

ACTS OF SYNOD 2024

Class 1 (Barrier Act Procedure)

No	Act	Reference
	None	

Class 2 (Others)

No	Act	Reference
1	Amend Standing Orders	24.2.6.3
2	Handbook Changes	24.2.8.3
3	Rescind Act 5, 2008 re Alternative Questions and Formula	24.2.8.5
4	Rescind Act 4, 2008 re Handbook Barrier Act Compliance	24.2.8.6
5	Rescind Act 2, 2015 re Barrier Act Footnote	24.2.8.7
6	Reclassify Act 1, 2011 re Conflict of Interest	24.2.8.8
7	Rescind Act 2, 2013 re Handbook Revision	24.2.8.9
8	Minister's Leave Entitlements	24.2.13.1
9	Financial Assistance for Hawkesbury Nepean Congregation	24.2.14.3
10	Financial Assistance for Narre Warren Congregation	24.2.13.4
11	Archivist and Relocation of Archive	24.2.24.5
12	Appoint Day of Prayer	24.2.24.6
13	Comparison of Psalter to Hebrew	24.2.27.3
14	Compilation of New Psalter	24.2.27.3

CLASS 1 – ACTS WHICH HAVE PASSED THE BARRIER ACT None

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

ACT 1 – Amend Standing Orders

Tuesday 7th May 2024
(Minutes 24.2.6.3)

That Synod Standing Orders (Act 1, class 2, 1978, as amended 1984, 1991 and 2008) section 2 be titled “LENGTH OF SPEECHES”.

ACT 2 - Handbook Changes

Wednesday 8th May 2024
(Minutes 24.2.8.3)

Synod approve the Handbook changes listed in Appendix A and for a new edition to be produced incorporating all authorised changes up to and including Synod 2024.

APPENDIX A
Law and Advisory Committee

Ref.	Proposed Handbook alteration
1.11	Delete “regulate” and replace with “guide the conduct of”
2.6	Add reference “(Note also 4.55d)”
2.9	Add additional wording (being a simplified version of the previously unauthorised wording in the 2019 Handbook), “ <i>Disturbance in a church service. From time to time there may be serious incidents of disturbance in a church service. A caring Christian approach is usually able to resolve the issue without recourse to legal measures. The legal position is understood to be that there is an implied licence to enter a church for the purpose of public worship. If a person acts in a manner that is contrary to this purpose the licence can be revoked by words spoken to him, and he can be asked to leave or the police will be called. One must not use physical restraint to remove a person unless the physical safety of congregants is at risk. If needed one can seek a court order.</i> ”
2.10	Add bold heading “ Relationship to minister ”
2.11	Add bold heading “ Jurisdiction ”
2.19	Add sample disjunction certificate (as found in 2019 Handbook but previously unauthorised)
2.38	Amend incorrect reference from “chapter 7.26” to “chapter 7”
3.15	ACNC has changed its classification of charity size. Update Handbook accordingly to Small, up to \$500k, Medium \$500k-\$3m, and Large over \$3m.
3.16a	Add “ <i>Non-Cash Benefits are to be limited to 40% of minimum stipend (Synod 2017)</i> ”
3.16b	Add “plus an extra week (which must be taken) or in lieu one week of LSL to age 70 (Synod 2003).”
3.16	Add “ <i>Deacons’ Courts are to keep a close eye on the minister’s leave entitlement to ensure he does not suffer burnout through failure to take it. Recording of entitlement in the minutes should occur once a year to avoid misunderstanding and facilitate Presbytery’s role when examining records.</i> ”
3.17a	Delete the words “and Long Service Leave”. Amend “half-yearly” to read “quarterly”.
3.21 title	Replace “3.21b-c is Act of Synod 1991” with “See Act 16, 1991, and Act 3, 2016”
3.21 a & b	Delete insurance renewal dates as this is unnecessary information and may change.
3.22	Insert actual wording of Act 10, 1988 to clarify the conditions upon which Presbytery can approve the sale of property, “ <i>where a) the Congregation has been informed of the reasons for the proposed sale, and the purpose for which the funds realized will be used, and has given its consent, certified to the Presbytery by extract minute; b) in the case of the sale of a manse the Presbytery has been satisfied that the provision of a suitable manse is assured upon the sale of the old; c) the sale and related purchases are handled in their legal aspects by a competent firm of solicitors; and d) in all respects the provisions of the applicable Act of Parliament, and legislation of Synod are adhered to.]</i> ”
3.22	Add paragraph, “ <i>Should it be impracticable to wait until the annual Synod, a congregation desiring to mortgage property (other than church buildings) may submit a Presbytery-approved proposal to the Finance Committee in terms of the existing Capital Assistance Fund procedure and the Administration Committee is authorised to make a decision after receiving recommendation or otherwise from the Finance Committee. (Act 9, 2008)</i> ”
3.26a	Add “and amended by The Synod of Eastern Australia Property Amendment Act 2004 No. 6/2004.”
3.26b	Add “and amended by the Free Presbyterian Church Property Amendment Act 2012, No. 67/2012.”
4.3	Add Act 18, 1986, Seats of Presbyteries for Ministers not Inducted
4.26c	Add “including student training and allowances and licensing procedure 4.46-4.50” Previously Licensing of students was item d). Reletter subsequent headings accordingly.
4.26i	Add “i) Minister without charge and resigned/retired ministers 4.88”
4.41d	Add “d) Ensures a record of the minister’s outstanding leave entitlement is entered in the deacons’ court or session minutes at least annually”
4.41e	Add “e) sees to it that congregations under their care include a fair value of their assets in their annual financial statement as well as detail of any liabilities”
4.49g	Add wording of Act 6, 2018 (minutes 18.24.2) “In meeting not less than annually...”
4.49A	Add full wording of Act 16, 1983 as amended 1991 and 2013 - Student Training & Allowances.

4.50	Replace original wording “ <i>The current (1991) regulations as last amended in 1983 are as follows</i> ” REPLACED with “ <i>The current regulations are as follows</i> ”
4.51	Insert heading “4.51 ADMISSION OF MINISTERS FROM CHURCHES WITH WHOM THERE IS MUTUAL ELGIBILITY” followed by relevant wording of current Synod Acts for mutual eligibility.
4.52	Renumber so that original 4.51 & 4.52 are now all under 4.52
4.55a	Update reference to read <i>Handbook 4.3</i>
4.65	Delete “ORDAINED” so that heading reads “4.65 CALL TO MINISTER IN A CHARGE IN ANOTHER PRESBYTERY”
4.76-4.83	Heading - add reference “4.76-4.83 PRESBYTERY IN RELATION TO SYNOD, &c.”
4.76	Update reference to “(see 5.3)” due to changed numbering
4.79	Replace “ <i>See Act of Synod 1990</i> ” with “ <i>See Act 11, 1990 as amended 2008</i> ”. Necessary editorial addition per Synod minutes 2008.17.2, which is not listed as an Act.
4.88	Add “4.88 MINISTERS WITHOUT CHARGE AND RESIGNED/RETIRED MINISTERS [Act 4 Class 2, Synod 2012]” and full wording of Act.
5	Numbering updated throughout chapter 5. All references update to match new numbering.
5.19	Replace “ <i>Since Synod 2013 standing committees have been arranged as follows:</i> ” with “ <i>Standing committees are arranged as follows:</i> ” and update current committee names
5.24	Include reference to Act 5, class 2, 1984 at beginning of paragraph rather than end.
5.24	Add “ <i>Synod 2008 (minute 17.1) requested any who frame proposals for Synod’s consideration to take care to make provision for specifying previous enactments that are varied or rescinded by such proposals.</i> ”
5.24	Add “ <i>Synod 2008 (Act 2, Class 2): ‘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.’</i> ”
5.25	Add reference “5.25” to heading.
5.25	Delete sentence from original wording “ <i>Synod committees are generally composed on a regional basis with up to 5 members who are to serve for at least three years.</i> ” and add “ <i>to reach the Finance Committee at least 60 days before the Synod.</i> ”
5.32	After “ <i>records of presbyteries,</i> ” Delete “ <i>and to compare the scroll minutes of Synod with the permanent record</i> ” as out-of-date
5.37	Remove “ <i>that is laws</i> ” incorporated into text of the Barrier Act in 2015. Also in chapter on Principal Enactments.
5.38	Add historical detail “ <i>Act 8, Assembly 1736</i> ”
5.39 - 5.40	Wording was replaced with Act 5, 2016. This has proved to be unclear and confusing. Rescind the act, delete from Handbook, and revert to original.
5.42	Delete “ <i>Copies of the Decision Book are made available at a suitable charge to members and other interested persons.</i> ” Now out-of-date.
5.48	Replace “(as amended 1979, 1984, 1991)” with “(amended from time to time)”
7.26	After “ <i>other like matters</i> ” insert “ <i>such as homosexual behaviour, child abuse and serious marriage breakdowns.</i> ” This is a version of wording proposed in 2008 (see minutes 08.17.4) but some of that wording was inappropriate.
7.50	Insert “7.50 INTERVIEWING WOMEN, CHILDREN AND VULNERABLE ADULTS [Act 1, Class 1, Synod 2012]” followed by full wording of the act.
9	Designate this as Chapter 9 “PRINCIPAL ENACTMENTS BEARING ON THE CONSTITUTION OF THE PRESBYTERIAN CHURCH OF EASTERN AUSTRALIA”
	1697 - Add “COMMONLY CALLED THE BARRIER ACT”
9	1736 - Add to Principal Enactments - 1736 ACT CONCERNING RESCINDING ACTS PASSED UNDER THE BARRIER ACT (Act 8, Assembly 1736)
9	1954 - Add additional note “ <i>and remains in force for both Free Church and Free Church (Continuing). The PCEA Act was rescinded in 2004, and a new mutual relationship was formalised with the Free Church in 2005 and with the Free Church (Continuing) in 2019.]</i> ”
Appendix	Add new Appendix - DEVELOPMENT OF THE HANDBOOK - wording below

APPENDIX - DEVELOPMENT OF THE HANDBOOK

DEVELOPMENT

From the early days of the Presbyterian Church of Eastern Australia there was a desire to have a book of church practice and procedure that specifically addressed the needs of the Australian church. This was evidenced in 1871 when Synod appointed the Revs. James McCulloch and W.S. Donald to ‘draw up a digest of rules and procedure for the Church Courts.’ McCulloch’s ill-health and death in 1873 prevented this project being completed. In 1879 an overture from the Presbytery of Grafton asked Synod to draw up “a code of rules” but the work proved difficult due to the small number of ministers. In 1928 Synod adopted the Practice of the Free Church of Scotland “as authority for the procedure of the Church as far as possible”. Differences between the relative circumstances of the church in Scotland and that in Australia meant that the Scottish Practice could not always be uniformly applied. In 1964 the Victorian Presbytery overtured Synod ‘to take steps to produce over a period of years a Practice for our own Church.’ Synod approved the overture and remitted it to the Law and Advisory committee but it was not until 1982 that work began in earnest when Synod urged the Committee to press on with the task.

The Clerk of Synod, the Rev W.P. Gadsby, convened the Law and Advisory Committee from 1982 to 1985. A complete draft Practice was submitted to Synod in 1983. This was an adaptation of the Scottish Practice carried out largely by Rev R.S. Ward. It was commended by Synod as ‘a useful adjunct’ pending careful revision by the Committee and Synod. The Rev. R. S. Ward was appointed Convener in 1985 serving to 1995. In 1985, the Rev. R.W. Murray made significant contribution to the

arrangement of the early chapters. The work subsequently profited from the scrutiny of all members of the Committee and of the Synod.

Chapters 1-3 were adopted by Synod on 30th March 1989. Chapters 4 – 5 were adopted on 4th April 1991. Chapters 6-7 were adopted on 29th April 1992, at which time Synod resolved to “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” and to “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.”

The first edition, published in August 1992, included three sections in addition to the chapters approved by Synod. These were - “Principal enactments bearing on the constitution”, “Time lines showing origin of the Presbyterian Church of Eastern Australia”, and “Some specimens of the way minutes may be written”.

UPDATES

Successive editions of the *Handbook* incorporated amendments authorised by Synod from time to time. Chapter 8 relating to child protection was approved in 2022. Over the years it also became apparent that the *Handbook* had accumulated editorial changes that, however well intentioned, were not duly sanctioned. A careful review was carried out from 2022 - 2024 to produce an edition that would include only what had been approved by Synod and necessary editorial corrections such as updating of references. Henceforth all changes from the original 1992 Handbook to be recorded in the table below: (*Table to follow*)

ACT 3 – Rescind Act 5, 2008 re Alternative Questions and Formula

Wednesday 8th May 2024

(Minutes 24.2.8.5)

Synod rescind Act 5, Class 2, 2008 entitled *Act allowing optional alternative Questions and Formula while not reducing commitments in terms of Act of Synod 1952.*

ACT 4 – Rescind Act 4, 2008 re Handbook Barrier Act Compliance

Wednesday 8th May 2024

(Minutes 24.2.8.6)

Synod rescind Act 4, Class 2, 2008 entitled *Handbook of Practice and Procedure Barrier Act Compliance*.

ACT 5 – Rescind Act 2, 2015 re Barrier Act Footnote

Wednesday 8th May 2024

(Minutes 24.2.8.7)

Synod rescind Act 2, Class 2, 2015 entitled *Act inserting footnote re Barrier Act: Constitutions: “that is laws”*.

ACT 6 – Reclassify Act 1, 2011 re Conflict of Interest

Wednesday 8th May 2024

(Minutes 24.2.8.8)

Synod note that Act 1, Class 1, 2011 never passed Barrier Act or received approval of Presbyteries. It is hereby reclassified as Act 8, Class 2, 2011 entitled *Act concerning Conflict of Interest*.

ACT 7 – Rescind Act 2, 2013 re Handbook Revision

Wednesday 8th May 2024

(Minutes 24.2.8.9)

Synod rescind Act 2, Class 2, 2013 concerning *Revision of Section 4.55 in the Handbook* and revert to the original wording of Handbook 4.55.

ACT 8 – Minister’s Leave Entitlements

Wednesday 8th May 2024

(Minutes 24.2.13.1)

Synod approves the following changes regarding ANNUAL LEAVE/LONG SERVICE LEAVE for ministers:

ANNUAL LEAVE - Five weeks fully paid annual leave be provided. Refer to Appendix “A” for details to be included in “Classified Decisions of Synod principal decisions of on-going significance” – “Superannuation & Insurance Committee”. Handbook Page 14 (3.16.b) be amended accordingly.

LONG SERVICE LEAVE - Long Service Leave be provided to ministers for periods of continuous service within the PCEA. Refer to Appendix “A” for details to be included in “Classified Decisions of

Synod principal decisions of on-going significance” – “Superannuation & Insurance Committee”. To be added to Handbook Page 14 (3.16)

APPENDIX A

Superannuation and Insurance Committee

Annual Leave

Annual leave is provided for all serving ministers within the PCEA.

- Five weeks fully paid annual leave shall be available each year on a pro-rata basis.
- Annual leave may be taken in any manner as may be mutually agreed by the minister and session.
- Relief pulpit supply is to be provided in this period.
- Annual leave is accumulative but should not exceed 10 weeks accrued leave.

Long Service Leave

Long service leave only applies to ministers for periods of continuous service within the PCEA.

Accruing LSL:

- Long service leave accrues at a rate of 0.866 weeks per year (i.e., 2 months after 10 years).
- Where there is a break in continuous service, a minister must make application to Presbytery, with assistance from Superannuation and Insurance Committee if necessary, regarding their ongoing accumulation of long service leave.

Taking LSL:

- Long service leave may be taken after 10 years of continuous service, and after each subsequent 5 years of continuous service.
- A minister is required to give 3 months' notice to his congregation and must obtain approval from Presbytery prior to the taking of any long service leave.

LSL Termination Payments:

- Unused long service leave is payable as a termination payment based on the cash stipend plus exempt fringe benefits at the date of termination.
- Pro-rata payments are available after 7 years' service have been completed.

ACT 9 – Financial Assistance for Hawkesbury Nepean Congregation

Wednesday 8th May 2024

(Minutes 24.2.14.3)

Financial Assistance of up to \$ 6,000 for 2024/2025 Synodical year be granted to the Hawkesbury-Nepean Deacons' Courts as follows:

- Be strictly on a quarterly needs basis.
- Applications be submitted to the General Treasurer on a calendar quarter basis ie commencing 1st January/April/July/October and be accompanied with a Budget for the quarter being applied for.
- Be subject to the availability of funds.

ACT 10 – Financial Assistance for Narre Warren Congregation

Wednesday 8th May 2024

(Minutes 24.2.14.4)

Financial Assistance of up to \$ 22,600 for 2024/2025 Synodical year be granted to the Narre Warren Deacons' Courts as follows:

- Be strictly on a quarterly needs basis.

- Applications be submitted to the General Treasurer on a calendar quarter basis i.e. commencing 1st January/April/July/October and be accompanied with a Budget for the quarter being applied for.
- Be subject to the availability of funds.

ACT 11 – Archivist and Relocation of Archive

Thursday 9th May 2024
(Minutes 24.2.24.5)

Synod appoints Rev. David Kerridge as the Archivist and approves payments for the relocation of the archive.

ACT 12 – Appoint Day of Prayer

Thursday 9th May 2024
(Minutes 24.2.24.6)

Synod acknowledges that we have no good apart from God, that we can do nothing of any lasting value apart from Christ (John 15:5), and that unless the Lord builds the house the labourers build in vain (Ps. 127:1). Synod acknowledges its need of reform, refreshment, and spiritual revival. Synod therefore appoints a day of prayer and humiliation on Saturday 3rd August 2024, God-willing in order to seek God's mercy and favour on our church and nation.

ACT 13 – Comparison of Psalter to Hebrew

Thursday 9th May 2024
(Minutes 24.2.27.3)

The adoption by Synod of *Sing Psalms* as a Synod-approved Psalter be deferred pending investigation by the Committee, with the assistance of others if necessary, to determine the faithfulness (accuracy) to the original Hebrew text and report to a subsequent Synod.

ACT 14 – Compilation of New Psalter

Thursday 9th May 2024
(Minutes 24.2.27.3)

That the Psalmody Committee create and compile a new PCEA Psalter beginning with Psalms 1-25, utilising and seeking the necessary rights from the Free Church of Scotland (Sing Psalms) and the Reformed Presbyterian Church of Ireland (The Psalms for Singing) as applicable for reproduction of words and tunes, along with any other resources they deem appropriate.