be recorded and the result given by extract minute to the Clerk of Synod by 31 December 2010.

WHEREAS it is desirable that church property be held on uniform trusts as far as practicable to avoid confusion and to simplify administration,

AND WHEREAS the late F. Maxwell Bradshaw, MA, LL.M., our honorary Procurator (legal advisor) 1942-92, was advisor on trust law to the Victorian Government for many years and author of the standard text *The Law of Charitable Trusts in Australia* (Butterworths, 1983), and prepared the Free Presbyterian Church Property Act 1953 of the Victorian Parliament which enabled union of the Free Presbyterian Church of Victoria with the PCEA in 1953;

AND WHEREAS Mr Bradshaw stated that ‘the proposed amendment [of the 1918 Act] does not affect the constitution or laws of the Church in any way whatsoever, except in so far as it would remove certain legislative hindrances at present operating which restrict at certain points effect being given to the constitutional principles maintained by the church’, such as restriction on the use of investment income for stipend beyond the first \$300, lack of statutory recognition of our Presbyterian system of government);

AND WHEREAS Mr Bradshaw urged the amendment of the 1918 Act of Parliament covering property in New South Wales so that it be as far as possible in line with the Victorian Act, and drafted the amendment for us;

AND WHEREAS subsequent discussions have shown good unanimity at Synod level and at small points it has been adjusted accordingly as for instance retaining the existing title “The Trustees of the Synod of Eastern Australia;”

SYNOD, before approving the text of the amendment to the 1918 legislation, pass same to presbyteries for their approval or otherwise, inviting any comments presbyteries may feel appropriate, noting that Section 2(2)b on page 9 of 2010 Synod Reports is to be deleted.

ACT 9 – Handbook Updates

Tuesday 4th May 2010

(Minutes 10.14.2)

Synod note and approve the additions to the Handbook noted in the Report, and note that the copy of the Handbook/Decision Book on the website will be updated with Synod decisions from time to time.

The relevant wording of the Report is as follows:

Add at end of 2.13

Ministers are members of the congregation they serve or to which they are attached, but jurisdiction over them belongs to their Presbytery (see Act of Synod 2007.14).

Add paragraph at end of 7.37

As by decision of Synod 2007.14 a minister is a member of a congregation with jurisdiction over him in his Presbytery, discipline appropriate to a man as a minister may not necessarily affect his status as a member; in particular, the deposition of a minister does not remove him from membership of the church unless the deposition is accompanied by excommunication.