

ACTS OF SYNOD 2016

Class 1 (Barrier Act Procedure)

| No | Act | Reference |
|----|------|-----------|
| | None | |
| | | |

Class 2 (Others)

| No | Act | Reference |
|----|---|-------------|
| 1 | Recommitment of Synod & Work of Presbyteries | 16.16 |
| 2 | Updating Handbook re Guidelines for Church Workers | 16.24.1 |
| 3 | Updating Handbook re Insurances | 16.24.2 |
| 4 | Recognition of the Position of Elder Emeritus | 16.24.3 |
| 5 | Act Regulating Procedure Under The Barrier Act | 16.24.5 |
| 6 | Candidate Placement Scheme (Training of Ministry) | 16.25.2 |
| 7 | Development of Eldership Training Course | 16.25.3 |
| 8 | Use of the 2011 Edition of the NIV | 16.29.4 |
| 9 | Fraternal Relationship with the CRCA | 16.37.2.1-5 |
| 10 | Hosting the ICRC Regional Meeting in Melbourne 2019 | 16.37.2.6 |
| 11 | Response to Petition re Anna Bay Church Funds | 16.46 |
| 12 | Changes to Superannuation Funding | 16.48.4 |

CLASS 1 – ACTS WHICH HAVE PASSED THE BARRIER ACT

None

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

ACT 1 – Recombitment of Synod & Work of Presbyteries

Tuesday 3rd May 2016

(Minutes 16.16)

RECOMMITMENT OF SYNOD & WORK OF PRESBYTERIES

1. Mindful of the serious decline in vital Christianity and in Christian standards in public life, Synod acknowledges our many failures to live and serve him as we ought. We also acknowledge that despite this the good hand of the God of all grace has been upon us and others in proclaiming the Good News. We resolve afresh to act in the assurance that, since Christ has gained the victory and has all authority in heaven and earth, the future is bright with the promises of God for those who go forth in his name to evangelise the nations.
2. Synod urges all Presbyteries to ensure they are meetings of encouragement, spurring office-bearers and the churches to effective Christ-like ministry. To this end Presbyteries should aim to meet at least three times a year, at least two of these meetings in person, and at the personal meetings endeavour to include a theological or pastoral and/or training paper as well as a presentation on what Gospel ministry in the 21st century should look like.
3. Presbyteries need to keep well in view the importance of church revitalisation and extension, as well as on-going training for office-bearers which should include ministers attending a suitable conference at least once every two years. Sessions should be meeting regularly, including by

electronic hook-up where a local quorum is not available, with particular attention on pastoral care, outreach strategy and mutual encouragement.

4. Prayer for local mission (ie Australian congregations) should be included in the Prayer Notes prepared by the Missions Committee and congregations are encouraged to provide relevant material.

ACT 2 – Updating Handbook re Guidelines for Church Workers

Wednesday 4th May 2016

(Minutes 16.24.1)

Under Examination of records by Presbyteries (Handbook 4.41) add: “f) ensures minutes appear at least once a year showing that the questions of office-bearers specified by Synod 2013 re the Guidelines for Church Workers and the matter of sexual abuse and pornography have been satisfactorily answered.”

Similarly, the report of examiners of the records of Presbyteries (Handbook 5.32) is to specifically cover this point.

ACT 3 – Updating Handbook re Insurances

Wednesday 4th May 2016

(Minutes 16.24.2)

Handbook 3.21a & b is now to read as follows:

3.21a. The Synod maintains Australia-wide Public Liability insurance in respect of the activities of the church except liability arising from the properties of St George’s Congregation at Lindfield. Renewal date is 30 September. Each deacons’ court is allocated an appropriate share of the premium. Appropriately skilled and qualified members (or qualified external contractors with appropriate insurance) must conduct activities such as archery, beach and water activities, bike riding, flying foxes &c, and have risk management procedures in place to ensure adequate supervision, first-aid kit, emergency contact details &c. Unless otherwise agreed there is no cover for liability arising from major building works. There is NO cover for sexual molestation arising from persons known to have been previous offenders or against whom a complaint has been made which has not been appropriately investigated. [A record of historical Public Liability insurance cover appears in Law & Advisory Committee Report, Synod 2016.]

b. Guidelines for insurance cover generally (including vehicles) were set by Synod 1982. In 1990 the Synod effected a group insurance scheme for all church, manse and other buildings and church owned contents allowing St George’s Congregation to opt out and make their own arrangements. In 2015 the renewal date was changed from 2 July to 30 September, and each congregation contributes according to the insured value of its property.

ACT 4 – Recognition of the position of Elder Emeritus

Wednesday 4th May 2016

(Minutes 16.24.3)

Add to Handbook 2.5 before last sentence: “An elder who wishes to demit his duties and responsibilities as elder in his congregation because of 'age, sickness or other accidents' [Second Book of Discipline (1578), 7.17] may be accorded recognition as elder emeritus. In a manner similar to a retired minister the elder retains status as an elder but ceases to be a member of the Session although he may be invited to sit in on Session meetings to offer advice. An emeritus elder is entitled to be held

in honour by his fellow elders and the members of the congregation which he has served. Should the disability which led to him retiring from active duties be removed he may of course be re-elected a serving elder.”

ACT 5 – Act Regulating Procedure Under The Barrier Act

Wednesday 4th May 2016

(Minutes 16.24.5)

For the more clear understanding of the procedure in regard to matters requiring approval by Barrier Act procedure the Synod summarise the procedure as follows. Synod resolved to approve items 1-9 with the exception of item 5 in the report, with renumbering as follows:

Limitations

1. The Barrier Act is a means of regulating the lawful exercise of the Synod’s powers not of changing anything that enters into the fixed constitution of the church. In making rules and laws the Synod is always to aim to apply the mind of Christ as given in the Holy Scriptures and thus to seek in an orderly way the building up of the people of God.

When it applies

2. The requirements of the Barrier Act apply to new legislation of church-wide significance and binding nature affecting the doctrine, worship, discipline and government of the church, that is to say, it applies to Class 1 legislation but not to Class 2 legislation (see Handbook 5.37). In practice it mainly applies to rules regarding discipline, ministers, students and oversight of congregations.

Procedure

3. The norm is for the overture to be transmitted to Presbyteries for consideration. It includes the proposed rule or law and the grounds for it. The Presbytery decides to either ‘approve’ or ‘disapprove’ the content of the proposed legislation, with the liberty to add comments when thought appropriate and with the result of voting being recorded.

4. An overture approved by a majority of Presbyteries may be passed into law by the Synod, but Synod is not bound to do so, and cannot do so if a majority of Presbyteries do not approve. It is competent for the substance of remarks by Presbyteries which in no way modify the substance, sense or intention of the overture to be adopted by the Synod. An ‘approved’ overture may be passed into law notwithstanding such changes, or other minor changes made by the Synod which are not at variance with the spirit and purpose of the overture.

5. If Synod twice transmit an overture to Presbyteries in terms of the Barrier Act, the Synod may take the matter into consideration and enact or reject as she sees fit so long as those Presbyteries that have approved and those who have neglected to send in their opinion form a majority of Presbyteries. (cf. Act 5, Class 1, Assembly 1758).

Interim Authority

6. The Synod may immediately convert an overture that is to be transmitted under the Barrier Act into an Interim Act which has authority only until the next Synod deals with the returns from Presbyteries, but this may be done only if an immediate change in the law is considered of urgent practical importance.

Rescission of Class 1 legislation

7. Acts passed under Barrier Act procedure may only be rescinded by that procedure. (cf. Act 8, Assembly 1736).
8. This Act may be cited as ACT REGULATING PROCEDURE UNDER THE BARRIER ACT, 2016, and replaces Sections 5.39 and 5.40 in the Handbook.

ACT 6 – Candidate Placement Scheme (Training of Ministry)

Wednesday 4th May 2016

(Minutes 16.25.2)

That the Synod authorise the implementation of the Candidate Placement Scheme (CPS) as described in the Report from the rising of this Synod and that our current student be advised of his initial placement after consultation with the Training of Ministry Committee, the Student's Presbytery and Session (Facilitators), and not less than six months in advance.

The approved wording as follows:

The Scheme entails:

1. A nominal 8 week placement with a mentoring Minister in a charge outside the candidate's own congregation in both the penultimate and final year of the candidate's theological study. The location of the placement would be determined by agreement between the Committee, the Presbytery and the candidate's Session (Assessors). Its duration may be varied by consultation with all parties. Notification to the student of the location and duration of the placement to be not less than six months in advance to allow personal arrangements to be made.
2. The cost for the student's placement to be borne by the Training of Ministry Committee, up to the value of 8 weeks stipend at the rate applicable to students' supply (currently 60% of full stipend). Costs for travel and accommodation would be borne by the host congregation (they should view the CPS as they would extended supply and budget accordingly). Other incidental costs to be borne by the student themselves. Notwithstanding the allowances provided, financial difficulties (e.g. loss of paid work) in undertaking the placement will be assessed in confidence on a case-by-case basis by the Committee.
3. The student's placement is to be under the mentorship of the host congregation's Minister ("Mentor"). It is expected that the Mentor maintain a strictly confidential relationship with the candidate (especially for the sake of the candidate's prospects) and seek to develop the student's abilities according to both the wisdom and experience of the Mentor and within set criteria to be supplied by the Assessors. The relationship between mentor and student cannot be fully defined as it involves imparting personal approaches as well as fundamental skills. Sermon evaluation (forms provided) will constitute one regular assessment, but the mentor would be expected to evaluate the progress of the student in pastoral ministry while visiting and engaging in other aspects of working the charge. At the close of the placement, the mentor would provide a report to the Assessors advising of areas of excellence and those that need attention. The whole goal of the program is the development and progression of a student, not a merciless critique of all their faults.
4. During the placement it would be good for the student to keep a journal record of their experience. The experience of the student will be determined to a large part by the focus of the mentor's congregation and the work to hand. This may include, but is not limited to,

conducting and preaching worship services, visitation, evangelism, and conducting Bible studies and Sunday School classes. The theological development of a student is undertaken by the College he attends. The Spiritual oversight of the student is the work of the Presbytery, this scheme seeks to develop and evaluate the ministerial abilities of the student within the wider context of the denomination. The student should see the CPS as an opportunity to delve into ministry in a place not so familiar to them as their own congregation. At the close of the placement, the student would be expected to provide a report of their experience and self-evaluation, to the Assessors.

5. Upon completion, and the receipt and evaluation of reports by the Assessors, constructive feedback and recommendations are to be provided to the student. Completion of the CPS to the satisfaction of the Assessors would be a normal requisite of their candidature with the PCEA. It is hoped that this course will provide data to assist in an easy transition from candidature to licencing and thence a helpful springboard into pastoral ministry within the PCEA.

ACT 7 – Development of Eldership Training Course

Wednesday 4th May 2016

(Minutes 16.25.3)

That the Synod encourages the development of the Eldership Training Course as an online and paperbased resource for the edification, growth and strengthening of the Eldership within the PCEA.

ACT 8 – Use of 2011 Edition of the NIV

Wednesday 4th May 2016

(Minutes 16.29.4)

Substantial changes in the 2011 edition of the New International Version of the Bible mean that while maintaining approval of the NIV1984 edition, Synod does not recommend the 2011 edition of the NIV for use in our churches.

ACT 9 – Fraternal Relationship with the CRCA

Wednesday 4th May 2016

(Minutes 16.37.2.1-5)

1. The Synod of the Presbyterian Church of Eastern Australia (PCEA) acknowledges its long association with the Christian Reformed Churches of Australia (CRCA) – a relationship dating back before their first Synod in 1952. We note that this relationship has never been formalized on our part, though delegates have been exchanged at Synod level over the years.
2. The Synod notes in reference to two points of concern that were recorded in the PCEA Synod minutes of 1987 and 1999 that the CRCA withdrew from the World Communion of Reformed Churches (into which the Reformed Ecumenical Council merged in 2012); and we believe the CRCA has done what it could reasonably do to overcome differences with the Free Reformed Churches of Australia.
3. The Synod notes the constructive discussion that took place between representatives of our two churches in November 2013; the gracious invitation which was renewed by the CRCA in 2014 to

formalize the relationship between our two churches; and note that the CRCA since the Synod 2000 has recognized the PCEA as a church in full ecclesiastical relationship.

4. The Synod therefore cordially extends Fraternal Relations to the CRCA in the following terms: - Fraternal Relations should exist between Churches that openly and practically profess the true faith of Christ as summarized in one or more of the classical Reformed symbols e.g. The Westminster Confession of Faith, the Heidelberg Catechism, the Belgic Confession, the Canons of Dort. Certain duties and courtesies devolve upon churches sustaining fraternal relations.

A. There should be a spirit of cordial love and trust as becomes brothers in the faith.

B. There should be an attitude of mutual helpfulness. Each should be willing to share problems and difficulties with the others. By the same token each should be allowed to exhort to more exact obedience any who appear to relax faithfulness to their avowed confession. This should not invite an inquisitorial interference but to strengthening one another in love for Christ.

C. There should be willingness to accept certificates of communicant membership, normally without examination.

D. There should be in the highest courts of the Churches a cordial welcome to visiting delegates from other Churches recognized as in fraternal relationship. This need not amount to according membership in the court to the visiting delegate.

E. There should be a willingness to allow ministers of one Church access to the pulpits of fraternal Churches as a matter of courtesy.

F. Churches should exchange copies of the Acts and Proceedings of their highest courts or at least inform one another of major decisions.

ACT 10 – Hosting the ICRC Regional Meeting in Melbourne 2019

Wednesday 4th May 2016

(Minutes 16.37.2.6)

Synod note that the next Asia-Pacific Regional Conference of the ICRC is planned for Melbourne in 2019 and invite the CRCA to participate on an equal basis with the PCEA in hosting the event; and expresses the hope that this will enhance co-operation between the two churches for mutual benefit and the furtherance of the cause of Christ.

ACT 11 – Response to Petition re Anna Bay Church Funds

Thursday 5th May 2016

(Minutes 16.46)

That the prayer of the petition be granted in the following terms:

1. The members and adherents past and present in the Anna Bay district since 1923 have always been members of the Hunter Barrington Charge and under its Session and Deacons' Court. Even the name "The Union Church of Anna Bay" was a matter the Anna Bay members and adherents sought approval to use from the Hunter Barrington Session (Session Minutes, 19th October 1930).

2. No evidence has been produced that all the funds for the PCEA share of the Anna Bay Union Church opened in March 1931 were contributed by the Anna Bay members and adherents, but even if that was so the funds were given not to persons but for a purpose.

3. This purpose being one that can no longer be carried out, and the joint trust being dissolved upon

the settlement of the sale on 3rd July 2015, the PCEA share automatically vests in the PCEA by virtue of Section 2 of the Synod of Eastern Australia Property Act, 1918, a provision Mr Upton said he was not aware of.

4. Noting concurring legal advice from Spark Helmore on 5th September 2014 and Brian D Bayston OAM, B Comm, LLB (until recently Law Agent of the Presbyterian Church of Victoria), on 19th March 2016, Synod is satisfied the decision of last Synod (Minute 15.42.3) is sound, and declines to rescind it. Synod further notes that Mr Upton knew of the Synod decision before completing the Transfer but nevertheless signed it.

5. Synod express appreciation for Mr Upton's attention to matters related to the property since his appointment as a trustee and notes that the allocation made to the Hunter Barrington Charge will assist in the continued ministry to the members of the Charge resident in the Anna Bay district.

6. Synod ex gratia and as a final decision in this matter varies minute 15.42.3 to permit the Hunter Barrington Deacons court to allocate \$10,000 of the capital proceeds from the Anna Bay sale to charitable purposes as nominated by Mr Upton, chief beneficiaries to be ministries supported by the PCEA Synod.

ACT 12 – Changes to Superannuation Funding

Thursday 5th May 2016

(Minutes 16.48.4)

Handbook regulations be amended by replacing:

SECTION B - THE FUNDS ADMINISTERED with:

“1. Superannuation Levy

With effect from 1 July 2016 all self supporting congregations pay an annual base levy of 5.5% of minimum stipend increasing to 6.5% from 1st July 2017 for each minister in the charge. In addition to the base levy, each congregation with an inducted or supply minister pays the equivalent of the Superannuation Guarantee (SG) for each of its ministers as required by government legislation (9.5% of minimum stipend as at 1/7/16). The annual levy for Aid-receiving congregations being 9% of minimum stipend and vacant congregations 3.00%.

In situations where the number of aid-receiving congregations rises, the Committee may request all congregations to contribute additional 1.00% of minimum stipend for self-supporting, and 2% for vacant charges.”

And CHURCH CONTRIBUTIONS with:

“ 5. With effect from 1 July 2016 the contribution for inducted ministers is 16.00% of the minimum stipend until the age of 70 years. From the beginning of the quarter following a member's attainment of age 70 years the current government regulated Superannuation Guarantee (SG) applies (9.5% of minimum stipend as at 1/7/16).

For an ordained PCEA minister eligible for call giving full time residential pulpit supply the current SG is to be paid; all others giving pulpit supply the SG is to be paid on actual earnings so long as they meet the legal threshold (\$450 per month as at 1/7/16).”