Code Book

of the

Presbyterian Church of Victoria

- Rules of the Church
- Forms & Certificates
  - Index
- Committee Regulations
- Assembly Policies
- Job Descriptions
- Model Trust Deeds etc

Code & General Administration Committee
General Assembly of the PCV
2013
This reprint of the rules and regulations of the Presbyterian Church of Victoria contains all Assembly approved amendments up to and including the 2012 General Assembly.

“All for the glory of God”
... from 1 Corinthians 10:31
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Chapter 1  ...  The Church

The church
1. The Presbyterian Church of Victoria is part of the universal church, a constituent part of the Presbyterian Church of Australia, and is in historical continuity with the Church of Scotland reformed in 1560. It was founded in 1859 by the union of certain Presbyterian synods at that time organised within the state, namely: the synod deriving from the Church of Scotland directly and others deriving from the Free Church of Scotland and the United Presbyterian Church.

Supreme standard
2. The supreme standard of the church is the Word of God contained in the Scriptures of the Old and New Testaments.

Subordinate standard
3. The subordinate (or secondary) standard of the church is the Westminster Confession of Faith (1646), as amended by the General Assembly of Australia from time to time, and as read in the light of the Declaratory Statement contained in the Basis of Union (1901).

Other standards
4. The church subscribes to the general principles of the following documents that were also part of the articles of agreement in the 1859 Basis of Union:
   a) the Larger and Shorter Catechisms;
   b) the Form of Presbyterial Church Government;
   c) the Directory of Public Worship;
   d) the Second Book of Discipline.

Presbyterian Church of Australia
5. When the Presbyterian Church of Australia was formed on 24 July 1901, The Presbyterian Church of Victoria entered into an agreement with the Presbyterian Churches of New South Wales, Queensland, South Australia, Tasmania and Western Australia. At that date, The Presbyterian Church of Victoria continued to exist and operate under its own constitution but, under the Deed of Union, agreed to surrender to the Presbyterian Church of Australia final determination in matters of doctrine, worship and discipline.

Powers, duties and jurisdiction
6. As a constituent part of the Presbyterian Church of Australia, The Presbyterian Church of Victoria has and exercises the powers, discharges the duties, and enjoys the rights and privileges as are provided for in the Basis of Union and the Articles of Agreement of the Deed of Union of 24 July 1901, and in subsequent competent amendments to them.

   The Presbyterian Church of Victoria has full autonomy in all matters, except when power in any particular matter has been given to the General Assembly of the Presbyterian Church of Australia under the Basis of Union and the Articles of Agreement of the Deed of Union. The Presbyterian Church of Victoria’s powers which are modified to a greater or lesser degree by those of the Presbyterian Church of Australia are:
   - the doctrine, worship and discipline of the church,
   - world mission,
   - the training of students for the ministry,
   - the reception of ministers from other churches,
   - welfare of youth,
   - home missions.

   Power relating to other matters may by amendment of the Articles of Agreement be assigned by the state churches to the Presbyterian Church of Australia.

Government and courts
7. In accordance with the Presbyterian form of government set out in the Second Book of Discipline and the Form of Presbyterial Church Government, the church is governed by ministers and representative elders acting in orderly association in a hierarchy of courts of the church by which its organic unity is maintained. These, in ascending order, are the Session, the Presbytery and the General Assembly.
The congregation and people of the church
8. In accordance with the law and practice of the church, the people are organised in congregations within parishes or mission fields as arranged in each case by the Presbytery of the bounds. Every congregation is placed under the supervision of a Session (see rules 2:1 and 3:2).

Authority of courts of the church
9. The authority of the courts of the church is a delegated authority and is received from the Lord Jesus Christ, the only King and Head of the church. It is therefore a declarative and ministerial authority: that is to say, it sets out what Christ has revealed (declarative) and applies his law according to his direction and in agreement with the Word of God under the guidance of the Holy Spirit (ministerial).

Law of the church
10. The law of the church is the will of Christ for it. This law finds partial expression and formulation from time to time in:
   a) formal standards (see rules 1:2, 3, 4, 5 above);
   b) legislative enactments;
   c) declarations, directions and resolutions of church courts;
   d) customary law.

Two constitutions binding on the church
11. The following explicit formulations of church law are binding on The Presbyterian Church of Victoria:
   a) the Constitution of the Presbyterian Church of Australia, and the rules, regulations, declarations and directions lawfully made or given by its General Assembly to the extent that they are applicable to The Presbyterian Church of Victoria;
   b) the Constitution of The Presbyterian Church of Victoria as modified by the Basis of Union and the Articles of Agreement of the Deed of Union of 24 July 1901, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly of The Presbyterian Church of Victoria.

Procedure for amending rules
12. All paragraphs of chapters 1 to 7 are declared to be “rules” of the church and may be referred to as such. They may only be amended, repealed or added to under the Barrier Act procedure as provided in the relevant rules of chapter 5 (see rules 5:53–65).

Title and logo
13.
   a) The official title of the church in Victoria is “The Presbyterian Church of Victoria”.
   b) The logo to be used on official papers of The Presbyterian Church of Victoria is the burning bush within a circular belt, with the words “Nec Tamen Consumebatur” (meaning: and yet it was not being destroyed) inscribed on the belt.
   c) The General Assembly of Australia logo should be used only on official documents of the General Assembly of Australia.
   d) The alternative General Assembly of Australia logo (as adopted by the GAA July 2001, and as subsequently modified or replaced) may be used as an alternative to the burning bush within a circular belt logo except on official papers of the church.
Chapter 2  ...  The Congregation

Section One  ...  Constitution and Membership

Congregation
1. A congregation is a company of people, including children, organised within a parish or mission field for Christian worship, instruction, fellowship and work, by the authority of the Presbytery of the bounds, and under the supervision of a Session.

Local congregation
2. When two or more separate congregations are included in a parish or mission field, each is termed a local congregation.

Parish and mission field
3. A parish is normally defined as the geographical area designated by the Presbytery as the responsibility of a particular charge. A mission field is normally defined as the geographical area designated by the Presbytery as belonging to a particular progressive mission station or home mission station (see rule 4:74).

Declaration of status
4. A parish shall have the status of either a charge or an appointment parish as declared by the Presbytery. A mission field shall have the status of either a progressive mission station or a home mission station as declared by the Presbytery.

Charge
5. A charge is a sphere of pastoral duty consisting of a parish to which a minister is called by the congregation and duly inducted by the Presbytery. The minister has life tenure unless found by the Presbytery to be at fault in accordance with the rules of the church. (For colleague, colleague and successor, and associate see rules 4:102, 102A).

Self-sustaining and aid-receiving charges
6. A charge is:
   a) self-sustaining when it is able to meet the requirements laid down for the settlement of a minister by call and induction without a grant from the funds of the General Assembly; or
   b) aid-receiving when any such grant is required and allowed.

Appointment parish
7. An appointment parish is a sphere of pastoral duty from whose congregation the right of call has been temporarily withheld. To this parish the Presbytery appoints an ordained minister without charge for a specified period of time, that is, not inducted with life tenure (see rules 4:77, 89, 99; 4A:25, 33). The rights of an appointment parish are, in all other respects, those of a charge.

Progressive mission station
8. A progressive mission station is a sphere of pastoral duty consisting of a mission field to which a minister without charge, a licentiate or an exit student is appointed in the expectation that during his appointment the station will develop sufficiently to attain the status of a charge (see rule 4:80).

Home mission station
9. A home mission station is a sphere of pastoral duty consisting of a mission field whose congregation has no immediate prospect of attaining the status of a charge (see rule 4:81).
   Normally, the pastoral duties are provided by a home missionary appointed by the Ministry Development Committee with the concurrence of the Presbytery. Such duties are carried out under the supervision of the Presbytery.
Formation of new congregation
10. A Presbytery, either through dealing with a petition from a Session, or from any group of interested people, or acting under its own authority, may proceed to alter such parish bounds as are under its jurisdiction and declare the formation of a new congregation.
In taking such action the Presbytery ensures that the rights and privileges of any existing congregation, together with the rights and privileges of any inducted minister, are not infringed. Presbytery acts consistently with rule 4:89.

Supervision by Session
11. Every aspect of the life (both spiritual and material) of every parish and mission field is under the supervision of a Session.

Material affairs
12. The material affairs of every congregation are cared for by a Board of Management. Where there are two or more local congregations in a parish or mission field their joint affairs are cared for by a federal Board of Management (see rule 2:47).

Communicant membership
13. Admission to communicant membership of a congregation of The Presbyterian Church of Victoria is solely the right of the Session. Admission into communicant membership only takes place when:
   a) Session receives a transfer certificate from the Session of another congregation within the Presbyterian Church of Australia; or
   b) Session is satisfied that the person seeking communicant membership has been duly baptised, has made a credible profession of faith in the Lord Jesus Christ, and lives a life consistent with that profession.
Persons admitted into communicant membership of a congregation are admitted into the privileges of sharing in the Lord’s Supper and of wider fellowship with other believers throughout the Presbyterian Church of Australia (see rules 3:36, 39).

Rights of communicant members
14. Communicant members, unless under a process of discipline by the Session, have the right to:
   a) vote and take full part in the business of any meeting of the congregation (if 16 years of age or over);
   b) add their name to a call (if 16 years of age or over);
   c) in proper circumstances, approach the appropriate courts of the church by petition (see Rules 6:35-44).

Duties of communicant members and adherents
15. It is the duty of communicant members and adherents to:
   a) give faithful attendance to public worship;
   b) give their ministers due respect, encouragement and obedience in the Lord;
   c) submit to the Session as over them in the Lord;
   d) maintain an earnest desire to live a Christian life consistent with their profession of faith;
   e) take a lively interest in the welfare of the wider work of The Presbyterian Church of Victoria;
   f) contribute heartily, both financially and in other ways, as the Lord shall enable them, for the maintenance of the Christian ministry and the furtherance of the gospel at home and abroad.

Adherents
16. An adherent to a congregation is a person who associates regularly with the congregation in worship, and, as he or she is able, contributes to its support, and whose name appears on the roll of adherents by decision of the Session following request from the person (see rule 3:37).

Purpose of adherents
17. The roll of adherents is made available by Sessions for those who want to contribute to the work of the church of the Lord Jesus Christ through a local Presbyterian congregation, but who want for the time being to identify with the church in a less formal way than that of communicant membership.

Rights and expectations of adherents
18. Adherents, unless under a process of discipline by the Session, have the right to:
   a) vote and take full part in the business of any meeting of the congregation (if 16 years of age or over);
b) sign their concurrence in a call (if 16 years of age or over);
c) in proper circumstances, approach the appropriate courts of the church by petition (see Rules 6:35-44).

Unless by Session invitation, adherents are not normally extended the privileges of the Lord’s Supper. Session encourages adherents, where appropriate, to take the further step of making a credible profession of faith in the Lord Jesus Christ and seeking communicant membership of the church (see Rules 2:13 and 3:39).

Name on one roll only
19. No person is entitled to have his or her name on the roll of communicant members or on the roll of adherents of more than one congregation at the same time; nor may he or she be enrolled at the same time as a communicant member in one congregation and an adherent of another.
Further, a person cannot become a communicant member of a congregation while maintaining membership of another denomination.

Section Two ... Congregational Meetings

Convening of congregational meetings
20. Congregational meetings are convened only on the authority of the Session or a higher court. Public announcement, stating the nature and purpose of the meeting, is made at the time of ordinary public worship at least seven days before the date of the meeting, unless some other period of notice is elsewhere specifically provided.
This means that the earliest a meeting may be held is on the Sunday following that on which the announcement was made.

Chairman of congregational meetings
21. The minister normally presides at congregational meetings, unless for adequate reason he appoints a deputy, or unless the Presbytery or a higher court appoints one of its own members for that purpose.
If there is more than one minister of a parish, the senior shall preside or they may decide to preside alternately or by some other arrangement.

Annual meeting
22. The congregation of every parish or home mission station holds an annual meeting convened on the authority of the Session, not later than 4 months after the end of its chosen annual reporting period. This meeting is for:

a) consideration of the annual report of the Board of Management, which is received and then adopted;
b) i) consideration of the audited financial statement of accounts for the congregation’s financial year submitted by the Board of Management, which is received and then adopted;
   ii) consideration of the Annual Parish Report by resolving that it
      1) correlates with the audited financial accounts
      2) has an acceptable budget and
      3) approves the terms of settlement (Ministers, Assistants, Second workers) contained therein for the current year.

The congregation may empower the Board to approve subsequent Annual Parish Reports.
c) the appointment of auditors for the coming year;
d) consideration as to whether there needs to be a change in the number of managers on the Board;
e) consideration as to whether the congregation wishes to give the Board authority to vary the terms of settlement.

A written review by the Session of the life and work of the congregation (see rule 3:49) may be presented to this meeting for the information of the congregation. Reports of congregational organisations, together with their relevant financial statements, may also be presented in whole or in part as the Session sees fit (see rule 3:49).
Neither these congregational reports nor the Session’s own review are received or adopted by this meeting, nor are they otherwise formally dealt with, unless the Session has resolved to seek the mind of the congregation in any of these matters. Any complaints or recommendations concerning the report or financial statement of a congregational organisation are referred to the Session for consideration.

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More than one local congregation
23. Where there are two or more local congregations in a parish or mission field having separate Boards of Management, each of these also holds an annual meeting to deal with matters outlined in (a) to (d) in the preceding rule, and to hear and discuss such other of the matters referred to in that rule as the Session may authorise.

Appointment of auditors
24. The congregation of every parish or mission field, and every local congregation, appoints annually (ordinarily at the annual meeting) two people to audit the accounts prepared by the Board of Management. Only one auditor needs to be appointed if that person is a qualified accountant. Elders or managers may not serve as auditors of the accounts of the Board of Management of which they are members, but members of a federal Board of Management may serve as auditors of the accounts of the Board of Management of a local congregation other than their own.

Congregational minutes
25. Minutes of congregational meetings are recorded by the Session Clerk or by someone acting on his behalf with the authority of the Session. A separate congregational minute book is kept for each local congregation as well as for the congregation of the whole parish or mission field. Such minutes remain in the custody of the Session Clerk but are available for reference to the secretary and the treasurer of the Board of Management concerned for the purposes of their office. Extracts concerning matters which are the responsibility of the Board are supplied to it by the Session Clerk if the Session so decides.

Dissatisfaction with decisions
26. Any communicant member or adherent of a congregation who is dissatisfied with a decision or resolution of a congregational meeting may petition the Presbytery to review the matter, provided that person voted against the resolution or decision and entered dissent at that time. The secretary of the meeting shall provide that person with relevant extract minutes upon request. At least ten days before the meeting of the Presbytery to which the petition is to be presented, one copy of the petition must be sent by personal delivery or by registered mail to the minister or Session Clerk and a second copy to the Clerk of the Presbytery.

May not meet
27. No congregational meeting may be held during a sitting of the Presbytery of the bounds or of a higher court, unless that court has given permission.

Section Three ... Property

Trustees
28. The property of every congregation, unless it is held under an Act of Parliament containing any specific contrary provision, is held by either The Presbyterian Church of Victoria Trusts Corporation or other trustees, and is held under specific terms of trust and subject to the provisions of the Presbyterian Trusts Act 1890 and of rules made by the General Assembly relating to that Act (refer to Appendix Model Trust Deed). Normally, the appointment of The Presbyterian Church of Victoria Trusts Corporation as trustees is preferred (see rules 4:103, 145).

Change of trustees
29. Whenever there is a change in trustees, a Notification of Appointment of Trustees form should be submitted to the office of the General Assembly.

Care of property
30. The congregation’s Board of Management is responsible for caring for all congregational property, and for maintaining the place of worship and other church buildings in good condition and repair, subject to the law of the church and the jurisdiction and directions of its courts (see rules 2:43, 88–91).
Access to buildings
31. The minister has the right, with the authority of the Presbytery, to the keys of the church and other church buildings, but not to the exclusion of the Session, trustees, or Board of Management, who have a similar right which may be exercised through officers appointed for the purpose.

Use of buildings
32. The church and other church buildings of the charge are at the disposal of the minister for the purposes of his office, and he may grant the use of them for any other purposes of a religious character; however, except in cases of emergency he first consults with the Session.
The Session determines to what other uses these buildings may be put when not required for religious purposes (see rules 2:93, 3:57). The Session or the minister, as the case may be, confers with the Board of Management before granting the use of the buildings when any substantial financial outlay or secular interest of the congregation is involved.

Erection and alteration of buildings
33. Before a congregation proceeds to erect, demolish or remove any building, or to make structural alterations or additions to an existing building, it first obtains the approval of the Presbytery and of any other prescribed authority (see rules 2:90, 2:90A, 4:104, 145(b)).

Sale, lease, purchase or mortgage of property
34. Before a congregation proceeds to sell, lease, purchase or mortgage any property, it obtains the approval of the Presbytery, the Assembly Law Agent and any other prescribed authority (see rules 2:90, 92; 4:105, 145(b)).

Certificates of title
35. Certificates of title (if not subject to a mortgage) ought to be lodged with the office of the General Assembly for safe-keeping.

Section Four ... Congregational Organisations

Organisation defined
36. A congregational organisation is any club, society or group recognised by the Session for the purpose of carrying out some specified activity within the life of the congregation.

Formation and dissolution of organisations
37. A congregational organisation is formed only with the approval of the Session and may neither commence nor continue its activities without such approval. This approval may be withdrawn at any time.
Any proposed constitution of a congregational organisation is submitted to the Session and it becomes operative, and may be amended, only with the approval of the Session.

Office-bearers of organisations
38. The office-bearers of every congregational organisation must be communicant members of the church, except where Session judges in particular cases that this would be unnecessarily restrictive for the stated purpose of an organisation.

Activities of organisations
39. The activities of every congregational organisation are under the direct supervision of the Session and no activity is permissible which, in the opinion of the Session, might hinder the effective Christian witness of the church, or is seen as inconsistent with Christian conduct, the law of the church or the civil law (see rules 3:47, 48).
Every congregational organisation submits to an annual meeting of its members a report on its activities and provides a copy for the Session.

Property
40. All property (including finances) of every congregational organisation is part of the property of the congregation but is administered by the particular organisation in terms of its constitution and the law of the church.
In the event of the organisation being dissolved or becoming defunct, all its property comes under the care of the Board of Management of the congregation, which holds it in trust and administers it until the Session, after consultation with the congregation, gives such directions for the disposal of the property as it sees fit in the circumstances.

Finances and accounts of organisations
41. Every congregational organisation is required, if it holds money in its own name or raises money regularly:
   a) to use a separate bank account in the name of the organisation, and to ensure that no money raised by or for the organisation is paid into a private bank account;
   b) to keep regular accounts of income and expenditure;
   c) to obtain the permission of the Board of Management before raising money by any special effort or appeal in the congregation;
   d) to submit annually to the Session a financial statement of accounts for the annual reporting period of the congregation audited by some competent person who is not a member of the organisation.

Meetings of organisations
42. Every congregational organisation keeps minutes of all business meetings. By virtue of his office the minister is president or senior president, as the case may be, of all congregational organisations and has the right to preside at any meeting of such organisations. The minister must be duly notified of all meetings. Should the minister not wish to exercise his right to preside, he may appoint a deputy, failing which either the senior officer of the organisation present presides or the meeting appoints its own chairman. The appointed chairman must be a communicant member of the congregation, except in the case where Session has decided otherwise under rule 2:38.

Section Five  ...  The Board of Management

Duty of the Board of Management
43. Subject to the trusts relating to congregational property, to the relevant civil law and to the law of the church and the jurisdiction and directions of its courts, it is the duty of the Board of Management to administer the financial affairs of the congregation and to care for and maintain the congregational property in good order and repair (see rules 2:30, 88).

Membership of the Board of Management
44. The Board of Management of a congregation consists of its minister or ministers, those elders who are both members of that congregation and of its Session, together with managers to a number determined by the congregation but not less than three. In special circumstances, and for a limited time, the congregation may delegate to the Session its right to determine the number of managers.
In view of the special provisions of The Scots’ Church Trust Deed dated 23 June 1891, the trustees from time to time appointed, in accordance with its provisions, shall be, by virtue of the office held, members of the Board of Management of the Scots’ Church, Melbourne.

Managers
45. Managers are persons who have been elected, in accordance with the rules for the election of managers (see rules 3:50–52), to the Board of Management of a congregation from and by its communicant members and adherents.

Local Board of Management
46. A local congregation (see rule 2:2) is entitled to establish its own Board of Management. It does so:
   a) by resolution to that effect made at a duly convened congregational meeting; or
   b) in consequence of a direction from the Session or a higher court.

Federal Board of Management
47. Within a parish or mission field containing two or more local congregations, relevant matters of common concern are dealt with by a federal Board of Management (see rule 2:12). This consists either:
   a) of the Boards of the local congregations meeting jointly; or
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b) of representative managers appointed by the Boards to a number determined by the Session of the parish or mission field. The number of representatives appointed is always proportional to the number of communicant members and adherents in each congregation.

The elders of the Session of the parish or mission field are members of its federal Board of Management.

Term of office of Board of Management members
48. Managers are elected for a term of two years. One half of their number retire annually in rotation but are eligible for re-election.

Election of Board of Management
49. The election of managers is conducted by the Session (see rules 3:50–52).

Resignations and vacancies of Board of Management
50. Resignations of managers are made to and dealt with by the Session. Any vacancy occurring between elections may be filled at a meeting of the Board of Management at which a quorum of the Session is present (see rule 3:12). A manager appointed in this way holds office for the remainder of the term for which his predecessor in office was elected.

Seat forfeited
51. Managers who are absent from three consecutive regular meetings without leave granted or apology accepted may be declared by the Session to have forfeited their seat. Should a manager’s name be removed from the roll of communicant members or the roll of adherents, or should a manager be suspended from privileges by disciplinary process of a church court, that person ceases to be a manager.

Chairman of Board of Management
52. The minister has the right to preside at all meetings of the Board of Management, and within his own parish normally does so, but he may authorise to preside in his absence:
   a) another minister of the church; or
   b) a licentiate, home missionary or candidate for the ministry of the church who is assisting or supplying for him; or
   c) an elder of his Session or a member of the Board of Management concerned.

When acting as interim moderator of a vacant charge, the minister has the right to preside at the meetings of all the Boards of Management within the charge, but in his absence he may authorise any of the above mentioned persons to preside. The same arrangements apply when acting as moderator of a mission station.

In the absence of the minister or of his authorised deputy, or in the event of his failure to appoint one, the Board may appoint one of its own members as chairman.

Casting vote and deliberative vote
53. The chairman of the Board of Management has a casting vote only, but a deputy chairman who is a member of the Board has both a deliberative and a casting vote. A casting vote will normally preserve the existing state of affairs, or at least be made in such a way as to leave the question open for further consideration.

Office-bearers
54. The Board of Management elects annually from its own members its secretary and treasurer.

Newly established congregations
55. With regard to rules 44–54 above, in connection with a newly established congregation with few if any communicants, the Session may make temporary arrangements that may depart from these rules to some degree to meet particular needs. In so doing it must report such departures to the Presbytery for approval.

Secretary
56. The secretary keeps the minutes of the proceedings of the Board, takes charge of its books, papers and documents, and does such other secretarial work as is appropriate to his or her office (see also rule 2:66). The secretary receives and submits to the Board, for inclusion in its minutes, extracts of minutes relating to the duties or membership of the Board that are forwarded for that purpose from the Session or a congregational meeting.
Treasurer
57. The treasurer receives, distributes and accounts for all money under the care of the Board as it directs, and produces for inspection when required all accounts together with all relevant vouchers.

Who convenes meetings of Board of Management
58. The minister (or his duly authorised deputy), as chairman, after consultation with at least a quorum of the Board (see rule 2:63), may convene, cancel or alter the date of meetings of the Board of Management. When the date of a meeting previously fixed is altered, care is taken that this does not lead to undue postponement of the meeting.

Regular meetings of Board of Management
59. The Board of Management meets on a fixed day at regular intervals. Unless the Board is excused by the Presbytery for special reasons, it must meet at least once each quarter.

Special meetings of Board of Management
60. In addition to its regular meetings the minister convenes a special meeting of the Board of Management:
   a) whenever he is of opinion that special circumstances exist; or
   b) promptly upon receipt of a written request for a special meeting signed by at least a quorum of the members of the Board (see rule 2:63).

Notice of meetings
61. Notice of meetings of the Board of Management, whether regular or special, is given either by public announcement at the time of ordinary public worship or by written or verbal notice to each member of the Board in sufficient time before the meeting.

May not meet
62. The Board of Management may not meet during a sitting of the Session or of a higher court unless it has the permission of the court concerned.

Quorum of Board of Management
63. A quorum shall be either:
   a) one quarter of the total membership of the Board of Management (this membership includes elders); or
   b) one quarter of those elected as managers.
In either case there must be at least 4 members present.

Procedure of Board of Management
64. The meetings of the Board of Management must be opened and closed with prayer, and motions must be seconded. The other forms and procedures of the meeting are at the discretion of the chairman, allowing members to speak more than once to the same question. The chairman will apply to the proceedings of the meeting those formal rules of debate contained in the standing orders of the General Assembly (see rules Chapter 7) which are applicable:
   a) in circumstances of dispute and after he has announced his intention to do so;
   b) when the Board itself makes a decision to do so on any particular occasion.

Meets in private
65. Ordinarily the Board of Management meets in private and no matter declared by the Board to be confidential is to be divulged by a member without its authority or consent.

Minutes of Board of Management
66. The minutes of the Board of Management are entered in its minute book (see rule 2:56). At every meeting the confirmation of the minutes of the previous meeting, which should contain the names of those members who were present, is ordinarily the first business after the opening. When confirmed, the minutes are signed by the chairman.

Rescission of motion
67. A resolution of the Board of Management may be rescinded after giving a notice of motion to that effect at a previous meeting of the Board.
Petition against decision
68. A member who has voted against a resolution of the Board of Management, and at the time entered his dissent, may bring the matter under review by means of a petition to the Presbytery. The procedure is the same as for a petition against a decision of a congregational meeting (see rule 2:26).

Board responsible to congregation
69. Subject to the provisions of rule 2:43 and the remaining rules of this chapter the Board of Management is directly responsible to and obeys all competent directions of the congregation in the discharge of its duty.

Gathers and distributes funds
70. The Board gathers the monetary contributions of the congregation, takes charge of them and of any other money received by or for the use of the congregation, and distributes them for the purposes for which they were contributed.

Keeps proper records of account
71. The Board keeps proper and adequate records of account and other necessary financial records, and, in so doing, obeys the directions contained in the rules that follow.

Bank accounts
72. The Board ensures that all money received for or on behalf of the congregation and all its payments pass through bank accounts held in the name of the congregation and not through private bank accounts.

No cash payments
73. All money received by the treasurer of the Board of Management for whatever purpose shall be banked promptly without deduction of any kind, and all payments shall be made by cheque or by electronic funds transfer.

Record of Sunday offerings
74. A book shall be kept to record church offerings and be certified each Sunday by two managers on duty. This shall be examined by the auditors and compared with the cash book.

Congregational financial records
75. The financial records of each congregation shall be kept by the use of separate columns in the cash book or by posting to separate ledger accounts or otherwise, so that it shall be possible readily to ascertain the amounts of:

a) collections by plate or other systematic means for ordinary congregational purposes;
b) other regular sources of congregational revenue, such as rents of property, interest on endowments;
c) special donations, sales of gifts, proceeds of fairs or special efforts of similar character;
d) the amount contributed by the congregation to the schemes of the church whether to the General Mission Program of the General Assembly or to individual schemes;
e) the amount contributed to charitable and other objects outside the church.

The PCV Standard Chart of Accounts should be used as the basis for the columns or ledger accounts (available from church website or Maintenance of the Ministry Committee).

Board of Management Annual Reporting
76. Annually the Board prepares a financial statement of accounts which is audited, an Annual Parish Report in the form approved by the Maintenance of the Ministry Committee and reported to the General Assembly and a report on the Congregation’s property and the Board’s activities during the preceding year, which are submitted to the annual meeting of the congregation (note 2:22). Vacant parishes should include minimum terms of settlement and reflect this and other settlement costs in their budget as though they were not vacant.

Purpose of annual audit
77. The audit is a complete examination of the books so that receipts and expenditure may be safeguarded and the correctness of their various accounts and the information as disclosed by the annual statements may be properly verified.
Documents supplied to the auditors
78. The auditors shall be supplied by the Board of Management with:
   a) an annual Statement of Receipts and Payments of the Board; and
   either:
   b) a statement of funds showing the amount:
      i) of the credit or debit balance;
      ii) of investment;
      iii) of mortgage on property; and
      iv) of any other form of loan, in respect to each and every account pertaining to the Board of
         Management and to every congregational organisation; or
   c) a balance sheet, in regular form, showing the whole assets and liabilities of the congregation and its
      organisations, including the estimated value of land and buildings, a note being inserted in respect to
      the latter stating what basis (e.g. original cost, cost less depreciation, or replacement value) has been
      used in making the valuation.

Receipt books and cash books
79. The auditors shall see that there is a proper check on the custody of receipt books and shall check with
    the cash book the receipts issued, which must be numbered consecutively.

Bank statements
80. The auditors shall examine all bank statements (and pass books) and reconcile the balance with that
    shown in the cash book.

Authorisation for payments
81. The auditors shall see that the accounts paid during the period are duly passed for payment by those
    authorised to do so and that adequate invoices and receipts have been retained.

Money applied to purpose given
82. The auditors shall see that all money received during the period is applied to the purposes for which it
    was contributed and no other.

Suggested corrections and improvements
83. If the auditors are unable to certify the accounts as having been audited and found correct they shall
    indicate the nature of the defects and make recommendations for the necessary corrections, either in the
    accounts under review or in future accounts as the case may require.

Special Collections
84. The Board carries out the directions of the courts of the church in regard to collections ordered by them,
    and determines what other special collections or subscriptions may be made from the congregation for its own
    organisations or for other bodies. It also ensures that no money shall be raised by any organisation or any
    individual for any purpose connected with the congregation without the approval of the Board of Management or
    a congregational meeting.

Regular and required payments
85. The remuneration of the minister or ministers is the first charge on the ordinary revenue of the
    congregation and the Board ensures that it is paid at least monthly. It also ensures that all regular Assembly rates,
    Presbytery rates, superannuation contributions, budget collections and other payments due from the congregation
    are promptly remitted to the proper authority.

Inability to pay remuneration
86. If the Board of Management finds that it is unable to pay the minister the remuneration recognised by the
    Maintenance of the Ministry Committee as due to him, it must immediately report the circumstances to the
    Presbytery (see rule 4:108).

Remuneration of congregational officers
87. While the Session is responsible for the appointment of congregational officers such as choir-director,
    organist or other musicians, or church officer, the Board is responsible for fixing the remuneration (if any) and
    arranging the payment of these people (see rule 3:53).
Care of property
88. The Board takes care that all the property of the congregation is kept in good condition and repair, and raises funds needed for the purpose (see rules 2:30, 43).

Property committee
89. The Board of Management appoints a property committee which makes an inspection of all the congregational property before and after winter each year and reports to the Board on its condition.

Architectural advice
90. The advice of the Church Architect is sought by the Board
   a) when any serious defect in any of the buildings is reported; or
   b) when a new building is to be erected or purchased, or
   c) when substantial structural alterations are to be made to an existing building.
(see rules 2:90A, 2:33, 34; 4:145(b)).
Such advice shall be obtained on such terms and conditions as agreed to between the Church Architect and the Board. There is no requirement for plans and/or specifications of proposed works to be prepared by the Church Architect.

Building and Property Committee Approval
90A. The approval of the General Assembly's Building and Property Committee is sought by the Board
   a) when a new building is to be erected, or
   b) when substantial structural alterations are to be made to an existing building. (see rules 2:90, 2:33, 34; 4:145(b)).

Repairs greater than 1/10th annual income
91. A Board may not spend on repairs in any one year an amount exceeding 10% of the preceding year's ordinary congregational revenue except with congregational approval.

Incurring debt on property, sale, lease or purchase of property
92. Before incurring any debt or acting on behalf of the congregation relative to rules 2:33, 34, the Board obtains the approval of the congregation at a meeting called for that purpose (see rules 2:33, 34; 4:104, 105, 145(b)).

Rent of buildings
93. The Board of Management fixes and collects the charges for the use of congregational buildings for purposes approved by the Session (see rules 2:32; 3:57).
Chapter 3  ...  The Session

Section One  ...  Membership, Jurisdiction and Powers

Definition
1. A Session is a court of the church, established by the Presbytery of the bounds, and ordinarily consisting of the minister of a charge and two or more elders.

Jurisdiction and powers
2. Subject to the relevant civil law and to the law of the church and the jurisdiction and lawful directions of its higher courts, the Session has jurisdiction and powers of government, discipline and oversight extending to every aspect of the life of the congregations constituting its parish or mission field (see rule 1:8).

Powers not limited
3. The powers of the Session are not limited to the provisions of these rules. While watching over all the interests of the congregation and parish or mission field over which it is set, Session may exercise its powers in such a way as it considers best to protect or promote the welfare of the church or of the congregation.

Dissatisfaction against decision
4. Unless otherwise expressly provided, appeal or petition (as circumstances require) may be made to the Presbytery of the bounds against any decision of the Session (see rule 4:133(a)).

Elders
5. Elders are communicants of the church who have been elected to a Session by the communicant members of a congregation. They are ordained to the eldership and inducted into the exercise of their office in the Session upon giving assent to the set questions and signing the formula (see Appendices 14, 15).

Moderator
6. The minister of a charge is the moderator of its Session (see rules 6:3, 4). Where there are collegiate ministers they preside alternately, unless otherwise determined by the Presbytery or agreed between them. When this happens the other may sit as an ordinary member.

Minister’s name on roll of communicant members
7. The name of each minister and of each appointed home missionary shall be on the roll of communicant members of the parish or congregation they are serving. Ministers who are not inducted to a pastoral charge shall choose the parish or congregation on whose roll of communicant members they are to have their name inscribed. A minister is not subject to the jurisdiction of a Session with regard to discipline, which remains the responsibility of the Presbytery, but is under the pastoral care of Session.

Interim Moderator
8. When a vacancy occurs in a pastoral charge, and also for certain other reasons, the Presbytery appoints an interim moderator. An interim moderator has the powers and, so far as he does not lawfully delegate them to other qualified persons, performs the functions of moderator (see rules 6:3, 4). An interim moderator may be either
   a) one of its ministerial members, or
   b) a district interim moderator.
A district interim moderator is a minister of the Church authorised and provided by the Ministry Development Committee for appointment by presbyteries as an interim moderator or moderator.

Session Clerk
9. The Session appoints a clerk, usually but not necessarily from among its own members, who holds office until otherwise determined by the court. He makes the following declaration of faithful duty on taking up his office (see rule 6:6):
   "I solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me."
It is the clerk’s duty:
   a) to keep accurate minutes of proceedings of the Session and of meetings of the congregation;
b) to supply properly attested extract minutes as authorised by the Session or by order of a higher court;
c) to take care of such books, papers and records of the Session as it directs;
d) to carry out such other duties as the Session or a higher court requires.

(See also rule 6:5, 16-22).

Section Two  ... Meetings

Session meetings: how convened
10. The Session meets when convened under the authority of the moderator or the order of a higher court. The time of meeting is given either by public announcement at the time of ordinary public worship or by personal notice given in sufficient time to each member. The moderator is required to convene a meeting within ten days after the receipt of a written requisition from two of its members.

Meetings in private
11. All meetings of the Session are held in private unless it determines otherwise for any particular reason.

Quorum
12. The moderator and two elders constitute a quorum.

Legal meetings
13. It is the usual practice that a meeting of the Session will be held with the moderator or interim moderator or a minister authorised by him or a higher court in the chair. In the event of the moderator being unable to be present at a duly called meeting of the Session at which urgent business is to be considered he may appoint one of the elders to preside, but he reports his action to the next meeting of the Presbytery.

Procedure
14. The proceedings of the Session are governed by such of the general rules of procedure for use in courts of the church (see rules chapter 6) as apply to the Session and by such other directions, rules and regulations as the General Assembly may specifically give or prescribe. Session exercises a discretionary power of procedure in respect of any matter falling within its jurisdiction for which no specific procedure is provided in such directions, rules, or regulations. However care is taken that substantial justice is done to all persons concerned.

Section Three  ... Election of Elders

New elders
15. An election of elders is conducted by the Session after it has decided that new elders are needed and has fixed the number required. Before every election, the minister shall expound in each congregation in his charge the biblical teaching on the office of eldership. Ordination and/or induction to the eldership is subject to the person elected in accordance with rules 3:22, 23 having diligently completed an eldership training course which includes instruction in the eldership vows (see Appendix 14).

Voting for elders
16. The election is carried out by the communicant members of the parish voting as a single constituency. Where there are two or more local congregations within the parish, the Session may determine that a specified number of elders are sought for different congregations within that parish. Regardless of whether or not the Session has made this determination the voting is always by the whole parish collectively, as elders rule and serve for the parish and not for a particular congregation only. All whose names are on the roll of communicant members and who are not less than sixteen years of age are eligible to vote.
Chapter 3: The Session

Those eligible for election as elders
17. The following persons may be nominated for election as elders:
   a) male communicant members of the congregation who are not less than twenty-one years of age, and who have been active communicant members of the congregation for not less than one year;
   b) male elders who have been active communicant members of the congregation for less than twelve months, and who have given satisfactory service in a previous congregation where they were members of a Session;
   c) ministers without charge who are members of the congregation but not ministerial members of Presbytery.

A list of those eligible for election is displayed at the church or otherwise made available to communicant members of the parish.

Notice of ballot
18. For the choice of new elders an election by ballot must always be held, announcement of which is given at least two Sundays prior to the date fixed for voting to cease.

Method of ballot
19. The ballot is conducted either without prior nominations, or after receiving nominations. Whichever method is followed, voters may vote for any number of eligible persons up to but not exceeding the number of elders to be elected.

Ballot without nominations
20. When nominations are not called for, voters write on a blank paper the names of the persons for whom they vote and sign and lodge it by the required date. Session may choose to proceed with a secret ballot involving unsigned papers by appointing an electoral officer who will ensure that only those eligible to vote will receive special ballot papers authenticated by the Session.

Ballot after nominations
21. Alternatively, the Session asks that nominations signed by at least one communicant member be submitted to the Session Clerk during a period of not less than eight days. The Session also, if it sees fit, may nominate persons for election.

The Session then prepares and issues ballot papers containing:
   a) a list of eligible nominees arranged in alphabetical order;
   b) a note to the effect that voters may vote up to the number required for any eligible persons whether nominated or not;
   c) such other instructions as may be considered necessary.

These papers are distributed during a period of not less than eight days, including two Sundays, and filled in, signed and returned by a specified date.

Counting of votes and judgment of Session
22. The Session counts the votes cast for each person, and in deciding which of these are to be declared elected it must follow the order of the voters’ preference, first satisfying itself that each of the persons indicated by this choice:
   a) is qualified under the terms of Rule 3:17;
   b) is qualified by godly character and appropriate gifts of leadership;
   c) has a firm grasp of Gospel truth and a working knowledge of the Scriptures;
   d) has an understanding of and commitment to the principles of Presbyterian government;
   e) has received the number of votes Session considers sufficient.

Declaration and announcement
23. After the election of new elders the Session:
   a) by formal motion declares elected those with whom it is satisfied (see rule 3:22), up to a number not exceeding the number required (see rule 3:15);
   b) makes public announcement of the names of the elders-elect arranged in alphabetical order;
   c) proceeds to arrange for their ordination and induction or induction only (see rules 3:24–26).

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Section Four  ...  Ordination and Induction of Elders

Edict to be issued
24. Following an election the Session issues in the prescribed form (see Appendix 7) an edict for the ordination and induction or induction only of the elders-elect. This edict is to be read publicly at the time of ordinary public worship at least one week prior to the day appointed for the services of ordination and induction or induction only.

Objections
25. On the day appointed, the Session convenes. If no objections are offered in the terms of the edict, the Session proceeds to the ordination and induction or induction only of the elders-elect. Any person offering objections is required to justify them. After inquiry the Session may decide not to proceed with the service until it has made further investigation. If any relevant and serious objection is sustained by the Session against one or more of those already declared as elders-elect, it may revoke that declaration.

Service of ordination and induction
26. The service of ordination and induction or of induction only includes:
   a) a narration of the steps leading up to this occasion;
   b) the answering by the congregation and the elders-elect of the questions prescribed by the General Assembly of the Presbyterian Church of Australia (see Appendix 14);
   c) the ordination by prayer of those of the elders-elect not previously ordained and the induction of all the elders-elect;
   d) the giving of the right hand of fellowship by the members of Session present;
   e) the signing of the prescribed formula by the newly inducted elders (see Appendix 15);
   f) a word of encouragement and instruction by the moderator to them and to the congregation.

At the conclusion of the service the Session resumes, the names of the newly inducted elders are by formal motion added to the roll of the Session, and the meeting, after the transaction of any other necessary business, is closed with prayer.

The names of the new elders and the date of induction are reported to the Presbytery.

Section Five  ...  Jurisdiction Over Elders

Term of status and office
27. An elder is elected and ordained to the eldership for life and holds his status as an elder until the Session having jurisdiction over him accepts his resignation or he is deposed from office or otherwise loses that status. An elder remains a member of the Session which inducts him to the exercise of the duties of the eldership until he ceases to be a communicant member of that congregation or until the Session accepts his resignation from it or he is deposed or otherwise loses his status as an elder.

Elder joining from another congregation
28. When an elder leaves a congregation with a certificate of communicant membership, he remains an elder. If he joins another congregation, he becomes a member of the Session of that congregation only by election to that Session by the communicants of the congregation and by subsequent induction to office in that court.

Removal from roll
29. An elder is (as any other communicant member of the congregation) under the jurisdiction of the Session. The Session may remove the name of any elder from the roll of the Session if that elder can no longer perform his duties as an elder. The Session must give at least ten clear days’ notice to all members of the court stating the time and place of meeting and the action proposed. At this meeting the Session may decide that as a consequence of:
   a) prolonged or frequent absence from divine worship or from meetings of the Session without leave given or proper and sufficient cause shown: or
   b) physical or mental infirmity, his usefulness as a member of the Session has been so seriously impaired as to make his continued membership advisable and remove his name from the roll of Session.
Section Six  ... Public Worship

Special responsibility of Presbytery
30. The Presbytery is directly responsible to the church for the conduct of all services of worship (see rules 4:72, 73). The minister and all other parties concerned are required to obey and abide by decisions of the Presbytery in such matters until they have been disallowed or changed by a higher court having jurisdiction.

Minister: the executive of Presbytery
31. The minister, in the conduct of all services of worship, acts under the immediate direction and control of the Presbytery, of which for these purposes he is the executive, and to which alone he is responsible. All those appointed or invited to lead the music, the singing of praise or any other aspect of the worship service, together with any other church officers, are under the direction of the minister in the conduct of public worship (see rule 3:53).

Access to pulpit
32. The exclusive right of access to the pulpits of churches within his charge belongs to the minister of the parish. It is the right of the minister to determine who shall preach or conduct public worship within his charge. In these matters he is subject only to the higher courts of the church.

Should the minister allow a person who is not an ordained minister, licentiate or theological student of the Presbyterian Church to preach or conduct public worship within his parish, the minister is personally responsible to the Presbytery for the way in which this person discharges these duties.

Provision for services of worship
33. The Session fixes the occasions and times for regular public worship and for such special services of public worship as it considers necessary. Session determines, after consulting the congregation, what books of praise shall be used in the public worship of the congregation, and ensures that a sufficient supply of the authorised books of praise and of other necessary church music is available for the congregation, organist, other musicians and choir. The Session also sees that all other things necessary for the conduct of public worship are available for the use of the minister, consulting the congregation or the Board of Management when any substantial financial outlay is involved. Action under this rule requires the concurrence of the minister of the congregation.

Baptism (See PCA Code Chapter 4:1)
34. The Session arranges, normally following the minister’s interview and baptismal preparation with the applicant(s), and with the minister’s recommendation, for the sacrament of baptism to be administered to:
   a) the children of parents one or both of whom are communicant members or baptised persons who make such profession of their faith as would entitle them to be become communicant members;
   b) adults, upon profession of their faith in Christ and obedience to Him.

The sacrament ordinarily is administered during public worship, but in exceptional circumstances and for sufficient reason it may be administered other than at public worship.

The Session encourages believing parents to have their children baptised without unnecessary delay.

A certificate of baptism is given by the minister after the administration of the sacrament, and the names of those baptised are promptly reported to the Session and entered in the baptismal register.

The Lord’s Supper
35. The Session appoints the time and place, and makes suitable provision, for the public observance of the sacrament of the Lord’s Supper. It also arranges, normally through the minister, for the sacrament to be administered privately, when necessary, for sick or aged communicant members. In such circumstances the minister should be accompanied by at least one elder.

Public invitation to participate in the Lord’s Supper is ordinarily given by the minister, in a form approved by the Session, to:
   a) communicant members of the congregation;
   b) visiting communicant members of other Presbyterian congregations;
   c) visiting members of other branches of the Christian church.

The minister encourages all present to examine themselves before the Lord in terms of such Scripture as 1 Corinthians 11: 27 - 29 and Matthew 5: 23, 24 as to whether they should accept the invitation to participate in the Lord’s Supper.
Section Seven  ... Supervision of Membership

Roll of communicant members
36. The Session keeps a roll of communicant members in the form prescribed by the General Assembly (see Appendix 17). Session adds to this roll the names of those persons who from time to time it receives as communicant members:
   a) by profession of faith (see rule 3:39); or
   b) on receipt of satisfactory certificates of transfer (see rule 3:41); or
   c) by special resolution of the Session for this purpose.
It removes from this roll the names of those persons who cease to be communicant members of the congregation:
   d) through death; or
   e) by issue of certificate of transfer; or
   f) by special resolution of the Session for this purpose.
For definitions regarding communicant members, see rules 2:13–15.

Roll of adherents
37. The Session keeps a roll of adherents in the form prescribed by the General Assembly (see Appendix 17). Session adds to this roll the names of those persons who it considers fulfil the requirements of adherents after carefully explaining to them the requirements of rules 2:16–18 and obtaining their assent. The names of those who cease to comply with these requirements are removed from the roll of adherents.

Baptismal register
38. The Session keeps a register of baptisms in the form prescribed by the General Assembly (see Appendix 17) and adds to it the names of all persons baptised within the parish or mission field under the jurisdiction of the Session.

Admission to communicant membership
39. Admission into the visible church of Christ is by the sacrament of baptism received in infancy or in later life, but baptised persons are admitted into the privileges and responsibilities of communicant membership only when, having signified their desire to become communicant members, they make profession of their faith and are admitted by the Session to the sacrament of the Lord’s Supper.
In the case of those desiring admission to communicant membership it is the duty of the Session, therefore, following explanation of rules 2:13–15 to the applicants, to satisfy itself as to:
   a) their baptism;
   b) their profession of faith in Christ;
   c) their knowledge of the Holy Scriptures, the cardinal doctrines of the Christian faith (as defined, for example, in clause 1 of the Declaratory Statement), and the nature and significance of the sacraments of baptism and the Lord’s Supper; and
   d) their life being consistent with their profession.

Revision of rolls
40. The Session revises the rolls of communicant members and adherents annually. In doing this it may remove from the roll of communicant members the names of those persons who have shown their lack of interest by infrequent attendance at public worship, having little or no involvement in the witness and work of the Church, or by continued absence from the Lord’s Supper, provided that the Session, if practicable, first gives these persons notice of its intention and then gives them an opportunity to be heard in the matter.
Names once removed from the roll of communicants or of adherents may be restored only by a special resolution of the Session for this purpose.
The Session, at the meeting when the rolls are revised, shall record in the minutes the fact that such revision has been made.

Transfer certificate and letter of introduction
41. The Session issues a transfer certificate to any communicant member of the congregation not under process of discipline who applies to leave the congregation with a view to joining another. The Session takes care to prevent the name of any communicant member being on the roll of more than one congregation at the same time.
When an adherent of a congregation applies to leave the congregation to reside in another district with the declared intention of maintaining a church connection, the Session issues a letter of introduction and advises the
minister or Session of the congregation indicated of the fact of such removal. The same procedure may also be followed for a person who is neither a communicant member nor an adherent, but who is a regular attendee at worship and supporter of the church’s witness.

Power of discipline
42. The Session has, and as necessary exercises, the power of discipline over members of the congregation in accordance with the law of the church.
Any name removed from the roll of communicants or the roll of adherents in the exercise of discipline is restored only by a special resolution of the Session for this purpose.

Roll of families
43. The Session, in the exercise of its pastoral duty, compiles and keeps a complete roll of families and individuals connected with the congregation. Before the minister leaves his charge, the Session brings this roll up to date.

Elder’s district
44. The Session ordinarily assigns to each elder an area within its bounds, provides him with a list of the families and individuals within that district whose names are on the roll of families, and charges him with their oversight under the direction and control of the Session.

Section Eight  …  General Oversight of Congregational Affairs

Sunday school and youth work
45. The Session has the oversight of the Christian education of the young of the congregation. In the exercise of this duty it encourages religious training in the home, establishes and supervises Sunday schools, and provides Bible classes and other similar groups. It appoints superintendents of Sunday schools and Bible class leaders and youth group leaders, and it may also directly appoint Sunday school teachers. However where it does not wish to do this it authorises the Sunday school superintendent on its behalf to do so. It approves the material that is to be taught. It calls for regular reports from all the youth organisations of the congregation and makes provision for the training and suitable equipment of those who take part in the Christian education of the young.

Clubs, societies and groups
46. The Session has the supervision of all clubs, societies and groups of communicant members and adherents and others in connection with the congregation. No club, society or group can be recognised as connected with the congregation without first receiving the approval of the Session and indicating willingness to conform to rules 2:36–42.

Finances and activities
47. The Session sees that the activities of all congregational organisations and the collection and disposal of their funds are consistent with the law and standards of the church (see rules 2:39–41).

Activities not permitted
48. Session shall ensure that:
   a) there shall be no gambling in any form of lottery, raffle, guessing competition or game of chance for purposes of raising money;
   b) there shall be no alcoholic liquor consumed as a beverage within the church, church halls or institutions (excluding manses) belonging to the church;
   c) no other activity shall be permitted which, in the opinion of Session, might hinder the effective Christian witness of the church or is inconsistent with Christian conduct.

Congregational meetings
49. The Session convenes the annual meeting of the congregation, not later than 4 months after the end of the congregation’s annual reporting period, and any other congregational meetings as it judges necessary on the request or advice of the minister or the Board of Management or for other sufficient reason (see rules 2:20, 22, 23).
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The Session normally prepares a written review of the life and work of the congregation, including the Sunday school, for presentation to the annual meeting of the congregation. It may also approve for presentation to that meeting either in whole or in part the reports and financial statements submitted to it by the congregational organisations (see rule 2:22).

Board of Management and election of managers
50. The Session sees that the Rules governing the Board of Management are carried out and conducts the annual election of managers as required. At this election all communicant members and adherents of the congregation who are not less than 16 years of age are eligible to vote. All communicant members and adherents of the congregation who are not less than 18 years of age are eligible to be elected. Such elections are held separately from any election of Elders that may be contemplated, at a time determined by the Session, which in special cases and with the approval of the Presbytery may be at the annual meeting of the congregation.

Procedure in Board elections
51. Except in special cases (refer Rule 3:50) the Session proceeds as follows:
   a) Having fixed the date for voting to cease, it announces the election at least two Sundays prior to that date;
   b) It may proceed directly to an election without prior nominations, or to an election after receiving nominations.
      Whichever method is followed, voters are instructed that they may vote for any number of eligible persons up to but not exceeding the number to be elected.
   c) When nominations have not been called for, voters write on a blank paper the names of the persons for whom they are voting and sign and lodge it by the required date. The Session may choose to proceed with a secret ballot involving unsigned papers by appointing an electoral officer who will ensure that only those eligible to vote will receive special ballot papers authenticated by the Session.
   d) When the alternative of election after receiving nominations is to be used, the Session invites communicant members and adherents of the congregation who are not less than 16 years of age to submit signed nominations during a specified period of not less than eight days, including two Sundays. It then prepares and issues the ballot papers containing:
      i) a list of the nominees arranged in alphabetical order;
      ii) such other instructions as are considered necessary. These papers are distributed during a period of not less than eight days, including two Sundays, filled in, signed and returned by the specified date. The provision of an electoral officer as in (c) above would apply if a secret ballot is required.

Assessing nominations and votes
52. If the number of nominations received is equal to or less than the number of managers to be appointed, no election need be held, and the responsibility of appointing or not appointing rests with the Session.
   After an election the Session counts the votes cast for each person and ranks them in order of the voters’ preference. In deciding which of them, up to the number required, are to be declared elected it first satisfies itself that each of the persons indicated by this choice has received a number of votes which it considers sufficient and is judged suitable to hold office.
   The Session declares elected those with whom it is so satisfied up to the number first agreed upon, and then publicly announces or displays their names in alphabetical order.

Congregational officers
53. The Session appoints the musicians, and other congregational officers and employees of the congregation, consulting with the Board of Management if any financial arrangements are involved (see rule 2:87). It has authority to deal with the resignation of any of these officers or to remove them if dissatisfied with their character, conduct, qualifications or efficiency. The minister has the right to be satisfied in these respects with those officers who are under his direction in the conduct of public worship (see rule 3:31).

Diaconal ministry
54. The Session may establish a diaconal ministry according to the general principles and operational guidelines outlined in the rules that follow.
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General principles for diaconal ministry
55. The general principles of the diaconate are as follows:
   a) The diaconate is an office of mercy, with responsibilities different from those of the eldership or a Board of Management.
   b) The diaconate is to be concerned firstly with the poor and needy within the local body of believers, then with believers further abroad, and finally with the temporal welfare of all humanity according to biblical guidelines. Their ministry shall be under the direct supervision of the Session.
   c) Service in the diaconate is open to both men and women.
   d) There is a need for training for all deacons.

Operational guidelines for diaconal ministry
56. The operational guidelines of the diaconate are as follows:
   a) Diaconal Ministry. Sessions may establish diaconal ministries in the congregations under their care by the formulation of a diaconal care team.
   b) Duties of Deacons. Deacons shall primarily be responsible to promote the material well-being of believers in the local church community, believers further abroad, and people in the community at large, as resources permit. In fulfilling this duty, deacons shall perform a ministry distinct from that of the Session or the Board of Management. They shall report regularly to the Session and be available to assist the elders in their various pastoral duties when called upon.
   c) Qualifications. Deacons must have been communicant members of the congregation for at least one year, have attained the age of 21 years, and have demonstrated a commitment to Jesus Christ and a giftedness for diaconal ministry within the life of the congregation.
   d) Supervision. In the exercise of their duties, deacons shall be subject to the supervision and direction of the Session. The Session will receive and deal with any resignation of a deacon or remove a deacon from office should that deacon renounce the responsibilities of the office, become mentally unsound, or breach the qualifications of a deacon.
   e) Election of Deacon. The Session shall set the number of deacons to be appointed, set the course of training, and determine the manner of their election and the suitability of those elected. Deacons are elected by the communicants of a congregation.
   f) Induction. Deacons-elect, after answering the questions prescribed by the General Assembly of the Presbyterian Church of Australia, are set apart for their ministry by prayer during corporate worship.
   g) Tenure of Office. Deacons shall hold office for three years, after which they shall be eligible for re-election. On joining another congregation, a deacon is not entitled to recognition as a deacon until admitted to the office in the usual way.
   h) Organisation. Deacons shall be formed into a diaconal care team for the purposes of mutual prayer, support and communication. The minister shall chair the meetings of the diaconal care team. Should the minister be unable to chair any meeting, he shall appoint an elder or a deacon to chair the meeting.
   i) Finance. Financial provision shall be made by the Board of Management for the funding of the diaconal care team’s ministry.

Use of church buildings
57. Subject always to the direction of higher courts and to the requirements of the minister in the discharge of his office, the Session decides to what uses other than public worship the congregational buildings may be put, and in doing so it takes care that the proper work of the congregation is not impaired and that the law and standards of the church are not compromised. It refers any financial arrangements involved to the Board of Management (see rule 2:93).

Petitions
58. The Session deals in accordance with the law of the church with competent petitions addressed to it as the court of first instance (see rules 6:35–43).

Section Nine  ... Relations with Other Courts of the Church

Responsibility to and review by Presbytery
59. The Session in all its proceedings is directly responsible to the Presbytery of the bounds and submits to the Presbytery annually the following:
Chapter 3: The Session

a) the Session minute book;
b) rolls of communicant members and adherents;
c) register of baptisms and baptismal certificate book;
d) book of transfer certificates;
e) Board of Management and congregational minute books; and
f) any other documents, reports or statistics that the Presbytery may require.

Any of these documents should be produced whenever the Presbytery directs. It is the duty of the Session to seek the advice of the Presbytery in matters of doubt and to report irregularities in anything for which it is responsible.

Representative elders commissioned
60. The Session of every parish is represented in the higher courts by an elder duly commissioned by the Session for that purpose. In a similar way the Session of every home mission station is represented in the Presbytery.

It is competent for a Session to commission an alternate elder to the Presbytery with the second elder acting only when the first elder is unable to do so.

When a Session is unable to arrange for one of its own members to represent it in a higher court, it may commission an elder who is willing to act and is a member of another Session within the bounds of the court to which he is commissioned, and who is certified as such by the moderator or clerk of his own Session.

The Session, on the appointment of a representative elder either to the Presbytery or to the General Assembly, directs the Session Clerk to forward a commission in the prescribed form to the Clerk of Presbytery (see Appendix 8).

Term of appointment
61. The term of appointment of every representative elder is specified in his commission and may be for any term not exceeding one year from the date that the Presbytery last called for the commissions of all representative elders.

The Session may reappoint a representative elder, but a fresh commission is required by the Presbytery on the expiry of the previous appointment and on the date specified for the annual presentations of commissions.

Separate commission to Assembly
62. The Session of a charge or appointment parish ordinarily commissions one representative elder to be its representative in both Presbytery and General Assembly, but separate appointments may be made and in this case the commissions are drawn up in appropriately amended form.

Replacement
63. The Session appoints and commissions with as little delay as possible a representative elder to replace one who dies, resigns or has been removed from office, or who for any other reason becomes ineligible to act.

Transmission of papers
64. The Session transmits to the Presbytery, with or without comment, appeals which are presented to it for transmission to its higher courts. In so doing it sees that these documents are in proper form and respectfully expressed.

Complaints against the minister
65. The Session does not receive or discuss complaints against the minister, who is responsible to the Presbytery for the discharge of all the duties of his office. Members of the Session or others wishing to make such a complaint may do so by presenting a petition to the Presbytery (see rule 4:63).

Jurisdiction of co-ordinate courts
66. The Session has no authority to intervene in the affairs of another Session. However the Session may bring to the notice of the Presbytery which has jurisdiction over another Session a complaint of any alleged irregularity or interference by that Session and request that suitable action be taken.

Assessors
67. The Presbytery of the bounds, either at the request of the Session or on its own initiative, may appoint assessors to strengthen a Session which it considers to be below strength or to assist it with the conduct of any case pending or proceeding before it. The provisions of rule 6:75 apply to these appointments (see also rule 4:75(c), 110).

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Chapter 4  ... The Presbytery

Section One  ... Constitution and Officials

Definition
1. A Presbytery is the court of the church immediately higher than the Sessions within its bounds.

Formation
2. A Presbytery is formed by the General Assembly which:
   a) assigns it a name;
   b) fixes its bounds;
   c) appoints a time and place for its first meeting;
   d) instructs a particular minister from within its bounds to convene, constitute, and preside over its first meeting.

When commissions of the representative elders present have been sustained, and the roll of members has been fixed, the Presbytery elects its moderator.

Membership and roll
3. A Presbytery consists of:
   a) inducted ministers of all charges within its bounds;
   b) professors or full-time lecturers appointed by the General Assembly to the Presbyterian Theological College who have been granted a seat on the Presbytery by the General Assembly;
   c) any minister of an appointment parish who is in full standing in the Presbyterian Church of Australia and whose appointment is for a term of one year or more;
   d) ministers of the Presbyterian Church of Australia who have been commissioned by the Presbytery for the work of the Presbyterian Inland Mission for the period of their appointment;
   e) ministers of the Presbyterian Church of Australia who have been appointed as assistants to duly inducted ministers in the Presbytery for a term of one year or more;
   f) retired ministers who have retained their seats in the Presbytery or have been received by transfer from another Presbytery(see rule 4:4);
   g) ministers and ordained Australian Presbyterian World Mission (APWM) missionaries who have been granted a seat in the Presbytery by rule, regulation, or resolution of the General Assembly or have been received by transfer from another Presbytery;
   h) any full-time chaplain to the Australian Defence Force who was a member of the Presbytery at the time that notification of his appointment was received, until he ceases to hold such appointment or his membership is transferred to another Presbytery;
   i) any full-time chaplain to the Australian Defence Force who, not being a member of another Presbytery, is serving within its bounds;
   j) a representative elder from each charge within the bounds in favour of whom a written commission has been sustained by the Presbytery (it is competent for a Session to commission an alternate elder to the Presbytery with the second elder acting only when the first elder is unable to do so (see rule 3:60));
   k) parity elders, appointed by the Presbytery from Sessions within its bounds to give parity of membership with ministerial members (in appointing parity elders the Presbytery makes sure that no more than two elders from any one Session are appointed to the Presbytery, except those who are covered by rule 4:3(m) below);
   l) a representative elder from each home mission station within its bounds, in favour of whom a written commission has been sustained by the Presbytery (it is competent for a Session to commission an alternate elder to the Presbytery with the second elder acting only when the first elder is unable to do so);
   m) the following elders who are members of Sessions within the bounds:
      i) the law-agent or law-agents;
      ii) the conveners of all committees and chairmen of all boards of the Assembly;
      iii) those appointed to full-time offices by the Assembly;
   n) any minister of the Presbyterian Church of Australia appointed by the Church Planting Committee to work as a church planter in a church plant within the bounds of the Presbytery.
o) any minister of the Presbyterian Church of Australia appointed as a Health and Community Chaplaincy Committee chaplain and serving within its bounds. All such ministers and elders, and only they, are members of the Presbytery. Their names are placed on and constitute its membership roll.

p) intentional interim ministers serving in parishes within its bounds.

q) district interim moderators appointed by the Presbytery.

All such ministers and elders, and only they, are members of the Presbytery. Their names are placed on and constitute its membership roll.

Retired ministers

4. A minister who resigns his charge, on account of advancing years or ill-health and with the intention of withdrawing from the full time work of the pastorate, is declared to be a retired minister.

This minister, if he so requests, retains his membership of the Presbytery, and his name is placed on the roll as a retired minister. Where it is found that a retired minister is attending regularly, and taking an active part in Presbytery affairs, the Presbytery may see fit to appoint annually a parity elder for him according to the provision of rule 4:3(k) above.

Transfer of membership

5. At no time may a minister or an elder be a member of more than one Presbytery. If a minister or an elder appears to qualify for membership of more than one Presbytery, the Presbytery of which he is already a member decides whether or not his membership shall be transferred.

Associate members

6. Except when a judicial case is before the court, the Presbytery may associate with itself any member of another Presbytery who is present at any particular meeting. Associate membership is a courtesy extended by the Presbytery, and, as such, associate members are entitled to speak but not to preside, vote, move or second a motion, nor to remain in the Presbytery when it meets in private (see standing order 10).

Moderator

7. The Presbytery elects from its members a moderator who holds office for such time as the Presbytery may determine, normally twelve months.

In the absence of the moderator, or in the event of his leaving the chair to address the court, the member among those present who was most recently moderator of the Presbytery takes the chair, or, if there is no ex-moderator, the court appoints one of its members to take the chair.

If the moderator should die or otherwise cease to be a member of the Presbytery during his term of office, his duties will be immediately assumed by the previous moderator until the next ordinary meeting of the Presbytery. If the previous moderator cannot assume such responsibility, the rights and duties in connection with the calling of urgent meetings are the responsibility of the clerk until a new moderator is appointed.

An acting moderator enters into all the rights and duties of the moderator (see rules 6:3, 4), though in signing any document he must add to his signature “Acting Moderator”.

Clerk of Presbytery

8. The Presbytery appoints a clerk who is usually, but not necessarily, a member of the Presbytery and whose appointment may be reviewed annually.

The Clerk of Presbytery makes the “declaration of faithful duty” on taking up his office. The Presbytery decides what remuneration he shall receive from its funds. In his absence another is appointed to act as acting clerk and he also makes the “declaration of faithful duty” (see rule 6:5, 6, 16-22).

Treasurer of Presbytery

9. The Presbytery appoints a treasurer to gather, take charge of, disburse and account for all the funds held by the Presbytery as it may direct.

Other officials of Presbytery

10. The Presbytery appoints such other officials as it considers necessary to facilitate its work.

The Presbytery fund

11. The Presbytery establishes a fund to meet its expenses, and for this purpose has the power to fix a rate charged on each parish and mission field. Offerings made at services appointed by the Presbytery may also be applied by it to this fund.
Commissions of Presbytery
12. The Presbytery may appoint a commission of its own members for a specified purpose and with powers and membership defined by the Presbytery at the time of appointment. The quorum of the commission shall be three members, of whom two must be ministers.

Such a commission does not have the power to ordain ministers, dissolve a pastoral tie or pronounce a sentence in a judicial case. So far as possible a commission follows any procedure prescribed for the Presbytery in a similar case. Appeal against a decision of a commission is made to the General Assembly and in the same manner as against the Presbytery itself.

Committees of Presbytery
13. The Presbytery may appoint committees for particular purposes to facilitate its work. These committees do not meet when the Presbytery is sitting unless the Presbytery gives specific permission.

Section Two ... Meetings and Procedure

Quorum of Presbytery
14. A quorum of the Presbytery shall be three members, of whom two must be ministers.

Ordinary meetings of Presbytery
15. The Presbytery meets for ordinary business:
   a) by adjournment from the previous ordinary meeting;
   b) by special appointment of the General Assembly; or
   c) by the constitutional revival of the Presbytery in terms of rule 4:21 after its powers and functions have lapsed.

Ordinary meetings are usually held within the bounds of the Presbytery (see rule 4:20) at set times and places and must be held at least once every quarter.

At each ordinary meeting the time and place of the next ordinary meeting is fixed, announced and minuted. No further announcement is legally necessary, but it is usual for the clerk to send members a written reminder including notice of the business which is proposed to consider.

When it appears to the moderator of the Presbytery that the day appointed for its next meeting will be unsuitable, he may, with the consent of the clerk and another member, alter the date and instruct the clerk to give notice to members of such alteration. At least seven days’ notice must be given of such alteration, and the moderator submits to the Presbytery written reasons for his action. These reasons are recorded in the minutes.

Special purpose meetings
16. Besides its ordinary meetings a Presbytery may meet for a special purpose.

A “Special Purpose Meeting” is one appointed by the previous ordinary meeting for some particular business, which must be announced at the time of appointment and recorded in the minutes. A special purpose meeting takes up only the business announced and minuted, and only that part of the minutes of the previous ordinary meeting which is relevant to the special purpose meeting is read at this latter meeting.

The legal position and the practice regarding notice of a special purpose meeting are the same as for an ordinary meeting.

Urgent meetings
17. An “Urgent Meeting” is one which is called to attend to business that has emerged since the previous ordinary meeting and is judged to require urgent action. The moderator has authority to call an urgent meeting of the Presbytery.

The meeting is called by the moderator:
   a) on his own responsibility; or
   b) if he sees cause, when requested to do so for reasons stated by at least a quorum of the members on the roll of the Presbytery; or
   c) when directed by the General Assembly or Commission of the General Assembly.
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Notification for urgent meeting
18. An urgent meeting of the Presbytery is convened following notification issued by the moderator, or by the clerk with his authority and bearing the words “by order of the moderator”, to every member of the Presbytery at least seven days before the time fixed for the meeting. This notice must specify the business for which the meeting is convened and only that business may be attended to at that meeting. The full wording of the notice is included in the minutes of the meeting.

At an urgent meeting, before the business specified is taken up, the Presbytery approves or disapproves the action of the moderator in calling the meeting. In the event of the Presbytery disapproving, the moderator or any other member or members of the court may bring the whole circumstances of the case to the next ordinary meeting of the Presbytery.

Adjourned meetings
19. A special purpose meeting or an urgent meeting may be adjourned to meet again before the date of the next ordinary meeting of the Presbytery for the purpose of completing the specified business and for that purpose alone. When the adjournment is for a period longer than one day the clerk sends notice of the adjournment to all absent members.

Meetings beyond bounds
20. A Presbytery cannot meet beyond its own bounds without the permission or direction of the General Assembly.

When a Presbytery cannot proceed
21. A Presbytery is a continuing court. A Presbytery’s powers and functions lapse:
   a) when at the close of an ordinary meeting it neglects to appoint a time and place for its next meeting;
   or
   b) when a quorum is not present for an ordinary meeting.

In either case, the Presbytery cannot meet again for business until it is convened by special notice issued to all members at least seven days before the time fixed for the meeting. This notice may be issued only by the moderator, or by the clerk with his authority and bearing the words “by order of the moderator”, or by the General Assembly.

Any circumstances described in this rule must be recorded in the minutes of the Presbytery when it does proceed, and reported to the Clerk of the General Assembly.

Death of a minister
22. On the occasion of the death of a minister, the moderator or the clerk may make necessary arrangements for the supply of the pulpit and for other urgent matters. These are to be reported to the next ordinary meeting of the Presbytery.

An open court
23. The Presbytery is an open court. It may sit in private when it judges this to be necessary or expedient, and it must do so when required by the law of the church or by instruction of the General Assembly (see rule 6:10). The Presbytery may also, at its discretion, allow licentiates to remain in any private sitting of the court.

Order of business
24. Normally the order of business of a Presbytery meeting is:
   a) constitution by prayer;
   b) recording of members present;
   c) apologies for absence;
   d) presentation of elders’ commissions;
   e) adjustment of the roll;
   f) association of eligible persons, and welcomes;
   g) tabling of notices of motion for a future meeting;
   h) confirmation of minutes of previous meeting(s);
   i) attention to any reasons for dissent from decisions recorded in the minutes of the previous meeting;
   j) other business arising from the minutes.

At this stage the Presbytery decides in what order the other business before it shall be taken up, including any fixed orders of the day. Notices of motion may also be handed in immediately before the close of the meeting.
Presbytery in conference
25. To permit greater freedom in the discussion of important questions and to ripen opinion for subsequent decision, the Presbytery may meet in conference. The conference may appoint the moderator or any other of its members to preside. Only the decision to meet in conference and the fact of having done so, and not any resolutions framed or decisions adopted at such a conference, may be recorded in the minutes of the Presbytery.

Committee of the whole
26. For the consideration of a matter involving a variety of details, or for other reasons, the Presbytery may resolve to meet as a committee of the whole, in which sufficient of the ordinary rules of debate are suspended so as to permit freer discussion (see rule 7:83). Resolutions framed or decisions made in committee are reported to the Presbytery when it resumes. They are usually adopted by the Presbytery without further discussion, but the right of members to dissent, or to appeal, against the decision made by the Presbytery on the report is in no way impaired.

Procedure and rules of debate
27. The procedure of the Presbytery is governed by those parts of the following which are applicable to the Presbytery:
   a) the rules for church courts (see chapter 6);
   b) the procedure and rules of debate contained in the standing orders of the General Assembly (see chapter 7);
   c) other relevant sections of this chapter (chapter 4).
   The Presbytery exercises a discretionary power of procedure in respect of any matter falling within its jurisdiction for which no specific procedure is provided above or in any direction of the General Assembly. Care is taken that substantial justice is done to all interests concerned.

Announcement of decisions
28. Decisions of the Presbytery are communicated to the persons they concern either verbally to parties present or by means of extract minutes.

Section Three ... Jurisdiction, Powers and Duties in General

Jurisdiction
29. The Presbytery has jurisdiction over:
   a) all the territory within the bounds assigned to it by the General Assembly;
   b) all the congregations and their members located within its bounds;
   c) its own members;
   d) all ministers without charge and all licentiates living or working within its bounds who are not subject to the jurisdiction of some other Presbytery;
   e) such persons, congregations, and institutions outside its bounds as the General Assembly commits to its jurisdiction.
   The jurisdiction of the Presbytery does not exclude that of Sessions in their prescribed area of oversight.

Powers and duties in general
30. The powers and duties of the Presbytery may be summarised as extending over:
   a) the supervision, examination, and licensing of candidates for the ministry;
   b) the settlement, resignation or translation of ministers, the supervision of ministers’ conduct and the proper exercise of their professional duties;
   c) public worship, the administration of the sacraments and other religious services, and the preaching of the Word;
   d) congregations and their maintenance and use of congregational property;
   e) ensuring that discipline is rightly maintained within its bounds;
   f) the appointment of visitors to see how all things are administered within its bounds;
   g) special relations with the higher courts of the church.
Chapter 4: The Presbytery

Rules not exhaustive of Presbytery’s powers
31. The following sections and rules in this chapter are to be held as giving only partial and not exhaustive legislative expression and formulation to that part of the law of the church as summarised in rule 4:30 above concerning the Presbytery’s powers and duties in general.

The Presbytery is required to watch over all the interests of the church within the territory over which it has jurisdiction, and to intervene whenever it judges appropriate to protect or promote those interests. The Presbytery does this where there is no express provision made by a higher court.

Appeal against decisions
32. Any appeal against any decision of the Presbytery, except where otherwise provided, is made to the General Assembly (see rules 6:61–74).

If the appeal is obstructed by the Presbytery, or not available, the matter may be pursued by petition to the General Assembly (see rules 6:35–43).

Section Four ... Candidates for the Ministry

Candidates for the ministry
33. The Presbytery has the responsibility of ascertaining on all grounds whether an applicant is a suitable person to become a candidate for the ministry. The Presbytery accepts him as a candidate after consultation with the Theological Education Committee and only with its concurrence.

The College Committee of the General Assembly of Australia, after receiving from the Theological Education Committee notification of an applicant’s acceptance as a candidate for the ministry, has the right to:
   a) determine his academic status;
   b) admit him to the course of training;
   c) assign him an appropriate grading in that course.

Commencement of Course of Training.
33A. A candidate is required to commence the course of training within two years of being accepted as a candidate, unless the relevant Faculty gives permission to extend this time in a particular case.

Jurisdiction between Presbyteries and General Assemblies
34. No regulation of the College Committee of the General Assembly of Australia can overrule the rightful jurisdiction of Presbyteries in the matter of acceptance of candidates or termination of candidature. Distinct from acceptance of candidates or termination of candidature, the College Committee has jurisdiction over the question of admission to and exit from the course of training.

Oversight of candidates
35. A candidate for the ministry continues under the oversight of a Presbytery during his course of training. His candidature can be terminated only by the decision of the Presbytery having such oversight. Until he is licensed, a candidate remains under the jurisdiction of the Session on whose roll of communicants his name appears. In the event of a candidate at any stage of his course proving himself unsatisfactory, proceedings may be instituted either by the Presbytery or by the Theological Education Committee, acting in consultation, with a view to the Presbytery terminating his candidature.

Trials for licence
36. The Presbytery may appoint trials for licence for a candidate within its jurisdiction who:
   a) is a communicant member of the church;
   b) has notification from the Theological College Faculty that its requirements have been satisfied up to that time;
   c) has entered the final year of his studies.

The Presbytery then appoints two or more of its members as examiners. The trials for licence cannot be regarded as completed, and no act of licensing can be undertaken, until an exit certificate has been issued by the College Committee and until one year has elapsed from the date of acceptance as a candidate.
Subjects of examination
37. Normally the exit certificate is accepted as sufficient proof of scholarship, but the Presbytery examines the candidate before granting a licence. The examination shall include:
   a) oral examination in theology with particular reference to the Westminster Confession of Faith read in the light of the Declaratory Statement;
   b) preaching of a sermon on a prescribed text;
   c) examination of pastoral and practical matters.
The examination may also include other prescribed tasks, including:
   d) an exegesis paper on a prescribed passage of Scripture;
   e) an essay on a doctrine of theology;
on the understanding that (d) and (e) above may be satisfied with the production of papers previously written for or updated from class work.

Report to Presbytery
38. The examiners shall report to the Presbytery in writing. The Presbytery, having heard from the examiners, hears from the candidate and has the opportunity to question him on any relevant matter.

Removal to another Presbytery during trials
39. If a candidate at any stage of his trials needs to move residence outside the bounds of his Presbytery, the Presbytery, if satisfied with the reasons for his move, transfers him to the jurisdiction of the Presbytery within whose bounds he intends to reside. When transferring the candidate the Presbytery certifies the subjects of trial that have been prescribed (if any), the parts that have been performed, and whether satisfactorily completed or not. The Presbytery receiving the candidate shall not review those parts of the trials already performed to the satisfaction of the former Presbytery, but proceeds with the remainder of the trials as if the candidate had first appeared before itself.

Act of licensing
40. After the candidate has completed his trials to the satisfaction of the Presbytery, a resolution is passed to proceed to his licensing. The procedure of licensing is as follows:
   a) the moderator puts to the candidate the questions prescribed by the General Assembly of Australia (see PCA Code, 6:5);
   b) the moderator engages in prayer, at the conclusion of which he makes the following declaration:
      “In the name of Jesus Christ, the only King and Head of the church, and by warrant and appointment of this Presbytery, I now license you to preach the Gospel of the Lord Jesus Christ.”;
   c) the licentiate is invited to sign the Formula prescribed in the constitution of the Presbyterian Church of Australia (see Appendix 15);
   d) the moderator exhorts him to be faithful in carrying out the work of the Gospel with which he has been entrusted;
   e) the members of the Presbytery give him the right hand of fellowship;
   f) the clerk issues to the licentiate an attested extract minute of his licence in the form prescribed (see Appendix 9).

Section Five  ... Status of Ministers and Licentiates

The status of a minister
41. All questions as to the present status of a minister of the Presbyterian Church of Australia are determined by the Presbytery which has jurisdiction over him.

Admission to status of minister
42. Admission to the status of a minister of the Presbyterian Church of Australia is either by:
   a) ordination at the hands of a Presbytery of the church; or
   b) reception as a minister under the provisions of the rules enacted by the General Assembly of Australia for the reception of ministers from other churches.
A Presbytery may recognise as a minister of the Presbyterian Church of Australia only those persons who have been admitted to that status and who still retain it.
Work outside the church

43. Presbytery may give permission for a minister to engage in work outside the Presbyterian Church of Australia for a period not exceeding five years. In doing so, it gives due weight to the primary importance of parish work within the Presbyterian Church of Australia and must satisfy itself that the circumstances and area that the minister is to engage in is not inconsistent with his calling.

Loss of status of minister

44. The Presbytery declares that a minister has lost the status of a minister of the Presbyterian Church of Australia if and when he is deposed from the ministry of the church in execution of a sentence pronounced by a competent court after formal process of discipline in accordance with the Code of Discipline of the Presbyterian Church of Australia.

Resignation of minister

45. If a minister desires to resign from the ministry of the Presbyterian Church of Australia, the matter is dealt with in the same way as if he was resigning from his charge, so far as applicable (see rules 4A:2(b)(i); 4A:4).

Certificates

46. The Presbytery has authority in the appropriate circumstances to grant certificates of status, certificates of licence, and letters of commendation in the prescribed form to persons within its jurisdiction. The purpose of these is as follows:

   a) a certificate of status certifies both that the person named has been admitted to the status of a minister of the Presbyterian Church of Australia and retains that status at the time of the issuing of the certificate (see Appendix 10);
   b) a certificate of licence (which takes the form of an extract minute of licensing) certifies that the person named has been licensed by the Presbytery to preach the Gospel of the Lord Jesus Christ (see Appendix 9);
   c) a letter of commendation may be used when no other certificate is considered relevant.

Certificate of status

47. The Presbytery shall grant, unless it see cause to withhold it, a certificate of status to a minister under its jurisdiction who resigns his charge or who is about to be transferred to the jurisdiction of another Presbytery, except in the case of a translation or an appointment by the General Assembly to an Assembly office, where no such certificate is required.

Presbyerial certificate (character and conduct)

48. - deleted 2008

Certificate of licence

49. The Presbytery, immediately following the licensing of a student, grants to him a certificate of licence in the form of an extract minute (see rule 4:40(f) and Appendix 9).

Letter of commendation

50. The Presbytery may grant a letter of commendation to:

   a) a minister or licentiate who has been granted leave of absence;
   b) a minister who seeks to be referred to another Presbyterian authority or some other denomination or church;
   c) an elder proposing to visit another church in some other state or country;
   d) a candidate for the ministry who is about to be transferred to the supervision of another Presbytery;
   e) a home missionary who is about to be transferred to service in another Presbytery.

Presbyerial certificate withheld or not produced

51. - deleted 2008

Reapplication if certificate withheld

52. - deleted 2008

Disqualification from membership of Presbytery and Session

53. - deleted 2008
Section Six  ... Oversight of Ministers and Licentiates

Licentiates under jurisdiction
54. A licentiate is subject to the jurisdiction and oversight of the Presbytery within whose bounds he resides. He remains under the jurisdiction of the Presbytery which licensed him unless he takes up residence within the bounds of another Presbytery. He must, within two months of taking up residence, notify the other Presbytery and produce an extract minute of his licensing.

Ministerial members of Presbytery
55. A minister is subject to the jurisdiction of the Presbytery of which he is a member wherever he may reside. If he takes up residence within the bounds of another Presbytery, he is required within two months to advise the clerk of the other Presbytery. Normally a ministerial member of a Presbytery without charge, who takes up permanent or temporary residence within the bounds of another Presbytery, is not required to produce a certificate of status. However, a certificate is required:

   a) if he wishes to effect the permanent transfer of his ministerial membership (see rule 4:56); or
   b) if his taking up residence in the other Presbytery is for the purpose of doing ministerial work within its bounds.

Ministerial members without charge: permanent transfer
56. A minister without charge may, on taking up permanent residence within the bounds of another Presbytery, be transferred to the membership of the other Presbytery upon production within two months (or within a period of time approved by the Presbytery) of:

   a) a certificate of status; and
   b) a letter from the former Presbytery agreeing to such transfer.

The transfer takes effect from the date of approval of this certificate and the clerk then notifies the former Presbytery of such transfer.

Retired ministerial member without charge
57. If a retired minister who retains his seat as a ministerial member of the Presbytery accepts appointment for not less than six months as a minister without charge to a parish in another Presbytery, he becomes a ministerial member of that Presbytery from the date and during the term of his appointment. Notice of this appointment must be given by the clerk to the minister’s former Presbytery, in which his membership ceases for the time being.

Unless at the completion of his term he again receives a similar appointment without charge in another Presbytery (to which he is similarly transferred and his former Presbytery notified) the clerk notifies his former Presbytery and his membership reverts to it.

If a retired minister who has retained his seat as a ministerial member of Presbytery desires to resign, he must notify the Presbytery, who may grant the request.

Ministers who are not members of Presbytery but under jurisdiction
58. A minister who is not a ministerial member of any Presbytery (and is therefore without charge) is under the jurisdiction of the Presbytery within whose bounds he resides. Within two months (or such extension of time as the Presbytery may reasonably allow) of taking up residence within the bounds of a Presbytery, he is required to present to it a certificate of status issued by a competent court not more than three months previously.

Ministers who are not ministerial members accepting a call
59. A minister who is not a ministerial member of any Presbytery, if he accepts a call from a congregation in another Presbytery, is required to apply to the Presbytery within whose bounds he resides for a certificate of status. He must present this certificate to the other Presbytery prior to its inducting him to a charge. The Presbytery is not permitted to induct him until a certificate of status has been produced and approved.

Ministers who are not ministerial members accepting an appointment/assistantship
60. A minister of the Presbyterian Church of Australia appointed to a parish as minister without charge or as an assistant to the minister is enrolled as a ministerial member of the Presbytery within whose bounds he works:

   a) if the appointment is for twelve months or more; and
h) from the date of approval of a certificate of status from the Presbytery within which he has been residing.

He remains a ministerial member of Presbytery until the completion of the term of his appointment.

Retired ministers eligible to be members of Session
61. A retired minister, provided he has not retained his ministerial membership of Presbytery, is eligible for election to membership of the Session of the congregation of which he is a member. He is elected and inducted to office in the same manner as for other elders (see rules 3:15-23).

Residence and jurisdiction relative to GAA Code of Discipline
62. When a minister who is not a ministerial member of any Presbytery (rule 4:58) or a licentiate (rule 4:54) takes up residence within the bounds of a Presbytery other than that within which he has been residing, he is considered, for the purpose of determining jurisdiction under the Code of Discipline of the General Assembly of Australia, to have been transferred to the jurisdiction of the Presbytery within whose bounds he has gone to reside, as from the date of his taking up residence.

Complaints against ministers
63. The Presbytery is the court of first instance in respect of all matters relative to the life, character and professional conduct of its ministers and licentiates. The Presbytery receives and deals appropriately, either by administrative action or by formal judicial process of discipline, with all complaints, charges or allegations of any kind that come to its notice by regular process and are directed against ministers or licentiates within its jurisdiction (see rule 3:65).

General oversight by Presbytery
64. It is the duty of the Presbytery to be active in the oversight of all ministers and licentiates residing or labouring within its bounds, whether they are under its jurisdiction or not. It takes cognisance of any false teaching or inappropriate conduct of any such minister or licentiate as comes by regular process to its notice and deals with it, as the case requires, by administrative or other action. Until a Presbytery is satisfied, it may prohibit the minister or licentiate concerned from exercising within its bounds any or all of the functions of the ministry. Should he be subject to the jurisdiction of some other Presbytery, the facts of the case may be communicated to that court with a request that it take appropriate action.

Discipline of ministers and licentiates
65. In exercising its oversight of ministers and licentiates the Presbytery makes use of discipline in dealing with those subject to its jurisdiction. This power is exercised in accordance with the Code of Discipline of the Presbyterian Church of Australia (see GAA Code Chapter 9). The Presbytery, in the administration of this rule, is required to exercise special care to comply with all the relevant provisions in chapter 6 (general rules for church courts).

Leave of absence
66. The minister of a charge is not permitted to be absent from his pulpit or from the pastoral care of his congregation for more than two months without obtaining the leave of his Presbytery. Where such leave is given, the Presbytery may if it considers necessary, appoint an interim moderator for the whole or part of the period of the minister’s absence. In the case of a minister without charge or other pastoral responsibility, he is required to obtain the leave of his Presbytery for absence from the bounds for a period in excess of six months.

Sick Leave
66A a) Where a minister has been unable to perform his parish duties for a period of two months on account of ill health the Session Clerk shall forthwith inform the Clerk of Presbytery who shall contact the minister.

b) The minister, or the person responsible for his care, shall forthwith, but not later than ten days thereafter:
   i) advise the Presbytery of the nature and extent of his illness,
   ii) present to the Presbytery a Medical Certificate.

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c) On receipt of the certificate the Clerk of Presbytery may in consultation with the moderator:
   i) declare the minister to be on sick leave and appoint an interim moderator; such action to be
      confirmed at the next meeting of Presbytery,
   ii) direct the minister on sick leave, or the person responsible for his care, as soon as possible to
      supply the interim moderator all information necessary for the Board of Management in
      consultation with the Church Office to make a claim for disability insurance payments.

d) Return to Duties:
   i) The interim moderator shall be responsible to advise the Session and Presbytery of the situation
      regarding the minister’s health,
   ii) Any return to work program, either part or full time, must be in consultation with the Session
      and approved by the Presbytery.

e) Permanent Incapacity:
   In the event of the minister not being able to resume either full or part time duties to the satisfaction
   of the Presbytery, and on receipt of a certificate from two registered medical practitioners that the
   minister’s condition is unlikely to improve to a point where the minister is able to resume full or part
   time duty, the Presbytery may dissolve the pastoral tie, declare the charge vacant and take the usual
   steps for filling the vacancy.

Contumacy (wilful refusal to obey a lawful order)
67. Presbytery may proceed against a minister who:
   a) leaves his charge for more than two months without permission of the Presbytery; or
   b) disowns or defies the authority or deliberately disobeys a lawful order of the Presbytery; or
   c) is repeatedly absent without leave or sufficient reason from Presbytery meetings of which he is a
      member;

with a charge of contumacy but only in accordance with the Code of Discipline of the Presbyterian Church of
Australia.

Insanity or mental impairment in a minister
68. When it is has been established to the satisfaction of the Presbytery, in the course of any judicial process
   affecting the status of a minister, or by members of his Session or of his congregation and on the certificate of two
   registered medical practitioners, that a minister is mentally incapable of performing the duties of his office, the
   Presbytery relieves him of the exercise of them and takes steps to provide for the administration of all Gospel
   services and pastoral oversight.

The Presbytery appoints an interim moderator, and it may, if it be deemed necessary, allocate a portion of the
   minister’s stipend, not exceeding one half, towards the expense of supplying Gospel services mentioned above.

In the event of the minister being certified by two registered medical practitioners as mentally capable of resuming
   his duties, the Presbytery reinstates him in the full exercise of the duties of his office and discharges the interim
   moderator.

In the event of the minister not being mentally capable at the expiration of one year, the Presbytery dissolves the
   pastoral tie, declares the charge vacant and takes the usual steps for filling the vacancy.

Registration under Marriage Act: celebrants of marriage
69. It is the responsibility of the Presbytery to approve all applications for registration as a marriage
   celebrant, and to transmit these applications to the Clerk of the General Assembly for the registration of persons
   as celebrants of marriage under the Marriage Act.

The following shall be entitled to be registered as ministers of religion who may celebrate marriages under the
   Commonwealth Marriage Act 1961:
   a) all ordained ministers in charge of parishes, and ministers holding Assembly appointments who have
      been recommended by their Presbytery;
   b) ordained ministers without charge, who are ministering for a specified period of not less than three
      months in an appointment parish, home mission station, or a ministerial office within the church,
      during the term of their appointment, if recommended by the Presbytery of the bounds;
   c) home missionaries appointed by the ministry development committee and serving for a specified
      period of not less than three months in a home mission station or appointment parish, during the
      term of their appointment, if recommended by the Presbytery of the bounds.
Chapter 4: The Presbytery

Notification of Clerk and Government Statist

70. The following notifications apply:
   a) when any minister becomes qualified as above, the Clerk of Presbytery shall notify the Clerk of Assembly, who shall provide the minister with a form of application to be filled in and returned to him;
   b) when any minister ceases to be qualified as above, the Clerk of Presbytery shall notify the Clerk of Assembly, who shall instruct the Government Statist accordingly;
   c) every minister changing his address shall notify the Clerk of Assembly, who shall forward the new address to the Government Statist;
   d) every minister leaving the Commonwealth of Australia for more than three months shall report his departure and also his return to duty to the Clerk of Assembly, who shall inform the Government Statist of these facts.

Custody of marriage register

71. The marriage register is considered to be the record of the parish and shall remain in the parish. The Session shall be responsible for its safe keeping along with other parish records.

Section Seven ... Public Worship

Regulation of worship and other services

72. The Presbytery is responsible for the regulation within its bounds of all matters concerning the performance of public worship and the administration of all religious services (see rule 3:30). In exercising this responsibility, Presbytery takes notice of any case drawn to its attention that appears to be a practice inconsistent with the accepted standards of worship as practised in the church or which is a needless cause of division in the congregation.

After careful inquiry the Presbytery may direct that such practices cease.

Effect of appeal against decision on worship

73. In the case of an appeal against a decision of the Presbytery relative to public worship or other religious services, there is no setting aside of the Presbytery's procedure or of the execution of judgment. All parties concerned are required to obey and abide by the original decision of Presbytery until the appeal is finally disposed of (see rule 3:30).

Section Eight ... Formation and Status of Congregations

Boundaries and status fixed

74. The Presbytery divides the whole area within its bounds into parishes and mission fields and gives to each parish the status of either a charge or an appointment parish, and to each mission field the status of either a progressive mission station or a home mission station (see rules 2:3,4).

Session appointed

75. The Presbytery places every congregation within its bounds under the control and supervision of a Session. To this end it may:
   a) approve the formation of a Session by the election of elders from among the communicant members of a parish or mission field;
   b) appoint for a parish or mission field an interim Session composed of ministerial members of the Presbytery or of members of Sessions within the bounds, with a ministerial member of the Presbytery as moderator;
   c) strengthen an existing Session by the appointment of assessors who are ministerial members of the Presbytery, or members of other Sessions within the bounds, who during the term of their appointment have the full rights and privileges of Session members (see rules 3:67; 4:110; 6:75);
   d) place the congregation under the control and supervision of a neighbouring Session.
Status of charge
76.  The Presbytery declares an area to be a parish with the status of a charge when it is satisfied that:
   a)  the area requires the settlement of a minister; and
   b)  there is a sufficient number of communicants adequately organised to exercise the right and responsibility of issuing a call; and
   c)  the financial requirements for a settlement can and will be met by the congregation concerned; or, if in the judgment of the Presbytery that is unlikely, sufficient financial aid will be made available for this purpose from the funds of the General Assembly.

Charge reduced to an appointment parish
77.  When the circumstances of a charge change to such an extent that it can no longer retain that status, and the Presbytery judges the change to be of a temporary nature only, the Presbytery may decide to withhold from the congregation the right of call for the time being. It then declares the status of the parish to be that of an appointment parish, and proceeds to the appointment of a minister for a period not exceeding three years in the first instance (see rule 4:99).

Mission field raised to an appointment parish
77A  When the circumstances of a mission field change to such an extent that it is likely to reach the capacity to become a charge, the Presbytery may, in the interim, declare the mission field to be an appointment parish and proceed to make a suitable appointment.

Presbytery declares status
78.  If the Presbytery judges that the establishment or continuation of an appointment parish is in the best interests of the church, it shall declare this to be the status of the parish, until such time as the right of call is given or restored or the appointment of the minister terminates (see rule 4:89).

Charge reduced to home mission station
79.  If adverse changes in the circumstances of a charge or appointment parish occur of such a nature that it can no longer retain its status as a charge or appointment parish, and if the Presbytery judges that these are likely to be of a lasting character, the Presbytery declares the charge or appointment parish to be a home mission station. However the Presbytery may unite such a parish with some other charge or appointment parish (see rule 4:89).

Progressive mission station
80.  The Presbytery declares an area to be a mission field with the status of a progressive mission station when it is satisfied that:
    a)  the mission field requires the settlement of a minister, licentiate or exit student; and
    b)  there is a reasonable likelihood of the mission field attaining the status of a charge within one year from the appointment of a minister, licentiate or exit student; and
    c)  the financial requirements for the appointment can and will be met by the congregation concerned alone; or, if in the judgment of the Presbytery that is not possible, sufficient financial aid will be made available for that purpose from the funds of the General Assembly.

In the event of the progressive mission station failing to attain to the status of a charge during the period of one year referred to in (b) of this rule, it falls from the status of a progressive mission station and may not again be declared to be such until there is further evidence of its likelihood of attaining the status of a charge.

Home mission station
81.  The Presbytery declares all areas within its bounds which do not have the status of a charge, an appointment parish or a progressive mission station to be mission fields with the status of home mission stations.

Establishment of special interest congregations
82.  A Presbytery may establish within its bounds a congregation which is intended to comprise persons, including children, associated for Christian worship who are members of either a single ethnic group or who are linked together by a special interest which is deemed by Presbytery sufficient to make it impossible for an ordinary congregation to minister adequately to them.
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Not affect parish bounds
83. A special interest congregation established within the bounds of an existing parish shall not affect the parish bounds and work of the existing congregation within whose bounds the special interest congregation is established.

Ministry Development Committee initiative
84. The Ministry Development Committee, with the approval of the Presbytery, may seek to foster the establishment of special interest congregations and in particular may encourage existing congregations to make available their buildings for use by special interest congregations upon reaching agreement about acceptable terms and conditions.

Interim care and nurture
85. Upon establishment of a special interest congregation the Presbytery shall place the interim care and nurture of the congregation under the supervision of a moderator and an interim Session, and shall take due care to promote the unity of the body of Christ within the wider church.

Membership
86. Membership of a special interest congregation may be drawn from areas within the bounds of existing parishes and other Presbyteries. However, improper canvassing for new members from among the membership of other congregations shall be avoided.

Use of existing property
87. All arrangements proposed for use by a special interest congregation of the property of an existing congregation must be approved by the existing congregation and the Presbytery of the bounds. A special interest congregation, on entering agreement for the use of property, acquires no proprietary interest in the property of the existing congregation.

Declaration of status
88. Presbytery, as it decides appropriate, and following due procedure as outlined in rule 4:89, may declare the special interest congregation:
   a) to be a charge, eligible to issue a call; or
   b) to be an appointment parish, eligible to receive appointment of a licentiate or minister; or
   c) to be a home mission station, eligible to receive a Ministry Development Committee appointment.

Union, readjustment or dissolution of congregations
89. The Presbytery, when it sees sufficient cause, takes the steps necessary to effect the union, readjustment or dissolution of congregations within its bounds, and makes such changes in the bounds and status of parishes and mission fields as it judges necessary. In every such case it first seeks the mind of the ministers, Sessions and congregations concerned and endeavours to obtain their agreement to the proposed decision.
   The absence of such agreement is no barrier to the further action of the Presbytery when it judges such action to be necessary for the good of the church. However the Presbytery must have the concurrence of the ministers of any settled charge involved in the proposed change.
   In effecting the union, readjustment or dissolution of a congregation the Presbytery takes care that no property is needlessly alienated from the church.
   At all times the Presbytery encourages and assists mission stations and appointment parishes to rise to the status of a charge.

Dissolution of congregation
90. The Presbytery refrains from making an executive declaration of the final dissolution of a congregation until:
   a) a period of twelve months or more has elapsed since the last regularly authorised Presbyterian church service of the congregation was held by a minister or elder or home missionary of The Presbyterian Church of Victoria; and
   b) the intention to dissolve the congregation has been reported to the General Assembly and agreed to by it.

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Section Nine  ...  Oversight of Congregations

General responsibility of Presbytery
91. In addition to its responsibility for the particular matters referred to in the preceding rules of this chapter, the Presbytery has a general responsibility and duty relative to the well-being of the church and its work, and of the congregations, and all congregational property, organisations and activities, within its jurisdiction. To this end it exercises a general oversight of congregational affairs and of the interests of the church within its bounds. The Presbytery, in the exercise of such general oversight, uses its power of original action to deal with the matters referred to in the following rules of this section and with such matters falling within its responsibility as, from time to time, may require its attention and action. The Presbytery takes special oversight of congregations within its bounds which are vacant (see chapter 4A).

People without church connections
92. The Presbytery has a responsibility towards all people living within its bounds who are not connected with the Christian church and takes such steps as it determines necessary and practicable, including street witness, house-to-house visitation and other forms of evangelism, under the direction of Sessions, to make the Gospel known to them.

Sparsely populated areas
93. In sparsely populated areas within its bounds, or where the number of Presbyterian people is too few to form an organised congregation, it is the duty of the Presbytery to arrange for periodical patrols or to take such other actions as will make the Gospel, worship services and other provisions of the Christian faith available to them.

New housing development, areas of rapid growth
94. Special attention needs to be given to areas within the bounds of the Presbytery where new housing development and areas of rapid growth, accompanied by increasing population, is apparent. It is the duty of the Presbytery, by the establishment of new charges or home mission stations, or by the rearrangement of existing ones or by other suitable means (subject to the provisions of rule 4:89), to see that adequate provision is made for the expansion of the Gospel and for all spiritual needs of such areas (see also rule 2:10).

Oversight of mission fields
95. The Presbytery exercises special supervision of mission fields within its bounds, appoints one of its ministerial members or a district interim moderator as moderator of each progressive or home mission station, and requires from each moderator regular reports as to the progress of the work. All home missionaries, students, licentiates or ministers engaged in home mission work within the bounds of the Presbytery are under its oversight in respect of such work.

Sunday School, children’s ministry and youth work
96. The Presbytery has a responsibility to see that Sunday schools, children’s ministry, Bible classes, and other forms of youth activities approved by the General Assembly are established within its bounds wherever this is needed and practicable, even in advance of the establishment of an organised congregation. It is also the duty of the Presbytery to ensure, as far as it can, that the work of Sunday schools, children’s ministry and youth organisations is efficiently carried on and that facilities for the training of teachers and leaders are made available.

Pastoral support and resident supply ministry
97. When it sees cause the Presbytery seeks to provide adequate pastoral support or resident supply ministry in a parish or mission field within its bounds by the appointment (whether full or part time) of a minister, licentiate, candidate for the ministry, home missionary or another suitably qualified person. It either initiates or approves this action in accordance with the procedure and on terms appropriate to the particular circumstances. In every case the Presbytery takes care that a person so appointed is eligible and in possession of any necessary certificates.

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Appointments to mission stations
98. The Presbytery applies for and approves all appointments of ministers, licentiates or exit students to progressive mission stations, and all appointments to home mission stations, within its bounds.

Appointment to appointment parish
99. The Presbytery supervises the selection of a suitable minister for appointment to an appointment parish within its bounds, and appoints him when it is satisfied as to his suitability and willingness to undertake the work on the terms and conditions fixed (see rules 4:77; 4A:25, 33).

Appointment of assistant to the minister
100. In the case of the appointment of an assistant to the minister of the charge the first steps are ordinarily taken by the minister acting with the concurrence of the Session. The appointment is made by the minister with the approval of the Session and the Presbytery.
If the appointment is for twelve months or more the financial arrangements must be approved by the congregation. (The appointment is then reported to and approved by the Presbytery.)
In the case of the appointment of an assistant for a term of less than twelve months, approval by the Board of Management of the financial arrangements is sufficient.
In every case of the proposed appointment as assistant of a person other than an ordained minister of the church the approval of the relevant Assembly committee is first obtained.
An assistant works under the direction of the minister, is not inducted to office, and does not have a seat in the Presbytery unless qualified under the provision of rule 4:3(e).

Ordained assistant may accept call
101. A minister who as a licentiate has been ordained upon taking up an appointment as an assistant (see rule 4A:52) is free to accept a call after completion of a period of twelve months or more.

Associate, colleague or colleague and successor
102. The church recognises the following further ministerial positions:
   a) An associate is a minister who has been called and inducted into a specially created associate position within a charge and is in every sense a minister of the charge except that the first inducted minister is considered to be the senior minister.
   b) A colleague is a minister who has been called and inducted into a specially created collegiate position within a charge and is in every sense a minister of the charge and sharing equal standing with the first inducted minister.
   c) A colleague and successor is a minister who has been called and inducted as in (b) above, but with the right to succeed as sole minister of the charge when the first inducted minister retires or is translated.

Application for associate, colleague or colleague and successor
102A When the Presbytery receives an application from a minister of a charge within its bounds for an associate minister, a colleague or a colleague and successor, the Presbytery inquires into the whole circumstances and ascertains the mind of the congregation.
The Presbytery may approve such an application only when it is satisfied that:
   a) the provision of an associate minister, a colleague or a colleague and successor is desirable; and
   b) all the financial requirements can be met including the terms of settlement and superannuation contributions; and
   c) the congregation is agreeable and, in the case of a colleague and successor, that the congregation has been informed that he will have the right to succeed to the office of sole minister of that charge.
When it approves such an application:
   d) the Presbytery appoints an interim moderator to preside at all necessary meetings pertaining to the calling of an associate minister, a colleague or a colleague and successor;
   e) issues an edict of vacancy, and then proceeds as in the case of an ordinary vacancy, except that in calling an associate minister, the minister of the charge shall be regarded as the senior (see rule 4A:2(c)(i)).

Local trustees of congregational property
103. The Presbytery performs the duties and exercises the discretions specified in the regulations enacted by the General Assembly relating to Section 25 of the Presbyterian Trusts Act 1890 in respect of the appointment,
supervision, and removal of the trustees of such congregational property as is not vested in The Presbyterian Church of Victoria Trusts Corporation and not held under any Act of Parliament or deed of trust containing any specific provision for the appointment and removal of trustees (see rules 2:28; 4:145(a)).

Permission to erect, alter, demolish, etc.
104. It is the duty of the Presbytery:
   a) to consider all applications from congregations within its bounds for permission to erect, extend, alter, remove or demolish congregational buildings (see rule 2:33, 90, 90A);
   b) to assure itself, before it gives approval and permission, that all the requirements of the General Assembly in such cases have been met, and that the proposed action is warranted by the circumstances of the congregation and is in its best interests (see rule 4:145(b);
   c) to use its authority to see that no such action is taken unless and until such approval and permission are given.

Permission to sell, mortgage, lease, purchase, etc.
105. It is the duty of the Presbytery to consider carefully and, if it approves, to forward to the relevant General Assembly committee all applications from congregations within its bounds for permission to sell, mortgage, exchange, lease or purchase congregational property or for permission to take out loans. In considering such applications, the Presbytery takes account of all the circumstances and of the best interests of the church in general as well as of the particular congregation (see rules 2:34, 90, 90A, 92).

Supervision of existing property
106. It is the duty of the Presbytery to see that all congregational property within its bounds is preserved by those who have the care of it from needless deterioration, and at all times to use its authority to protect the property of the church from misuse (see rule 2:30, 43, 88; 4:145(c)).

Information called for
107. The Presbytery may at any time it sees fit call for specific information concerning their affairs from Sessions and Boards of Management within its jurisdiction.

Inability to pay stipend
108. The Presbytery, on receiving notification from a congregation information that it can no longer fulfil the terms of settlement promised to its minister at his induction, takes the steps which are thought most expedient, which may include:
   a) encouraging the congregation to increase its financial support;
   b) recommending to the Maintenance of the Ministry Committee of the General Assembly that, if its regulations permit, it allow a reduction of the set terms;
   c) recommending and assisting in the removal of the minister to another sphere of labour;
   d) dissolving the pastoral tie, if it sees fit to do so, and with the concurrence of the minister.
It must, on finding that the terms of settlement are not being fulfilled, dissolve the pastoral tie not later than six months after recording such finding, unless in the meantime it has granted the prayer of a petition from the minister to be allowed to retain his charge (see rule 2:86).

Power of discipline
109. The Presbytery has, and uses as occasion requires, a general power of discipline in dealing with the persons subject to its jurisdiction.

Assessors
110. At the request of a Session, or even in the absence of a request, the Presbytery may at any time it determines appoint an assessor or assessors, either from its own membership or from elders who are members of other Sessions within its bounds, to strengthen a Session or to assist it with the conduct of any case pending or proceeding before it. To such appointments the provisions of rule 6:75 apply (see rules 3:67; 4:75(c)).
Section Ten  ... Oversight of Church Institutions

Responsibility of Presbytery
111. The Presbytery has oversight of any church institution within its bounds, which for the purposes of rules 4:111-116 excludes the Theological College, schools and colleges subject to a separate act of incorporation and any other institution specifically exempted by the General Assembly (see rule 4:29). This oversight is exercised in respect of:
   a) arrangement and conduct of worship;
   b) religious and moral teaching;
   c) all other matters of a religious or moral character, pertaining to the policy and administration of the institution, which affect the life and work of the church.

Information supplied to Presbytery
112. The governing authority or committee of management of any church institution keeps the Presbytery of the bounds fully informed of the arrangements made within the institution for:
   a) the holding of services within the institution or the attendance at public worship of those residing in them;
   b) the giving of religious instruction;
   c) the preparation of persons for communicant membership of the church;
   d) the operation of the church’s youth or other appropriate organisations;
and submits to the Presbytery annually a report in respect of these matters.

Visitation of institutions and reference to Assembly
113. In the exercise of its oversight the Presbytery may make regular or special visitation to any church institution within its bounds after giving reasonable notice to the governing body or committee of management and to the head of the institution. Should the Presbytery not be satisfied with the action taken by the institution in response to its lawful directions or recommendations, it may bring the matter to the notice of the General Assembly by petition.

Chaplains to church institutions
114. Only ministers judged by the Presbytery of the bounds to have full standing in the Presbyterian Church of Australia may be appointed as chaplains of institutions of the church. Such chaplains are appointed by the governing authority or committee of management only with the prior knowledge of the Presbytery of the bounds, to whom the intention to appoint must be officially intimated. In the case of the proposed appointment of the minister of a charge as part-time chaplain the consent of the Presbytery of which he is a member is necessary.

Installation of chaplains, officials, special services
115. The Presbytery of the bounds, in consultation with the governing body or committee of management concerned, appoints, if it sees fit, and conducts any service which the governing body or committee of management desires to hold in connection with the admission to office of a chaplain, headmaster/principal, superintendent or other official. The same provision applies to services marking a jubilee, centenary, or other special occasion of interest to the church generally.

Jurisdiction of Presbytery unimpaired
116. Nothing contained in the above rules of this section relating to oversight of church institutions in any way qualifies or impairs the powers of the Presbytery in respect of persons connected with such institutions who are also the subjects of its jurisdiction in terms of rules 4:29–32.

Section Eleven  ... Congregational Visitations

Presbyterial five-yearly visitation
117. The Presbytery visits every parish and mission field within its bounds, as far as possible in rotation, at least once in every five years. The purpose of this visitation is for the Presbytery to acquaint itself with the state of affairs within the parish or mission field, to strengthen the hands of the minister, Session, office bearers and members of the congregation, to
advise them should anything appear to be unsatisfactory or not in accord with the law of the church, and in general to give counsel and encouragement as may be suitable to the circumstances.

Who visits
118. Normally the visitation will be conducted by a committee of the Presbytery, consisting of at least three members, the majority of whom shall be ministers.

Who is interviewed
119. When a parish or mission field is to be visited the Presbytery shall give to the congregation through the Session at least four weeks’ notice prior to visitation. If the Presbytery wishes to interview appointed representatives only it shall be the duty of the Session, unless the Presbytery otherwise directs, to ensure that two representatives are appointed from each of the following: the Session, the Board of Management and the congregation. Those representing the congregation will not normally be elders or Board members.

Further, if thought desirable by the Presbytery, two representatives from the Sunday School, and one from each of the other organisations shall be appointed. The bodies represented shall be given an opportunity of instructing their representatives.

Visitation questions
120. Sufficient copies of Presbytery’s approved visitation schedule shall be sent to the Session, which shall see that the required questions are duly answered in writing by all the parties concerned. The completed schedules shall be returned to the convener of the committee at least seven days prior to the date of visitation.

The committee shall then consider the answers, examine the documents, and determine what matters shall be specially mentioned during the visitation.

Records, returns made available
121. The committee shall visit the parish or mission field, confer with the minister and others appointed, and make any inquiries it sees fit. The committee shall have access to the records of the Session, Board, congregation and other organisations of the parish or mission field, and a copy of the last annual report and balance sheet, as well as the most recent statistical returns.

The committee shall be provided through the Presbytery Clerk with the finding of Presbytery from the last visitation, together with all the schedules of questions and answers then submitted.

Presbytery’s discretion in method
122. The different parties concerned may be interviewed in the way the Presbytery thinks best, according to circumstances. Normally, separate interviews should be held with the minister, the Session, and members of the Board, or Boards of Management. It is the normal practice that, seeing as the minister has been separately interviewed, he is not to be present at the meetings with the Session and the Boards. When the Presbytery requires the appointment of a representative only for interview, or when representatives are appointed as spokesmen, this shall not preclude others from speaking or being questioned. The process may also include public worship.

Committee Report
123. The committee shall prepare for the Presbytery:
   a) a report on the conduct of the visitation;
   b) a proposed finding concerning the state of the affairs of the parish or mission field;
   c) recommendations based on the finding.

Proposed finding sent to congregation first
124. The committee shall send the relevant parts of the proposed finding (see rule 4:123(b)), before it is considered by Presbytery, to the minister, Session Clerk and secretary of the Board of Management at least seven days before it is considered by the Presbytery. The Board shall receive only the part relating to its own work; the Session, all except the part relating to the minister. All parties concerned shall have opportunity at the meeting of Presbytery when the proposed finding is considered to make representations relating to it.

Finding arrived at and recorded
125. Presbytery shall:
   a) receive the committee’s report;
b) consider the proposed finding and hear any representations from parties concerned; this step being conducted in private;
c) arrive at its finding, which shall be recorded in the minutes;
d) based on the finding together with the committee’s recommendation, formulate specific recommendations.

Finding reported back to congregation
126. A specified portion of the finding and recommendations, as the Presbytery determines, and this portion only, shall be read to the congregation by a minister appointed. Any finding and recommendations made to the minister or to the Session shall be communicated to them by the Presbytery privately.

A copy of the parts concerning the Session and of the Board of Management shall be inserted in their minute books. A copy of the finding, recommendations and the schedules of questions and answers submitted to the Presbytery shall be filed by the clerk for future use.

Review after twelve months
127. Twelve months after the adoption of the finding, the Presbytery shall inquire through the Session how far the recommendations (if any) have been carried into effect.

Special visitations
128. The rules above apply only to the regular and systematic five-yearly visitation of congregations and do not preclude the Presbytery from conducting other special visitations in the way which seems most appropriate to the needs of the particular case, but care shall always be taken to see that substantial justice is done to all parties concerned.

Section Twelve  ...  General Powers of Review

Examination of records
129. The Presbytery calls annually, and at such other times as it sees fit, for the minute books, rolls, registers, and other specified records as it may require, of each congregation, Board of Management and Session within its bounds.

The Presbytery examines them by appointing a committee for the purpose. Upon receiving the report of the committee, the Presbytery adopts one or more of the following courses of action:
   a) confirms that the records are found to be satisfactory;
   b) records its judgment as to the correctness and accuracy with which each record is kept;
   c) gives any needful directions for future guidance or improvements;
   d) censures any matter or procedure in the records which it finds to be beyond the legal power of that body or contrary to the law of the church. In so doing it may declare the matter to be null and void, or order the minutes to be altered or parts to be deleted, after summoning the parties concerned to its bar and hearing them concerning the matter. It also takes such further action as may still be practicable to remedy any injustice which may have been involved in the matter or procedure of which it has disapproved.

The Presbytery arranges for the collection of all records not in active use, in which the last entry is more than seven years old, and, after final examination, deposits them in the church archives.

Congregation in an unsatisfactory state
130.

Part (1) Presbytery’s first steps
Inquiry
   a) When a presbytery resolves that a congregation under its jurisdiction may be in an unsatisfactory state the Presbytery inquires into the state of the congregation. This inquiry may be conducted
      i) by two or more of its members appointed for that purpose; or
      ii) by the court as a whole.

Special Visitation
   b) Following this inquiry, the Presbytery may resolve
      i) to take no further action; or
      ii) that the congregation is in an unsatisfactory state.
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Should the Presbytery resolve that the congregation is in an unsatisfactory state it shall then conduct a special visitation of the congregation with the intention of remedying the unsatisfactory state of affairs by counsel and advice. The Presbytery shall ensure that during this special visitation persons who have or may have a view on any matter or matters in dispute are given adequate opportunity of being heard.

Part (2) Procedure should the unsatisfactory state of affairs not be remedied

a) Following a special visitation referred to in Part 1 of this Rule, the Presbytery may resolve
   i) that the congregation is now in a satisfactory state; or
   ii) to take no further action; or
   iii) that the unsatisfactory state of the congregation has not been remedied.

b) Should the Presbytery resolve that the unsatisfactory state has not been remedied, the Presbytery shall
   i) declare that the congregation continues in an unsatisfactory state; and
   ii) record in its minutes its reasons for this declaration.

In recording its reasons the Presbytery shall take care not to make any adverse finding or judgment regarding any particular person or persons. If such a finding is indicated, procedure under this rule shall cease. The Presbytery may then at its discretion begin an appropriate process of discipline under the Code of Discipline of the General Assembly of Australia.

Part (3) Procedure should the Presbytery find that the purposes of ministry are not being served

Should a presbytery, having declared that a congregation continues in an unsatisfactory state as provided for in part (2 b) of this rule also resolve that the purposes of ministry in that congregation are not being served, then, provided that no adverse finding or judgment regarding any particular person or persons is made, the Presbytery may, after the giving of notice of motion for a future meeting, and after giving any persons likely to be affected by its decision an opportunity to be heard:

a) dissolve the pastoral tie and / or
b) dissolve the Session and / or the Board of Management.

The purposes of the ministry in a congregation are the promotion of the Christian gospel in the district and the spiritual welfare of the congregation (Form of Call, Appendix 1).

Part (4) Appeals and Petitions to the General Assembly

Until a decision is taken by the Presbytery under part 3 of this rule, it shall not be open to any member of the Presbytery or any member of the congregation to appeal or petition the General Assembly on the matter.

Part (5) This Rule not to be used where the GAA Code of Discipline applies

No matter shall be dealt with under this rule which might constitute a charge against any minister or person on the roll of any congregation. Any such matter should be pursued under the GAA Code of Discipline.

Responsibility for General Assembly enterprises

131. The Presbytery has a special responsibility to the General Assembly in relation to the annual budget (GMP) for the enterprises of the Assembly. It has responsibility to see that the congregations within its bounds are taking all the action that may reasonably be expected of them to make a contribution in keeping with their resources. The Presbytery should inquire into cases of failure and, by conference, encouragement, advice and other competent means, seek to eliminate such cases.

Appeals against Sessions

132. The Presbytery takes up and deals with all appeals competently taken against the decisions of the Sessions within its bounds (see chapter 6, section 9).

Petitions to the Presbytery

133. A petition may be competently used and addressed to the Presbytery:

a) to ask the Presbytery to review the decision of a Session in the cases provided for in rule 6:38 (see rule 3:4);

b) to ask the Presbytery to review some decision of a congregational meeting (see rule 2:26) or of a Board of Management (see rule 2:68);

c) to ask the Presbytery to make a special visitation, or to intervene in some other competent manner, when a dispute or difficulty involving the minister has arisen within a congregation (see rule 4:130);

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... Powers and Duties Relative to Higher Courts

Petitions to Assembly
135. The Presbytery may petition the General Assembly, or the General Assembly of Australia as the case may be, in relation to any matter within the competency of the court to which the petition is addressed, if the matter is one which could not have come up to that court by reference, appeal or overture (see rules 6:35-44).

Appeals against Presbytery
136. Appeals to the General Assembly, or to the General Assembly of Australia as the case may be, may be taken against any decision or judgment of the Presbytery, unless in any particular matter it is expressly provided that the decision of the Presbytery is final. Appeals are dealt with according to the procedure prescribed in chapter 6, section 11 (see rules 6:61-74).

References to Assembly
137. The Presbytery may transmit a reference to the General Assembly, or to the General Assembly of Australia in matters in which it is supreme, following the procedure prescribed in chapter 6, section 8 (see rules 6:45-52).

Overtures to Assembly
138. The Presbytery may overture the General Assembly to take legislative or executive action in relation to any matter with which that court may competently deal. In respect of matters with which only the General Assembly of Australia may competently deal, a Presbytery may overture the Victorian General Assembly to overture the General Assembly of Australia, and it may either:
   a) indicate the precise form it desires the proposed overture to take; or
   b) propose that the Victorian General Assembly formulate the terms of a suitable overture (see rules 6:28-34).

Petition to change name of bounds
139. If the Presbytery desires to change its name or its bounds it proceeds by petition to the General Assembly. It provides a copy of the petition at least thirty days before the Assembly meets to any other Presbytery which would be affected.

Transfer of congregations
140. If the Presbytery desires that one of its congregations should be transferred to another Presbytery, or that a congregation within the bounds of another Presbytery be transferred within its own bounds, it petitions the General Assembly, and at least thirty days before the meeting of Assembly supplies a copy of the petition to the other Presbytery affected.

No interference with another Presbytery
141. A Presbytery has no right or power to interfere with or review the procedure of another Presbytery. A Presbytery aggrieved by such interference may make representations to the other Presbytery, and if this proves ineffectual it seeks a remedy by means of a petition to the General Assembly.

Leave to meet during Assembly
142. The Presbytery requires leave to meet while the General Assembly, the Commission of Assembly or the General Assembly of Australia is sitting. If the Presbytery receives leave or instruction to meet, notice is required to be given to all members.
Returns to remits
143. It is the right and also the duty of the Presbytery to take its part in the legislation of the church by approving or disapproving remits from higher courts (see rule 5:53–65). The Presbytery is responsible for seeing that any remit which a higher court has ordered to be sent to Sessions is duly communicated to them and that they are diligent in making their returns to the Presbytery.

Records examination by Assembly
144. The Presbytery is responsible to the General Assembly for the correctness and accuracy of the permanent record of its proceedings and is required to submit its minute book to each General Assembly for examination and approval.

Trustees, property, loans, etc.
145. The Presbytery is responsible to the General Assembly:
   a) for the proper discharge of such duties in relation to trustees of congregational and other property as the Assembly has assigned or from time to time may assign to it by rule, regulation or resolution (see rules 2:28; 4:103);
   b) for forwarding to the appropriate Assembly committees such applications as it approves from congregations for permission to erect, extend, alter, remove or demolish, or to sell, mortgage, exchange or lease congregational property, or for grants or loans (see rules 2:33, 34, 90, 92, 4:104(b));
   c) for its diligence in making effective use of its authority to preserve church property within its bounds from needless deterioration or misuse (see rule 4:106).

Commissioners to the General Assembly of Australia
146. In terms of Article 1.5 of the Articles of Agreement dated 24 July 1901, before each meeting of the General Assembly of Australia the Presbytery is required to elect as its representatives “one minister and one elder for every five Sanctioned Charges or portion thereof within its bounds”.

Responsibility for execution of law
147. The Presbytery has a general responsibility to its higher courts for seeing that the law of the church and all lawful directions received from time to time from higher courts are obeyed within its bounds.
Chapter 4A ... The Presbytery – Vacancies, Ordinations and Inductions

Section One ... Supervision of Vacant Charges

Oversight of vacancies
1. The Presbytery takes special oversight of a congregation within its bounds which is vacant.

Declaration of vacancy
2. The Presbytery declares a vacancy to exist in a charge from the date of:
   a) the death of a minister; or
   b) the dissolution of the pastoral tie between minister and congregation:
      i) on the acceptance of the resignation of the minister in accordance with rule 4A:4; or
      ii) on the minister’s translation and induction to another charge; or
      iii) in consequence of the action or instructions of a higher court; or
      iv) in consequence of lawful action taken by the Presbytery as provided in rules or regulations of the General Assembly; or
   c) approval given by the Presbytery:
      i) to an application for the calling of an associate minister, a colleague, or a colleague and successor, to the minister of the charge (see rule 4:102A); or
      ii) for the raising of an appointment parish, a progressive mission station or a home mission station to the status of a charge.

Dissolving the pastoral tie
3. The Presbytery, having decided to dissolve a pastoral tie, engages in prayer and then either names a date from which the dissolution takes effect or, in the case of translation, instructs the minister concerned to wait on the orders of the other Presbytery in regard to the arrangements for his induction.

Resignation of charge
4. A minister desiring to resign his pastoral charge sends his resignation in writing to the Presbytery of the bounds. The Presbytery, before proceeding to deal with the resignation, calls the congregation to appear for their interests at a nominated meeting of the court.

No final announcement of the resignation may be made by a minister to his congregation. The announcement should come through the Presbytery, and the Presbytery accepts such a resignation only after careful inquiry into the causes which have led to it.

Edict of vacancy
5. The Presbytery, on declaring a vacancy to exist (see rule 4A:2), issues an edict of vacancy in the prescribed form (see Appendix 11) and directs that it be read to the congregation concerned at the earliest opportunity following the commencement of the vacancy. Certification that the edict was read is returned to the Clerk of the Presbytery.

Appointment of Interim Moderator or Intentional Interim Minister
6. On declaring a vacancy to exist in a charge, the Presbytery appoints
   a) an interim moderator, who may be either
      i) one of its ministerial members, or
      ii) a district interim moderator (see Rule 3:8); or
   b) an intentional interim minister (see Rules 4A:6.1 and 4A:6.2) as moderator of the Session, who shall, while so acting, not be eligible for a call to the charge.

Under no circumstances may a Presbytery appoint a minister connected with a vacant congregation to be its interim moderator or intentional interim minister.
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Notwithstanding that a presbytery has appointed an interim moderator to a parish, it may subsequently revoke that appointment and appoint an intentional interim minister, or vice versa.

**Intentional Interim Minister – Definition and Duties**

6.1 An Intentional Interim Minister:
   
a) is a minister of the Church authorised and provided by the Ministry Development Committee for appointment by presbyteries in exceptional circumstances to transitional ministry in a vacant charge.
   
b) has all the rights and responsibilities of interim moderators as expressed in Rules 3:8 and 4A:7, except that he is not to begin formal steps to fill the vacancy until he has satisfied the Presbytery that there is reasonable expectation that the reasons which led to his appointment no longer exist.
   
c) is to serve exclusively in one parish at a time, limited except in extraordinary cases to two years. Requests by presbyteries that particular cases be considered extraordinary and an intentional interim minister be authorised for an extension of his appointment beyond two years shall be considered on their merits by the Ministry Development Committee.

**Intentional Interim Minister – Steps Prior to Appointment**

6.2 Prior to the appointment of an intentional interim minister, the Presbytery consults with:
   
a) the congregation, explaining the role of an interim intentional minister, and the effect of such an appointment on the time likely to be taken in filling the vacancy; and
   
b) the Ministry Development Committee, to ascertain the availability of a suitable person for the proposed appointment.

**Status and powers of Interim Moderator**

7. As the representative and executive of the Presbytery, the interim moderator:
   
a) sees that public worship, sacraments and all other appropriate religious services are duly administered and discipline is maintained;
   
b) executes, so far as he can do so consistently with his other duties, all the spiritual functions that would otherwise belong to the inducted minister;
   
c) delegates to such persons as the law of the church allows such duties as he is not able personally to perform;
   
d) stands in the same position as the inducted minister in regard to the use of the church and other ecclesiastical buildings (see rules 2:31,32);
   
e) takes the necessary steps for filling the vacancy in accordance with the procedure laid down by the General Assembly, except when the Presbytery halts procedure as provided in rules 4A:30(b) or 4A:32,33.

When it sees fit the Presbytery also appoints two of its members with whom the interim moderator may take counsel in matters concerning the vacancy.

**Interim Moderator Designate**

8. Should the Presbytery decide that the dissolution of the pastoral tie (as provided in rule 4A:2(b)) shall take effect at a considerable interval after such decision is made, it may appoint one of its ministerial members as interim moderator designate. The interim moderator designate shall take initial steps to fill the pending vacancy up to, but not including, the insertion of a name in a form of call.

The interim moderator designate may, after consultation with the moderator of the Session, convene and preside over such meetings of the Session, the Board of Management, the congregation and the selection committee as in the opinion of the interim moderator designate are necessary for the discharge of his duties. Only business connected with the filling of the pending vacancy may be dealt with at such meetings.

The interim moderator designate has the full responsibilities and powers of interim moderator only from the commencement of the vacancy.

Except when the context otherwise requires, the term “interim moderator” in the following rules also includes interim moderator designate.
Section Two  ... Procedure in Vacancies

Interim Moderator initiates action
9. Promptly upon his appointment the interim moderator shall:
   a) take all steps necessary to maintain the activities of the charge;
   b) convene and preside over a meeting of the Session to revise the rolls of communicants and adherents in order that an electoral register may be compiled as provided for in rule 4A:10 following;
   c) initiate the procedure for the filling of the vacancy.

Electoral register
10. Notice shall be given by the Session to the congregation of its intention to revise the rolls and, following that revision, to make up an electoral register.
As soon as possible after such revision, the Session shall compile an electoral register consisting of the names of all on the rolls of communicants and adherents who are not less than 16 years of age.
The electoral register shall consist of two lists, one of communicants, the other of adherents, and on each the names shall be in alphabetical order and numbered consecutively. Each list shall be certified by the Interim Moderator and the Session Clerk as being the electoral register of communicants and adherents.
Opportunity shall be given to interested parties to inspect the electoral register before it is finally adjusted. A copy of the certified register shall then be sent to the Clerk of Presbytery, who shall immediately sign it and retain it in Presbytery records.
Following this no name whatever shall be added to the electoral register, except by the authority of the Presbytery after application in due form by the Session. The Session may grant, on written application, a certificate of transfer to any communicant or adherent.
The Session Clerk shall notify the Interim Moderator of this transfer, who shall then delete the name from the electoral register and initial the deletion.
Only those persons whose names are on the attested electoral register may take part in or vote at any congregational meeting connected with a vacancy or subscribe to or concur in a call.

Payment of arrears and proposed terms of settlement
11. The congregation, at its first meeting in connection with the filling of the vacancy, shall arrange to pay:
   a) to the former minister or his personal representatives any arrears in remuneration; and
   b) to the General Assembly, the Presbytery, and the superannuation fund any arrears in rates due to them.
Either at this meeting, or shortly afterwards, the congregation shall decide on proposed terms of settlement which, without delay, shall be submitted by the interim moderator to the Presbytery or its appropriate committee. The Presbytery shall carefully consider the proposed terms of settlement in the light of all available information and either approve them and forward them to the Maintenance of the Ministry Committee of the Assembly, or refer them back to the congregation for reconsideration.

Terms disapproved by Maintenance of the Ministry Committee
12. If the terms of settlement proposed, even though in excess of the minimum, are disapproved by the Maintenance of the Ministry Committee of the Assembly, the Presbytery shall not sustain a call and may, after further consultation with the congregation, reduce the status of the charge to that of an appointment parish or a home mission station (see rules 4:77, 79).

Congregation’s choice of procedure
13. When the requirements of rules 4A:10 and 4A:11 have been complied with and terms of settlement have been approved by the Maintenance of the Ministry Committee, and provided that rule 4A:25 does not apply, the interim moderator shall call upon the congregation, duly convened, to decide whether:
   a) it is prepared to proceed to a call immediately; or
   b) it desires, before taking any further step towards a call, to invite some particular person to lead the congregation in public worship; or
   c) it desires to proceed at once to the appointment of a selection committee (see rule 4A:17).
If option (c) is chosen, from this point on names for a call shall be submitted to the congregation only through the selection committee.
Ballot requested
14. The vote of a congregational meeting on any motion proposing the insertion of a name in a form of call shall be taken by ballot if requested by at least one-third of the communicants present.

Immediate call
15. If the congregation decides to proceed in accordance with rule 4A:13(a), the interim moderator shall call for nomination of one person only. This nomination must be agreed to by congregational vote. The interim moderator shall then read a blank form of call (see Appendix 1) and after prayer invite the congregation by majority vote to insert in the form of call the name of the minister or licentiate nominated. If the congregation fails to insert the name of the person nominated in this way, the congregation then decides to proceed in accordance with rule 4A:13(b) or (c) above.

One candidate heard
16. If the congregation decides to proceed in accordance with rule 4A:13(b), and provided the person to be invited is eligible and agreeable, the interim moderator shall make the necessary arrangements for him to conduct public worship within the parish and promptly afterwards shall require the congregation, duly convened, to decide either for or against calling him. If the congregation decides against calling him, or if he declines the invitation to conduct public worship and the congregation refrains from calling him, a selection committee as provided for in rules 4A:13(c) and 4A:17 shall be appointed. If this is the case, the person concerned shall not be disqualified from further consideration by the congregation should the selection committee so recommend.

Ordinary selection committee appointed
17. If the congregation proceeds in accordance with rule 4A:13(c), it shall then appoint from its communicant members a selection committee of not less than seven. This committee shall be convened and presided over by the interim moderator, who shall have a casting vote only, which however he shall not exercise to determine a name to be recommended to the congregation. As provided in rule 4A:7, the Presbytery may appoint two of its members with whom the interim moderator may take counsel in matters concerning the vacancy. They may attend and participate in all meetings of the selection committee but they have no vote in those meetings.

Duties of selection committee
18. A selection committee, whether special or ordinary, shall:
   a) consider the eligibility and qualifications of persons:
      i) whose names are proposed by members of the committee;
      ii) who have made formal written application through the interim moderator for consideration;
      iii) whose names have been supplied by the Ministry Development Committee (in the case of a special selection committee only, see rule 4A:25);
   b) conduct interviews, should it consider it advisable, with any of the persons being considered;
   c) decide on one name at a time to recommend to the congregation for call, normally inviting any person whom it has decided to recommend to conduct public worship in the parish and meet with the congregation;
   d) keep minutes of its proceedings.

Recommendation made to congregation
19. When the selection committee is ready to make a recommendation, the interim moderator, as executive of Presbytery (see rule 2:20), shall call a meeting of the congregation to which the recommendation shall be submitted. The meeting shall:
   a) decide to call the person recommended; or
   b) decide not to call him; or
   c) request him to conduct public worship in the parish if he has not already done so or if the congregation wishes to hear him again.

Recommendation accepted
20. Should the congregational meeting decide to call the person recommended (rule 4A:19(a)), the interim moderator shall at once read to the congregation a form of call (see Appendix 1) in which the name of the minister
or licentiate recommended has been inserted. The procedure set out in rules 4A:26 and following shall then be followed.

Recommendation not accepted
21. Should the congregational meeting decide not to call the person recommended (rule 4A:19(b)), the selection committee shall make a second recommendation to a subsequent meeting of the congregation; and, if necessary, a third and a fourth. Each recommendation shall be dealt with as provided for in rule 4A:19.

Decision withheld pending visit
22. Should the congregation decide to follow rule 4A:19(c), promptly after such visit has been made, or the invitation declined, the interim moderator shall call a meeting of the congregation which shall decide for or against calling the person concerned. The procedure set out in rules 4A:20 or 4A:21, as the case requires, shall then be followed.

Proposed terms less than minimum
23. If the terms of settlement proposed by the congregation are less than the minimum required by the General Assembly for maintaining the status of a charge, the interim moderator shall discuss the matter of a supplementary grant with the Ministry Development Committee and, before taking any other action, report fully to the Presbytery on the condition of the charge and the views of the Ministry Development Committee.

Application for supplementary grant
24. If after hearing the report of the interim moderator referred to in rule 4A:23 the Presbytery is satisfied that the situation still conforms with the requirements of rule 4:76, the Presbytery may formally apply to the Ministry Development Committee for a grant to enable the congregation to pay the “sustentation qualifying stipend and non-cash benefits” required by the Maintenance of the Ministry Committee.

Special selection committee
25. If a supplementary grant from the Ministry Development Committee is required in order to raise the terms of settlement to the qualifying stipend, and when formal notice is received that such a grant has been given, the Presbytery shall declare the aid receiving charge an appointment parish. The interim moderator shall take the steps necessary to set up a special selection committee consisting of not more than seven members appointed by the congregation from its communicants, two representatives appointed by the Ministry Development Committee, and two members of the Presbytery appointed by it in addition to the interim moderator who shall be the convener. This committee shall recommend a name to the Presbytery for appointment.

Commissioners appointed and signing of call
26. When the congregation has inserted a name in a form of call it shall appoint commissioners not exceeding three or the number of local congregations in the charge, whichever is the greater, at least one of whom shall be a member of the Session. These commissioners shall take charge of the call, invite the communicants to subscribe it and adherents to sign their concurrence, and to witness such signatures. In prosecuting the call the commissioners shall take care that only those whose names are on the attested electoral register of communicants and adherents sign it and that the signatures of communicants and adherents are on separate sheets.

Call presented to Presbytery
27. When the call has been sufficiently subscribed (see rule 4A:36(e)) the commissioners hand it to the interim moderator, who shall present it at the earliest opportunity to the Presbytery at the same time making a report on proceedings connected with it. The congregational commissioners shall have opportunity to speak to the Presbytery.

Dissatisfaction with proceedings
28. Any communicant or adherent of the congregation present at any meeting called in connection with a vacancy, who is dissatisfied with any part of its proceedings, may dissent and petition the Presbytery to review the matter in the same manner as he may do in connection with any other congregational meeting (see rule 2:26). The Presbytery shall deal with any such petition before proceeding with the call.
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Disqualifications
29.  
   a) No minister or licentiate may himself, or through others, canvass for election or enter into negotiation with any member of the vacant congregation in order to procure a call. Should the Presbytery decide that such action has been taken or encouraged by a minister or a licentiate, it shall declare a call in his favour resulting from this to be null and void.
   
   b) No minister with a charge may, without special permission of the Presbytery having jurisdiction over him, preach as a candidate in a vacancy, or accept a call unless he has held such a charge for at least three years. Where the Presbytery approves of the translation of a minister from a charge that he has held for less than three years it reports the special circumstances justifying the translation to the next General Assembly.

Selection committee dissolved
30. A selection committee shall be dissolved if after making four recommendations to the congregation no call results. The interim moderator shall at his discretion:
   
   a) take steps for the appointment of a new selection committee (see rule 4A:17); or
   
   b) report the dissolution of the committee to the Presbytery, which shall suspend further steps for the calling of a minister and proceed, in accordance with rule 4A:33, to appoint for a limited period a suitable minister other than those whose names have been recommended to the congregation.

Reports on vacancies
31. The Presbytery calls regularly for reports on a vacancy from the interim moderator, and takes any competent action as it judges necessary to expedite the filling of the vacancy, or such other action as the circumstances require and the law of the church permits.

Halting of procedure towards call
32. The Presbytery may at any time, for reasons which it considers sufficient, halt procedure for the filling of a vacancy and may take such further action as it judges to be in the best interests of the congregation or of the church in general.

Limit in length of vacancy
33. If the vacancy has not been filled within two years, and there is still no immediate prospect of a settlement being effected, the Presbytery may declare the charge to be an appointment parish for a period not exceeding twelve months and may proceed to the appointment of a minister.

   Such an appointment is subject to the conditions that the Presbytery may, at any time it sees fit, restore to the congregation the right of call and allow the necessary steps to be taken to fill the vacancy, or it may, at the end of the appointed minister’s term, reduce the appointment parish to a home mission station.

Supply fees during vacancy
34. Vacant charges receiving supply shall pay ministers, licentiates or other qualified persons for each service according to the scale of fees and expenses fixed by the General Assembly.

Continuous supply in vacancy
35. The Presbytery, with the approval of the relevant Assembly committees when such is required, may arrange through the interim moderator for the supplying of a prolonged vacancy by some suitable person. The Presbytery withdraws or disallows such continuous supply when it judges that the activity of the congregation in proceeding to a call is being lessened by this arrangement.

Section Three ... Procedure in Calls

Sustaining a call
36. When the Presbytery has before it a call from the congregation of a vacant charge within its bounds, it first hears the report of the interim moderator and the statements of the commissioners appointed by the congregation to prosecute the call and then proceeds to deal with the call.

   The Presbytery sustains a call only when it is satisfied that:

   a) the terms of the proposed settlement have been approved by the relevant Assembly committee or committees;
b) all other steps preliminary to the signing of the call have been carried out in accordance with rules 4A:9–26 above;

c) no improper canvassing for a particular candidate has taken place;

d) the person to whom the call is addressed is eligible, or entitled to become eligible, under the rules of the General Assembly governing status (see rules 4:41–45), or the rules of the General Assembly of Australia governing reception of ministers from other churches, and he presents satisfactory certificates when such are required (see rules 4:46–61);

e) the number of signatures of communicants subscribed is not less than three-fifths (60%) of the number of communicants on the attested electoral register; and

f) there are no petitions from persons dissatisfied in respect of the proceedings leading to the call, or that such petitions have been competently disposed of.

Call not sustained
37. If the Presbytery is not satisfied in respect of any or all of the matters referred to in rule 4A:36 it may decline to sustain the call. The congregation then takes the prescribed steps to the issuing of another call, but it may not proceed beyond the limit on the length of vacancies as provided in rule 4A:33.

Transmitting and dealing with the call
38. Dependent on the status and location of the person called, the Presbytery sustaining the call deals with and transmits it, as provided in the following rules:

a) call to licentiate or minister without charge: see rule 4A:39;

b) call to a minister with charge in the same Presbytery: see rules 4A:40, 41;

c) call to a minister with charge in another Presbytery: see rules 4A:42–45;

d) call to a minister or licentiate of another Presbyterian denomination: see rule 4A:46.

Call to licentiate or minister without charge:
39. If the call sustained is to a licentiate or to a minister without charge under the jurisdiction of the Presbyterian Church of Australia, and he is present when the call is sustained, it is handed to him. If he is absent, it is sent to him.

He is required to give his reply of acceptance or non-acceptance within thirty days, failing which the call falls.

A licentiate or minister without charge who is under the jurisdiction of another Presbytery shall with his reply, if he accepts the call, submit to the Presbytery:

a) a satisfactory extract of licence (in the case of a licentiate);

b) a certificate of status (in the case of a minister without charge).

If the call is accepted within the time allowed, the Presbytery fixes the date for ordination and induction or induction only, orders the edict to be issued and read to the congregation at least eight days prior to the service, and arranges the service.

Call to minister with charge in the same Presbytery:
1) Immediate action
40. If the call sustained is to a minister with a charge in the same Presbytery, the Presbytery:

a) fixes the date of a later meeting of the Presbytery at which the call will be further considered and instructs the minister to attend;

b) provides the minister under call with the terms of settlement and the relevant extract minute and notifies the clerk of his Session of the call;

c) appoints one of its ministers to preach in the parish, who:

i) invites the congregation of the minister under call to attend the appointed Presbytery meeting to protect their interests, clearly stating that if they do not attend they will be considered as consenting to the minister’s translation;

ii) arranges for a duly convened meeting of the congregation at which the mind of the people is taken and, if desired, two commissioners are appointed to attend the Presbytery meeting.

Call to minister with charge in the same Presbytery:
2) Action at subsequent meeting
41. When the Presbytery meets as appointed (see rule 4A:40(a)) to consider the question of translating one of its ministers, the matter is handled as follows:

a) two commissioners of the vacant congregation are heard;

b) two commissioners of the minister’s congregation are heard;
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c) one of the prosecuting commissioners (i.e. at a) above) may be heard in reply;
d) the minister is asked to state his mind on the subject;
e) the Presbytery decides either to put the call into the hand of the minister or to refuse to do so, first satisfying itself that the stipulations of rule 4A:29(b) have been met;
f) if the Presbytery refuses to put the call into the hand of the minister, he may appeal to the General Assembly, and so may the congregation prosecuting the call;
g) if the Presbytery puts the call into the hand of the minister he must respond in one of the following ways:
i) accept the call, in which case the Presbytery records in its minutes that it agrees to the translation and supplies an extract of the minute to the minister’s congregation through the Session Clerk; or
ii) decline the call; or
iii) leave the decision to the Presbytery, in which case the Presbytery’s decision is final and extract minutes are furnished to the Session Clerk of the congregation prosecuting the call; or
iv) ask for time to consider, in which case he is allowed a maximum of thirty days, at the conclusion of which, if he has not notified the Presbytery of his decision, the Presbytery itself decides the matter without further reference to him or other parties. (Any such decision of the Presbytery is final and extract minutes are promptly furnished to the minister concerned and to the Session Clerk of the congregation prosecuting the call.)
h) if the call is accepted, the Presbytery:
i) fixes the date for induction to the vacant congregation;
ii) declares that the pastoral tie with the minister’s present congregation will be dissolved with effect from the date of induction;
iii) engages in prayer for the minister and the congregation about to become vacant;
iv) declares that a vacancy will exist in the minister’s present congregation with effect from the date of dissolution, issues an edict of vacancy in accordance with rule 4A:5 and appoints an interim moderator (see rule 4A:5);
v) orders the edict of induction to be issued and read to the congregation at least eight days prior to the service, and arranges the service.

Call to minister with charge in another Presbytery:
(1) Immediate action of Presbytery sustaining call
42. If the call sustained is to a minister with a charge in another Presbytery of the church, the Presbytery sustaining it:
a) appoints one or more of its members (or, if distance is prohibitive, any other minister or elder of the Presbyterian Church of Australia) to act with the commissioners of the vacant congregation to prosecute the call;
b) sends the call and the approved terms of settlement, with an extract of the relevant minute, to the clerk of the other Presbytery.

Call to minister with charge in another Presbytery:
(2) Action of other Presbytery: preliminary action
43. The clerk of the other Presbytery after receiving the call and terms of settlement (as referred to in the rule above) immediately and without waiting for his Presbytery to meet:
a) informs the minister under call and the clerk of his Session of the fact of the call;
b) informs the minister of the terms of settlement and instructs him to appear at the next meeting of the Presbytery (whether ordinary meeting or urgent meeting, as determined by the moderator);
c) appoints one of its ministers to preach in the parish, who:
i) invites the congregation of the minister under call to attend the appointed Presbytery meeting to protect their interests, clearly stating that if they do not attend they will be considered as consenting to the minister’s translation;
ii) arranges for a duly convened meeting of the congregation at which the mind of the people is taken and, if desired, two commissioners are appointed to attend the Presbytery meeting.

Call to minister with charge in another Presbytery:
(3) Action of other Presbytery: subsequent action
44. When the Presbytery meets as appointed (see rule 4A:43(b)) to consider the question of translating one of its ministers, the matter is handled as follows:
a) one of the representatives of the first Presbytery and one commissioner of the vacant congregation are heard;
b) two commissioners of the minister’s congregation are heard;
c) one of the commissioners of the vacant congregation or one of the Presbytery representatives may be heard in reply;
d) the minister is asked to state his mind on the subject;
e) the Presbytery decides either to put the call into the hand of the minister or to refuse to do so, first satisfying itself that the stipulations of rule 4A:29(b) have been met;
f) if the Presbytery refuses to put the call into the hand of the minister he may appeal to the General Assembly, and the first Presbytery may petition the General Assembly;
g) if the Presbytery puts the call into the hand of the minister he must respond in one of the following ways:
i) accept the call, in which case the Presbytery records in its minutes that it agrees to the translation and supplies an extract of the minute to the minister’s congregation through the Session Clerk; or
ii) decline the call; or
iii) leave the decision to the Presbytery, in which case the Presbytery’s decision is final; or
iv) ask for time to consider, in which case he is allowed a maximum of thirty days, at the conclusion of which, if he has not notified the Presbytery of his decision, the Presbytery itself decides the matter without further reference to him or other parties. (Any such decision of the Presbytery is final and an extract minute is promptly furnished to the minister concerned.)
h) if the call is accepted, the Presbytery:
i) instructs the minister to wait on the orders of the first Presbytery in respect of arrangements for his induction;
ii) declares that the pastoral tie with the minister’s present congregation will be dissolved with effect from the date of induction;
iii) engages in prayer for the minister and the congregation about to become vacant;
iv) declares that a vacancy will exist in the minister’s present congregation with effect from the date of dissolution, issues an edict of vacancy in accordance with rule 4A:5 and appoints an interim moderator (see rule 4A:6);

Call to minister with charge in another Presbytery:

44. Following notification from the other Presbytery (see rule 4A:44(i) above), and if the call is accepted, the Presbytery which sustained the call:
a) fixes the date for induction to the vacant congregation;
b) orders the edict of induction to be issued and read to the congregation at least eight days prior to the service, and arranges the service;
c) immediately advises the other Presbytery of the arrangements.

Call to minister or licentiate of another Presbyterian denomination:

46. If the call sustained is to a minister or licentiate of another Presbyterian denomination, the call, together with all necessary documents, is sent:
a) directly to him (in the case of a licentiate or a minister without charge); or
b) to the Clerk of the Presbytery of which he is a member (in the case of a minister with charge). Any minister or elder who is able to attend the meeting of the Presbytery at which the call is to be disposed of may be appointed to act as a representative of the Presbytery and of the congregation from which the call proceeds.

A minister or licentiate so called is not eligible for ordination or induction unless and until he has satisfied all the requirements of the rules of the General Assembly of Australia relating to the reception of ministers from other churches.

If the call is accepted within the time allowed, and all the requirements of the rules of the General Assembly of Australia have been satisfied, the Presbytery fixes the date for ordination and induction or induction only, orders the edict to be issued and read to the congregation at least eight days prior to the service and arranges the service.
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Section Four  ...  Induction of Ministers

The Edict and procedure prior to the induction
47. The Presbytery meets at the fixed time and place and calls for return of the edict with confirmation that it has been duly read to the congregation. The Presbytery then calls for objections in terms of the edict. If no objections are offered or, if offered, are not substantiated or are judged to be frivolous, the Presbytery resolves to proceed with the service according to the rule 4A:48.

The Presbytery instructs the clerk, following the induction and at the conclusion of the service, to:
   a) add the name of the newly inducted minister to its roll;
   b) provide extract minutes of the ordination and induction or induction only, to:
      i) the Session Clerk, to be included in the minutes of the next meeting of Session;
      ii) the Clerk of Assembly;
      iii) the clerk of the minister’s former Presbytery, where appropriate.

Usual order of service
48. A service of ordination and induction or induction only proceeds in the following way, normally in this order, [items in square brackets being omitted in the case of induction only]:
   a) the service opens in worship;
   b) the clerk gives a brief narration of the steps leading to the call;
   c) the moderator puts to the congregation and to the minister or licentiate the questions appointed by the General Assembly of Australia, which are satisfactorily answered (see Appendix 13);
   d) the minister or licentiate signs the Formula (see Appendix 15);
   e) the moderator by prayer [ordains him to the office of the ministry with the laying on of hands by all members of Presbytery and] inducts him into the pastoral charge;
   f) the moderator addresses the minister as follows:
      “In the name of the Lord Jesus Christ, the only King and Head of the church, and by authority of this Presbytery, I hereby declare you duly [ordained and] inducted into the pastoral charge of this congregation and entitled to all the associated rights and privileges.”;
   g) the moderator and the other members of the Presbytery give him the right hand of fellowship;
   h) the minister and congregation are suitably charged as to their respective duties;
   i) following dismissal, the members of the congregation are given opportunity to welcome their newly inducted minister.

Section Five  ...  Special Ordinations

Ordination and induction apart from pastoral settlement
49. The Presbytery carries out ordinations and inductions not arising out of a call to a pastoral office as the General Assembly may from time to time authorise. In no case may a person be inducted into a pastoral charge without the issuing, sustaining and accepting of a call from the congregation, and the issue of an edict of induction by the Presbytery.

Questions at induction or ordination to special office
50. At the induction of a minister to a special office, the ordination of a missionary serving under Australian Presbyterian World Mission (APWM), the ordination of a chaplain, or the ordination and induction or the induction only of a theological professor or lecturer, the form of questions to be used is that prescribed by the General Assembly of Australia, see GAA Code chapter 6.

Ordination of missionaries
51. Missionaries recognised under Australian Presbyterian World Mission (APWM) may be ordained before they proceed to their spheres of labour whether these are ministerial, medical or educational spheres. This is usually done by request and authority of the General Assembly, or of the General Assembly of Australia, or at the request of the appropriate Assembly committee. Before proceeding, the Presbytery may inquire and satisfy itself regarding the nature of the appointment, the sphere of action that the missionary proposes to enter, and the provision planned for the due support of the missionary. The service of an edict is dispensed with, but public
notice of the intention of the Presbytery is given to enable any objection to the life or doctrine of the person concerned to be brought forward and substantiated. In the case of ministerial missionaries the service and act of ordination are the same as in ordinary cases.

**Ordination of assistant**

52. The Presbytery may proceed to the ordination, but not the induction, of a licentiate who is appointed as assistant to the minister of a charge (see rule 4:101), or to an appointment parish within its bounds, or to a ministerial office within its bounds by the General Assembly or the Presbytery if:
   a) he produces a satisfactory extract of licence;
   b) upon the request and recommendation of the Session, the Presbytery considers this to be necessary in the interests of the parish or of the church generally;
   c) his appointment is for twelve months or more; and
   d) the Ministry Development Committee, where its permission is required, concurs.

**Ordination of Chaplains**

53. The Presbytery may proceed to the ordination, but not induction, of a licentiate who is about to be appointed as chaplain to a position recognised by the Health and Community Chaplaincy Committee, or other appropriate committee, and this ordination may take place before the licentiate takes up his appointment. Before proceeding, the Presbytery, within whose bounds the work is conducted, shall inquire and satisfy itself regarding the nature of the appointment and the provision planned for the due support of the chaplain.

The Presbytery may then proceed to ordain the licentiate if:
   a) he produces to the Presbytery evidence that, subject to his ordination, he has been invited to accept appointment;
   b) he produces a satisfactory extract of licence;
   c) his appointment is for 12 months or more;
   d) the appointment is for a minimum of 0.5 of full time.
Chapter 5  ... The General Assembly

Section One  ... Constitution and Officials

Defined
1. The General Assembly of The Presbyterian Church of Victoria (called the “General Assembly” or the “Assembly” in the following rules) is the supreme court of The Presbyterian Church of Victoria. This supremacy is qualified by the matters raised in rule 5:20.

No permanent existence
2. The General Assembly unlike the lower courts has, as a body, no permanent existence. It meets to perform specific duties assigned to it by the constitution and law of the church. When those duties have been performed the members of the Assembly as such have no further powers. After fixing the time and place for the calling of another General Assembly, the Assembly dissolves itself.

Membership
3. The General Assembly consists of:
   a) all ministers whose names are on the membership rolls of the Presbyteries within the jurisdiction of the Assembly and which have been submitted to and approved by the Assembly;
   b) one representative elder for each charge and each home mission station within the Presbyteries referred to in (a) above whose commission has been sustained by the appropriate Presbytery;
   c) elders who have a seat in a Presbytery under the provisions of rule 4:3(m);
   d) other elders who may be appointed for parity on the nomination of the Presbytery on which the minister for whom the parity elder is to be appointed has a seat.

In making such appointments, as in clause (d) above, the General Assembly ensures that a Session shall not have more than two of its members as elders of Assembly at any one time, other than elders who have seats on a Presbytery under the provisions of rule 4:3(m).

Associate members
4. The General Assembly may associate with itself for any specific sitting, or for all the sittings of that Assembly:
   a) a minister or a member of a Session of another Presbyterian or reformed church who is present;
   b) any minister of the Presbyterian Church of Australia who is, or is entitled to be, a member of a state General Assembly and who, being present, indicates to the clerk his desire to be associated with the court.

Privileges of associate members
5. Associate membership is a courtesy extended by the Assembly. Associate members are entitled to speak, but not to preside, vote, move or second a motion, nor to remain in the Assembly when it meets in private (see rule 7:10).

Moderator
6. Each General Assembly elects from its own members a moderator to preside for the duration of the Assembly. His official designation is: “Moderator of the General Assembly of The Presbyterian Church of Victoria”. Each General Assembly elects its moderator at its first sitting and immediately he is inducted to his office by the preceding moderator.

Continued function of the moderator
7. The moderator:
   a) for convenience in the performance of certain ecclesiastical actions which are or may be necessary or desirable prior to the convening of the next General Assembly; and
   b) to facilitate the discharge of certain functions assigned to the moderator in civil legislation, is considered to continue to hold his office and retains the title “Moderator” (despite the dissolution of the Assembly) until he has constituted the next General Assembly and presided at the election and induction of his successor.
Chapter 5: The General Assembly

Absence of moderator during Assembly
8. In the temporary absence of the moderator from the chair during the meeting of the General Assembly, the member among those present who was most recently moderator, or another ex-moderator, or else a member appointed by the court presides. While he so acts he must add to his signature the words “Acting Moderator” when he signs any document.

Vacancy in the office of moderator
9. In the event of the office of moderator becoming vacant by death or otherwise, the most recent ex-moderator who is available becomes the occupant of the vacant office, discharges its duties, and in signing official documents adds the word “Moderator” to his signature.

Illness of moderator or absence from bounds
10. When the moderator is unable to discharge the duties of his office through illness or absence from the bounds of the General Assembly these duties are carried out by his most recent predecessor in office who is available and who is willing to act. He may be requested to do so by the moderator or, if that is not possible, by the clerk. He is known as the “Acting Moderator”. He is considered to be the moderator for all purposes and may so describe himself in legal documents.

Clerks
11. The General Assembly appoints one or more clerks who are usually, but not necessarily, members of the court. Their general duties are described in rule 6:5. The General Assembly determines the specific duties of its clerks and fixes their remuneration. They make the declaration of faithful duty (see rule 6:6) on taking up office. (Also see rules 6:16-22)

Clerks give advice
12. The clerks, in the first instance, provide assistance and guidance for members of the church, and for the church’s courts and committees, in all matters of the rules, practice and procedure of the church.

Trustees
13. As provided by the Presbyterian Trusts Act 1890, and subject to its terms, the General Assembly from time to time appoints or terminates the appointment of persons as members of the corporate body of trustees known as “The Presbyterian Church of Victoria Trusts Corporation”, for which this Act makes provision. The General Assembly also authorises, ordinarily by rule or regulation, the appointment of such other trustees as it considers necessary for the holding of specified funds or other property of the church and for which no express provision is made in the Presbyterian Trusts Act 1890 or in any relative deed of trust.

Law Agent (church solicitor)
14. The General Assembly appoints a Law Agent (solicitor) whose duties are:
   a) to transact legal business committed to him affecting the interests of the church;
   b) to advise courts, Assembly committees, ministers, trustees and officials of the church in matters of civil law as these affect the church and its interests.

He discharges his duties in accordance with the relevant rules and regulations of the church and of the directions of the General Assembly.

All property transactions
15. All title deeds conveying property to the church or any of its congregations, institutions or agencies, not prepared by the Law Agent, shall be submitted to him for revision: also all transfers, conveyances, mortgages, exchanges or leases authorised by the General Assembly, to which the moderator’s signature is necessary by the Presbyterian Trusts Act 1890, Section 20, Sub-section 1.

Remuneration
16. The Law Agent shall be entitled to remuneration for legal business committed to him as follows:
   a) for conveyancing business and other business falling within the scope of the Practitioner Remuneration Order: according to the provisions of that Order;
   b) for contentious matters not covered by that Order and not included in clause (c) below: according to the usual scale of legal costs applicable to such business;
   c) for advising the moderator, courts of the church, trustees, ministers, congregations and Assembly committees on matters affecting the civil rights and properties of the church and on any other
matters that the General Assembly may by rule, regulation or resolution refer to him for his opinion: a general retainer fee to be fixed from time to time by the Trusts Corporation and Board of Investment and Finance.

**Vacancy in office**
17. a) Any vacancy in the office of Law Agent occurring when the Assembly is not sitting shall be filled by the appointment of a Law Agent to hold office until the next meeting of the Assembly. This appointment is to be made by resolution of the Board of Investment and Finance.
   b) If the Law Agent is on leave, ill, or otherwise unavailable to perform the duties of Law Agent, the Board of Investment and Finance shall engage a qualified legal practitioner to act as Law Agent for the time that the Law Agent is on leave, ill, or otherwise unavailable.
   c) If it is possible, the Board of Investment and Finance shall consult with the Law Agent prior to engaging a legal practitioner under rule 17(b).
   d) The Law Agent, or someone acting on his or her behalf, shall notify the Clerk and/or the General Manager of the period of time the Law Agent will be on leave, ill, or otherwise unavailable to perform the duties of Law Agent.

**Procurator (church barrister)**
18. The General Assembly may also appoint a Procurator (barrister) who awaits advice from, and is instructed by, the Law Agent. The Procurator may then give advice to the church on civil matters or ecclesiastical matters as appropriate.

**Other officials**
19. The General Assembly appoints whatever other officials it needs and fixes their term of office, duties and remuneration (see rules 5:36, 68).

**Appointment of Assembly officials**
19A. "Offices" are positions created by the Assembly (such as “Church Planter Evangelist”, “Director, MDC”), and officials are persons appointed to these offices by the Assembly.

**Appointment of Committee Staff**
19B. "Staff" are persons appointed by committees to positions that are provided for in Committee Regulations, or approved by the Assembly at the request of the appointing committee, but not named by the Assembly. Committees may only appoint staff
   a) as provided for in their Regulations; or
   b) after obtaining the approval of the General Assembly.

All proposed staff appointments must be placed before the Board of Investment and Finance in accordance with Regulation 5(e) of its Regulations for the Board’s determination (after consultation with the appointing committee) of the salary and conditions of employment of such staff.

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**Section Two ... Powers and Functions**

**Powers**
20. The General Assembly is the supreme court of The Presbyterian Church of Victoria. It has and exercises the power to consider and deal with all matters of doctrine, worship, discipline and government, and generally with all matters affecting the well-being of the church, the moral and religious condition of society, and the extension of the kingdom of Christ in the world.

Its power is subject to:
   a) all relevant civil laws; and
   b) the surrender or qualification of supreme power in specified matters as provided in the Basis of Union and Articles of Agreement of the Deed of Union of 24 July 1901 and in subsequent lawful amendments.

The General Assembly may exercise its powers by means of the ordinary Commission of Assembly, or by special commissions or committees, as from time to time they are established for particular purposes.

The General Assembly may deal with and dispose of any matter before it for which there is no precise and sufficient legal provision, but only in respect of those matters in which it is the supreme court.
Chapter 5: The General Assembly

Functions
21. The functions of the General Assembly are legislative, executive and judicial. It exercises them by considering and dealing appropriately with:
   a) reports from its standing and other committees, boards and councils;
   b) matters brought before it by:
      i) overturer,
      ii) reference,
      iii) appeal,
      iv) petition, or
      v) communication (when no other course is open).
The Assembly adheres, in the exercise of its functions, to the specific provisions of sections 5, 6 and 7 of this chapter which deal respectively with legislative, executive and judicial action.

Section Three  ...  Committees and Commissions

Committees, boards and councils
22. The General Assembly appoints from time to time whatever committees, boards and councils it needs to do its work. Throughout these rules, unless the context otherwise requires, the word “committee” includes boards and councils (see rule 7:94). On setting up a committee the General Assembly names it, sets out its membership, purpose and duties, and gives it other necessary directions, usually in the form of regulations (see rule 5:68). All committees are required to conduct their business in accordance with:
   a) the directions and regulations under which they were set up;
   b) the rules of the church;
   c) general regulations relating to committees that the General Assembly enacts from time to time.
They report on their proceedings to each General Assembly (see rule 6:77).

Nomination by Selection Committee
23. Nominations of the members and conveners of all Assembly committees are made by the Selection Committee unless there is another provision in the rules or regulations of the Assembly. All these nominations are published in the White Book.

Suggested nominations to Selection Committee
24. Every committee, unless expressly excepted, shall send a list of the suggested nominations for its own membership and convenership to the Selection Committee not less than seven weeks before the meeting of the General Assembly. They shall provide the Selection Committee sufficient information regarding:
   a) attendance;
   b) effective service;
   c) length of service on the committee
of all members eligible for re-election or due for retirement, to enable the Selection Committee to be satisfied that all nominations brought to the Assembly for appointment are of persons able to take a reasonably efficient and active part in the work of the committee concerned.

Further nominations by members of Assembly
25. Nominations, other than those made by the Selection Committee in the White Book, may be made by members of the Assembly, provided they are submitted in writing to the convener of the Selection Committee not later than noon of Tuesday of the Assembly. In such cases appointment shall be determined by ballot as provided for in the regulations of the Selection Committee.

Eligibility for membership
26. The Assembly is not restricted to the appointment of its own members to Assembly committees but, subject to the law of the church, may appoint other persons who are within the jurisdiction of the Assembly.

Conveners' period of office
27. No convener of an Assembly committee shall hold office for a longer period than seven consecutive years, unless there is another provision in the rules or regulations of the Assembly. However the Assembly, on the recommendation of the Selection Committee, may from time to time extend this period for a specified
period. A person ceasing to be convener under this rule shall be eligible for re-appointment after an interval of two years.

**Length of membership**

28. No member of a committee shall retain his membership of that committee beyond nine years’ continuous service unless there is another provision in the rules or regulations of the Assembly. The Assembly may, on the recommendation of the committee concerned and with the concurrence of the Selection Committee, extend membership for a specified period. Normally, one-third of the membership of committees shall retire each year but shall be eligible for re-election.

**Co-opted members**

29. Persons whose advice may be particularly useful to any committee may be co-opted as members of that committee unless the rules and regulations of the Assembly declare otherwise. Such co-opted members shall not exceed one-quarter of the numbers otherwise appointed to the committee. No co-opted member shall vote at any meeting of the committee.

**Seat forfeited by removal**

30. Any member of any Assembly committee shall, upon ceasing to reside in Victoria, cease to be a member of that committee.

**Leave of absence**

31. Members of Assembly committees shall be diligent in their attendance at meetings. Members who absent themselves for a period exceeding three months or three consecutive meetings will be considered to have resigned their position and the Selection Committee will be asked to fill the vacancy. In exceptional circumstances, such as extended illness, post-injury recuperation or study leave in the case of college faculty, committees may grant leave of absence for periods up to but not exceeding twelve months.

**Filling casual vacancy**

32. Any person desiring to resign from an appointment to a committee shall do so to the committee concerned. The committee shall:
   a) inform the Selection Committee of the vacancy; and
   b) submit to the Selection Committee a nomination to fill the casual vacancy.

The Selection Committee shall then proceed to fill the casual vacancy.

**Authorisation for payments**

33. No payment shall be made out of the annual revenue of the funds placed under the management of any Assembly committee unless:
   a) ordered by the Assembly; or
   b) approved at an ordinary meeting of the committee; or
   c) ordered by its executive, but only when the committee has given authorisation for the executive to act in this way and this authorisation is duly recorded in the minutes of the committee.

**Disqualified by personal financial interest**

34. No member of a committee shall:
   a) vote at any of its meetings on financial matters in which he or she is personally interested, or which directly affect the congregation of which he is minister or to which he or she belongs; or
   b) be paid a wage or a salary by the committee, except by resolution of the General Assembly.

**Honoraria**

34A. Committees shall not give their conveners or members any honorarium (for the purpose of this Rule an honorarium is reckoned as an amount not greater than 10% of minimum remuneration, i.e. basic stipend plus N.C.B. as set by the Assembly from time to time), unless by resolution of the General Assembly.

**Travelling and out-of-pocket expenses**

34B. Committees may reimburse their conveners or other members for travelling expenses for attendance at meetings or for any other approved out-of-pocket expenses incurred in the work of the committee. A committee which does not have funds for this purpose may apply to the Board of Investment and Finance for
Chapter 5: The General Assembly

funding, and where practicable the Board of Investment and Finance may make such funds available from the funds of the General Assembly.

Moderator may attend committees

35. During his term of office the moderator of the Assembly may attend and participate in the meetings of any Assembly committee. The moderator shall not vote in any committee to which he has not been appointed in the regular way.

Assembly appointments of salaried officials

36.

a) For the better carrying out of its work the Assembly has the inherent right to create new offices, either temporary or permanent, and to appoint persons to them. In filling such offices the Assembly may, if it wishes, follow the procedure set out in part (b) of this regulation, but it is not obliged to do so see rules 5:19, 68).

b) In the case of new appointments to offices already created by the Assembly, the committee or body concerned shall inform the Presbyteries of the vacancy and announce it in any official publication of the church at least three months before the meeting of the Assembly or Commission of Assembly at which the appointment is to be made. Nominations may be made by Presbyteries or applications may be made directly to the committee or body concerned and shall be reported, together with a statement of qualifications, in or along with the White Book. Only those so reported shall be eligible for appointment. The committee or body concerned shall have the right to make its own nomination. The committee or body concerned shall also inform the Assembly or Commission of Assembly of the proposed terms of appointment.

Special commissions (rule 7:95)

37. The General Assembly appoints from its own members the special commissions it needs to deal with particular judicial or administrative matters which arise and sets out their membership, powers, duties and quorum. All commissions set up in this manner are limited by the terms of the resolution which appointed them and must in every way act strictly within those terms.

A special commission usually reports to the next General Assembly. This Assembly may set aside or reverse any of its acts or decisions if they are found to contravene either the laws of the church or the powers given to the special commission in its appointment.

The General Assembly may instruct the special commission to report to the ordinary Commission of Assembly, and authorise it to deal with all matters arising from the report. However the ordinary Commission of Assembly has no power to deal with any matters arising from the report of the special commission unless these powers have been explicitly given by the General Assembly that appointed the special commission (see rule 6:77).

Representation of parties before commissions or committees of enquiry

38. When a commission or committee is appointed to inquire into any complaint against the actions of any committee, officer or employee of the church, the person or persons making the complaint, and any committee or person against whom the complaint is made, shall be entitled to be represented at the inquiry by a member of the church.

Ordinary Commission of the General Assembly

39. Each General Assembly, at its final sitting, appoints the ordinary Commission of the General Assembly (which may also be referred to as the “Commission of Assembly”) by passing the following resolution:

“That the Assembly:

a) Appoint a Commission of the General Assembly consisting of the members of this Assembly, with a quorum of sixteen (eight of whom must be ministers), representing at least four Presbyteries.

b) Empower this Commission of Assembly to consider and determine every matter referred to it by any decision or order of the General Assembly, and instruct the Commission to be careful to follow all instructions given to it by the General Assembly. With the exception of urgent matters, as permitted in clause c) below, the Commission is not entitled to take up any matter that has not been referred to it.

c) Empower this Commission of Assembly to consider and determine all matters that have emerged since the last meeting of the Assembly that are considered urgent and in need of executive or judicial action. In taking up these emergent matters the Commission is to consider the best interests of the church on every occasion.
Chapter 5: The General Assembly

d) Charge this Commission of Assembly in all its actings and decisions to proceed according to the rules and constitution of this church. For all its actings and decisions, this Commission is accountable to and censurable by the next General Assembly.
e) Charge this Commission of Assembly that it must not enact, amend or repeal any rules or regulations of the General Assembly nor enter into the consideration of any overture or motion proposing legislation.
f) Direct the Commission of Assembly to submit its minutes duly confirmed, and relevant papers, to the next General Assembly through the Clerk.
g) Instruct the Commission to meet and convene at the Assembly Hall, Melbourne, on ...... (date), or at such other times and places as the Moderator of the General Assembly shall determine.”

Moderator entitled to preside at Commission
40. The moderator of the General Assembly which appointed him is entitled, though not obliged, to preside at all meetings of the Commission of Assembly. Should he be unable or unwilling to preside for the whole or part of any particular meeting, the provisions of rule 5:8 apply. Should there be no ex-moderator in attendance, the Commission of Assembly appoints a moderator from the members present.

Alteration of powers of Commission
41. Any alteration of the powers and duties of the Commission of Assembly as set out in rule 5:39 preceding is made only after overture and under the procedure of the Barrier Act, and interim authority may not be given to any such proposed alteration.

Decision of Commission final
42. So long as the Commission of Assembly acts within the powers entrusted to it and its procedure is regular, its judgments and decisions are treated as final by the next General Assembly.

Clerks of Commission
43. The clerks of the General Assembly act as the clerks of the ordinary Commission of Assembly.

Section Four … Meetings and Procedure

Ordinary meetings
44. The General Assembly ordinarily meets once a year. Each Assembly, before it dissolves, fixes the date and place of the next General Assembly.

Urgent meetings
45. An urgent meeting of the General Assembly may be convened by the moderator, at his discretion, following request from at least ten persons entitled to be members of Assembly and representing at least three Presbyteries. The moderator’s circular convening the Assembly must be sent not less than seven days prior to the date of meeting. Action can only be taken at such a meeting:
   a) in relation to matters specified in the moderator’s circular;
   b) if there is a quorum present; and
   c) when the action of the moderator in convening the meeting has first been approved by a majority of the members present.

Quorum of Assembly
46. A quorum for any meeting of the Assembly shall be sixteen members, representing at least four Presbyteries. Of these members at least eight must be ministers.

Business Committee appointed
47. The General Assembly appoints a Business Committee to arrange the order of its business, guide the Assembly on matters of procedure and perform other functions as set out in its regulations. The same committee also acts in connection with the ordinary Commission of Assembly.
Chapter 5: The General Assembly

Committee of the whole
48. For the consideration of a matter involving a variety of details, or for other reasons, the Assembly may resolve to meet as a committee of the whole, in which sufficient of the ordinary rules of debate are suspended so as to permit freer discussion (see rule 7:83). Resolutions framed or decisions made in committee are reported to the Assembly when it resumes. They are usually adopted by the Assembly without further discussion, but the right of members to dissent, or to appeal, against the decision made by the Assembly on the report is in no way impaired.

Procedure and rules of debate
49. The procedure of the Assembly is governed by those parts of the following which are applicable to the Assembly:
   a) the rules for church courts (see chapter 6);
   b) the procedure and rules of debate contained in the standing orders of the General Assembly (see chapter 7);
   c) other relevant sections of this chapter.

The Assembly exercises a discretionary power of procedure in respect of any matter falling within its jurisdiction for which no specific procedure is provided above. Care is taken that substantial justice is done to all interests concerned.

Special committee on judicial matters
50. As provided in rule 5:78, a special committee consisting of the clerks and the Law Agent advises the Assembly on procedure in matters of a judicial character and places before the Assembly a suggested course of action for each case.

Lower courts may not meet during Assembly
51. Congregations, Boards of Management, Sessions and Presbyteries do not normally meet during the sittings of the Assembly or of the Commission of Assembly. The Assembly, or the Commission of Assembly, may grant permission to meet, but only for urgent reasons (see rule 6:13).

Dissolution of Assembly
52. When the business of the General Assembly is finished the minutes of the last sitting are read and confirmed, or remitted to a special commission with power to correct and confirm them. The moderator then announces the date and place of the next General Assembly, briefly addresses the court, and declares in the name of the Lord Jesus Christ, the King and Head of his church, that the Assembly is dissolved. After praise and prayer he closes the meeting with the benediction (see rule 6:17(c)).

Section Five ... Legislative Action

Function
53. In the exercise of its legislative function the General Assembly may enact, amend or repeal rules and regulations in accordance with the procedure set out in the rules that follow.

Rule defined
54. A rule is a legislative enactment that has been duly declared and enacted as such by the General Assembly under the procedure of the Barrier Act.

Regulation defined
55. A regulation is a legislative enactment which has been duly declared and enacted as such by the General Assembly and does not require to be sent to Presbyteries under the Barrier Act.

Enactment of rules
56. The General Assembly enacts, amends or repeals a rule only on a proposal by overture and only with the approval (obtained under the procedure of the Barrier Act) of a majority of the Presbyteries within the jurisdiction of the court (for the Barrier Act see Appendix 6).
Chapter 5: The General Assembly

Overture remitted to Presbyteries
57. If the General Assembly sustains an overture proposing the enactment, amendment or repeal of a rule or rules it remits the overture to Presbyteries, under the procedure of the Barrier Act, for either:
   a) approval or disapproval, without comment; (in this case approval qualified by comment or suggested amendment is counted as disapproval); or
   b) approval or disapproval, while inviting comment if so desired.

Remit approved
58. If a majority of the Presbyteries has reported approval of a remit proposing the enactment, amendment or repeal of a rule or rules, the General Assembly may:
   a) enact the proposal; or
   b) resolve not to enact it; or
   c) remit it to Presbyteries again in amended form.

Remit not approved
59. If a majority of the Presbyteries has either:
   a) reported disapproval; or
   b) failed to approve the remit,
the proposal falls and the General Assembly passes from it. However the proposal may be sent again to the Presbyteries in an amended form in the case of (a) or in the same or amended form in the case of (b).
When a proposal is remitted a second time to the Presbyteries in the same or amended form the procedure for dealing with it is the same as for the original remit.

Remit to Sessions
60. If the General Assembly seeks the wider opinion of the church when sending a remit to the Presbyteries, it may direct that it be sent also to Sessions. The Assembly does not have to secure a majority vote of the Sessions, and should a majority of Sessions not be in favour of the remit there is no barrier to proceeding with the matter.

Enactment of regulation
61. The General Assembly enacts, amends or repeals a regulation by a proposal made either in an overture or in the proposed deliverance of the Code Committee’s report.
The General Assembly, if it see sufficient cause, may remit the proposed enactment, amendment or repeal of a regulation to the Presbyteries for consideration and report.

Rules or regulations in conflict
62. If rules enacted by the General Assembly, or regulations enacted by it, are found to be in conflict, the more recently enacted rule or regulation as the case may be prevails unless the Assembly otherwise determines in a Declaratory Act, or until amending legislation is enacted by regular process.

Regulation in conflict with rule
63. If a regulation of the General Assembly is found in conflict with a rule, the rule prevails and the regulation is incompetent to the extent of such conflict unless and until the rule is amended or repealed by regular process.

Declaratory Act
64. Subject only to the authority of the General Assembly of Australia, the General Assembly, being the interpreter of its own law, may pass a Declaratory Act declaring what it holds the law of the church to be regarding any particular matter. Such a Declaratory Act may be passed without reference to the Presbyteries, but it must be remitted to them under the Barrier Act if it involves a change of the rules enacted by the Assembly.

Interim authority
65. If it sees sufficient cause the General Assembly may give interim authority:
   a) to a Declaratory Act which is being remitted to the Presbyteries under the Barrier Act; or
   b) to the enactment, amendment or repeal of a rule or regulation pending the consideration and approval of the Presbyteries or the report of a committee or committees.
Such interim authority extends only until the next General Assembly. It may be renewed by that Assembly if the remit in the same or amended form is again sent down to the Presbyteries, failing which the interim authority lapses.

**Section Six  ... Administrative Action**

**Oversight of Presbyteries, commissions, committees and officials**

66. In the exercise of its administrative (or executive) function the General Assembly takes oversight of all its lower courts. In exercising this oversight the General Assembly:

   a) takes care to see that the functions and duties assigned by the law of the church to the lower courts are not interfered with;
   b) deals with any irregularity or default of duty revealed by the review of the records of Presbyteries;
   c) considers whether the rules of the church in relation to lower courts is in need of amendment and, if of this opinion, proceeds by regular process.

The General Assembly also exercises oversight of all its own commissions, committees and officials.

The General Assembly gives such directions, counsel and advice and administers such correction to the bodies and officials referred to above whenever it considers it appropriate.

**Examines records**

67.  

   a) The General Assembly each year calls for, examines and approves the records of the presbyteries within its jurisdiction and the records of all its committees and boards.
   b) All records not in active use, in which the last entry is more than seven years old, are to be deposited in the church archives.
   c) The Assembly may also call for specified information concerning their affairs from sessions and Boards of Management.
   d) To effect the examination of records envisaged in clause a) above the Assembly appoints each year a committee entitled the Records Committee.

**Appointment of commissions, committees and officials**

68. For greater efficiency or to meet changing needs in the church or the community, the General Assembly from time to time:

   a) appoints new committees or commissions, discharges existing ones, or varies their membership and duties (see rule 5:22);
   b) appoints, re-appoints, and dismisses officials or varies the terms of their appointment (having regard to any contractual obligations involved);
   c) establishes new offices and appoints persons to them and appoints such additional permanent or temporary officials as it considers necessary (see rules 5:19, 36(a)).

**Educational appointments**

69. On the nomination of the Theological Education Committee the General Assembly appoints the professors and lecturers in the Theological College as provided for in the relevant regulations.

**Discipline**

70. In the course of the exercise of its administrative function the General Assembly may find facts which might support a charge being made against a minister or communicant member of the church. If it decides to take up such cases the General Assembly deals with them in accordance with the Code of Discipline of the Presbyterian Church of Australia (see GAA Code Chapter 8).

**Formation of Presbyteries and alteration of bounds**

71. The General Assembly forms Presbyteries within its jurisdiction, names them, fixes their bounds, appoints a time and place for their first meeting and in each case appoints a minister from within the bounds to convene, constitute and preside over the first meeting of a Presbytery until a moderator is elected (see rule 4:2).

Only the General Assembly may alter the bounds of a Presbytery or effect an amalgamation of Presbyteries. It ordinarily does so either:

   a) at the request of one or more Presbyteries concerned; or
h) on the recommendation of a commission or committee appointed or instructed to consider the matter.
In the case of (b) above, the commission or committee must consult with the Presbyteries concerned before making a recommendation to the Assembly.

Assessments and collections
72. The General Assembly has the right to request a levy from each congregation for the raising of funds for its own needs, and it may appoint special collections to be made throughout the church for purposes which it approves or determines.

Funds and other property
73. Subject to the provisions of any relevant trust deeds, and of the Presbyterian Trusts Act 1890, the General Assembly retains final administrative authority over all funds gathered or held by its committees in its name and over all other property held by such committees. From time to time the Assembly issues directions and authorisations concerning such funds and property as it considers appropriate.

Section Seven ... Judicial Action

Judging references, appeals, etc.
74. As provided in the general rules for church courts (chapter 6) and in the exercise of its judicial function, the General Assembly deals with all references, appeals and petitions that are presented to it in the proper form.

Procedure in the case of a charge
75. In all cases involving a charge against any minister, communicant or adherent of the church, the General Assembly proceeds in accordance with the Code of Discipline of the General Assembly of the Presbyterian Church of Australia (see GAA Code Chapter 8).

Original jurisdiction and ordinary practice in discipline
76. The General Assembly has original jurisdiction in every case in which it considers the exercise of discipline is necessary, but in ordinary practice (except when contumacy is involved) it exercises its power of discipline only in cases which come before it from Presbyteries by reference or appeal.

Contumacy (wilful refusal to obey a lawful order of the court)
77. The General Assembly may, but only in accordance with the Code of Discipline of the Presbyterian Church of Australia, deal summarily with any minister, communicant or adherent whom it considers to have acted contumaciously against its directions, order or authority and may punish the offender at its discretion.

Special committee on judicial matters
78. All references, appeals and petitions are sent to the Clerk of Assembly at least thirty days before the meeting of the Assembly or the Commission of Assembly.
The clerks and the Law Agent, acting as a special committee on judicial matters:
   a) put these references, appeals and petitions in order if necessary;
   b) may send a copy of them to the party or parties named;
   c) report their nature but not necessarily their contents to the Assembly or Commission of Assembly;
   d) recommend how they may be dealt with;
   e) place before the Assembly a suggested course of action in each case (see rule 5:50).
The Assembly may in any particular case shorten the above-mentioned period of thirty days.
Section Eight  ... General Assembly of Australia

General Duties
79. The General Assembly of The Presbyterian Church of Victoria is required to discharge specific duties and functions relating to the General Assembly of Australia, as set out in the Basis of Union and Articles of Agreement of the Deed of Union of 24 July 1901 and in subsequent lawful amendments.

Overtures
80. Overtures are made from The Presbyterian Church of Victoria to the General Assembly of Australia only by the General Assembly, but a Presbytery under the jurisdiction of the Assembly may overture the Assembly to take such action.

References and appeals
81. The General Assembly transmits to the General Assembly of Australia such references as it determines and all appeals taken against its decisions in respect of matters which rightfully come under the jurisdiction of the General Assembly of Australia.

Petitions
82. The General Assembly may petition the General Assembly of Australia in regard to any matter with which it may competently deal when:
   a) no other constitutional approach is open;
   b) the interests of The Presbyterian Church of Victoria, or of some part of its work, or of some persons connected with it, are involved.
Chapter 6 ... General Rules for Church Courts

Section One ... Introductory

General rules and special provision
1. Sessions, Presbyteries, and the General Assembly, in addition to carrying out the specific provisions contained in chapters 3, 4, 4A and 5, are required to observe whichever of the following general rules for church courts are applicable to their proceedings or to the subject matter before them.

Section Two ... Moderators and Clerks

Every court has a moderator
2. Every court is presided over by a moderator who, except in the case of the Session, is elected by the court from its own members. The court has the right to determine the procedure by which he is elected, provided that such procedure does not interfere with free election.

Duties of moderator
3. Except where the rules state otherwise, the moderator is responsible for convening the meetings of a court that have not been fixed by its own action or that of a higher court.
At all meetings of the court the moderator:
   a) presides;
   b) sees that the meeting is properly constituted;
   c) causes good order to be kept in the conduct of its business;
   d) sees that the meeting proceeds according to the agreed agenda;
   e) disallows motions which he judges to be in conflict with the law of the church, irrelevant, offensive or otherwise incompetent;
   f) protects the rights of each member of the court;
   g) rules on points of order;
   h) announces decisions, administers censures and admonitions, conveys greetings and instructs parties at the bar;
   i) calls upon members to state their views, cast their votes or discharge any duties which may have been assigned to them;
   j) vacates the chair when a lower court of which he is a member is at the bar, or (except in the case of the moderator of a Session) when he is or wishes to become a party to a case or wishes to speak to a matter before the court; he returns to the chair when the matter is disposed of.

Rights of moderator
4. It is the right of the moderator to take precedence over the members of the court, to exercise when in the chair a casting vote but not a deliberative vote, and to take part in a debate provided that, except in a Session, he vacates the chair to do so.

The clerk and his duties
5. Every court has a clerk or clerks who are usually, but not necessarily, members of the court.
The clerk:
   a) keeps an accurate roll of the court;
   b) receives, examines, records and reports to the court all documents, papers or communications addressed to it;
   c) keeps accurate minutes of the proceedings of the court and, when appropriate and at his discretion, supplies properly certified extracts to those entitled to them (see rules 6:16-22);
   d) takes care of the books, papers and records of the court as it directs and produces them when the court requires them;
   e) carries out the correspondence of the court as it directs or as required by the rules, regulations or directions of a higher court;
   f) provides advice to parties who wish to bring business to the court;
   g) carries out whatever other duties are necessary for the court to do its business efficiently.
Chapter 6: General Rules

The clerk of a higher court is required to vacate his table while a lower court of which he is a member is at the bar. It is to the clerk of the lower court that the higher court gives its orders for the submission of records for its inspection. It holds the clerk answerable for neglect in this matter.

Declaration of faithful duty
6. The clerk makes the declaration of faithful duty on taking up office. In his absence an acting clerk is appointed and he also makes the same declaration, which is as follows:
“I solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me.”

Section Three  … Meetings

Who convenes
7. Except where the rules state otherwise a court can be convened only by its moderator or by order of a higher court. Any notice sent out by the clerk calling an urgent meeting of the court must bear the words “by order of the moderator”.

Attendance obligatory
8. Each member of a court is expected to attend its meetings. A member who appears not to comply with this rule may be ordered to attend. A member who fails to obey this order or to send a satisfactory explanation of absence may be instructed to explain why he is not in contempt of the court. If the court is not satisfied with his explanation, or if he has not responded after two citations, he may be found guilty of contumacy (see rules 4:67; 5:76, 77).

Opened and closed with prayer
9. All meetings of church courts are opened and closed with prayer and the fact is recorded in the minutes of each meeting.

Open court or in private
10. All courts other than the Session are presumed to be open. A court may, in any particular matter, resolve to sit in private. In these circumstances all persons other than members or officers of the court and cited parties to a particular matter under discussion are excluded. Associate members are also excluded. (See also rule 4:23.)

In deciding whether to sit in private or not a court considers the interests of the church and the necessity to guard its ministers and members from charges which may prove to be ill-founded. In all circumstances a court seeks to uphold the reputation of the church.

Bar
11. When a court is exercising specified functions, certain parties to a case are said to appear at “the bar” of the court.

The following parties are brought to the bar:
   a) overrurers who are not members of the court;
   b) petitioners, in the case of a petition;
   c) appellants and respondents, in the case of an appeal;
   d) certain parties stating a reference (see rule 6:50);
   e) certain parties in cases involving the GAA process of discipline (see GAA Code of Discipline).

A member of the court, while he is a party at its bar, does not exercise his normal functions as a member of the court.

Parties are removed from the bar after the matter has been disposed of (see rule 7:86).

No meeting beyond bounds
12. A court does not normally meet beyond its own bounds. Permission from a higher court is required for this to occur in a particular case.

No meeting while higher court meets
13. A court does not normally meet during the sitting of a higher court. Permission from a higher court is required for this to occur in a particular case (see rule 5:51).
Section Four  ...  Records

Authoritative signature of moderator and clerk
14. When the moderator or the clerk signs any document or communication on behalf of or with the authority of the court, he adds his official designation to his signature.

Decisions: when operative
15. The decisions of the General Assembly take effect immediately on the dissolution of the Assembly unless otherwise ordered. The decision of a lower court becomes operative from the time it was made or ordered to take effect even though the minute of that decision has not been confirmed.

Form of minutes
16. Every court of the church keeps accurate minutes of its proceedings. Minutes should be a statement of fact only and should always include:
   a) the circumstances of the meetings, whether by appointment, following adjournment, urgent or special purpose, and the place, date, and time;
   b) the fact that the meeting was constituted with prayer;
   c) a list of those present and the names of members for whose absence apologies were received and sustained;
   d) all decisions of the court;
   e) the appointment of the next meeting if this needs to be made;
   f) the fact that the meeting was closed with prayer.

Framing and approval of minutes
17. Every court frames its minutes in common form as far as that is possible and the clerk:
   a) takes down draft minutes, to be put in permanent form afterwards, and either read to the court at its next meeting or circulated among members of the court before the question of the confirmation of the minutes is put; or
   b) in grave or urgent matters or in formal process of discipline or when extracts are likely to be required, immediately frames all its minutes or any particular minute as the business proceeds in order that the minutes may be confirmed at once; or
   c) in the case of the final sitting of the General Assembly before its dissolution follows the procedure indicated in (b) or submits the permanent minutes to a commission appointed to scrutinise and confirm them (see rule 5:52).

Approval of what appears in minutes
18. A court is entitled to decide what shall have a place in its minutes (subject to overruling by a higher court), and, if a motion is made which it is resolved not to record, no reference is made to it.

Keeping of minutes
19. Every court sees that its minutes are accurately recorded without unnecessary corrections or alterations.

The following general rules apply to the keeping of minutes:
   a) corrections may be made on the following basis:
      i) typographical errors need only to be initialled by the clerk;
      ii) if words need to be struck out, the number of them (or of the lines) is noted in the margin and signed by the clerk;
      iii) if words need to be inserted, they are written in the margin and signed by the clerk;
      iv) no records are deleted without the authority of the higher court;
   b) no blank spaces that would give opportunity for unauthorised insertions are left;
   c) headings of subjects are made in the margin;
   d) nothing is allowed in the keeping and recording of its minutes which would permit a doubt as to the authenticity of the record.

Record apart
20. To keep its ordinary minutes free from the presence of undesirable matter every court keeps a record apart for use in cases where moral delinquency is alleged, or in other cases where it seems desirable to
safeguard the church against damages or to protect the reputation of individuals. The resolution to keep the proceedings of a case in the record apart is minuted in the record apart, not in the ordinary minutes. The record apart is kept on separate sheets consecutively numbered, each page signed by the clerk. No entry is made in the ordinary record of the court until the case is finally disposed of.

Record apart – disposing of case
21. If the judgment that finally disposes of the case, by whatever court of the church pronounced, involves any degree of censure of the accused, then the court of first instance records in its ordinary minute book the first minute of the record apart, the libel or a summary of each of the charges if a libel was served, and the final judgment.

When a case has ended in entire acquittal:
   a) the record apart, with all papers in the case, is sealed up in the presence of the court, endorsed with a note of the subject matter and with the date of the final judgment, and kept for six years and then destroyed; and
   b) the person whose innocence has been proved receives a certified copy of the judgment of the court.

Extracts
22. A court grants full extracts of the minutes relevant to any case to a party who:
   a) is entitled to them; and
   b) requests them.

Extracts may be applied for and granted both before and after a decision is made on a case, and these extracts are attested by the clerk as extracted from the record of the court.

A court also grants copies of any papers held or reserved in relation to the case. These are certified by the clerk. In every case a court exercises caution in granting extracts in matters affecting private interests only, in case such extracts may be required merely for the purpose of a civil action. A court is entitled to fix a charge for the making of extracts.

Section Five  ... Citation

Citation
23. Citation is an official act of a court authoritatively and distinctly calling those cited to be present at a particular place and time for a specified purpose.

Who is cited
24. A court may issue a citation for the purpose of:
   a) enforcing the attendance of its own members;
   b) taking the mind of a congregation;
   c) requesting a party to appear in his own interests in any particular case pending before it in a process of discipline;
   d) requesting the presence of any person, court or body who is within its jurisdiction, and who may be affected by its decision, or whose evidence it desires.

Method of citation
25. The citation must be issued in such a way that:
   a) it affords reasonable grounds to the person cited that it is authentic; and
   b) it is clear to the court that the citation has taken place.

Accordingly, if a court decides to cite a person who is present in the court it does so in the presence of the court. If he is not present it directs that he be cited by written citation in the set form delivered to him by an officer or deputed member of the court either into his hands or to his usual or last known place of residence or sent by registered post to that address.

If a court decides to cite a lower court, congregation or other body, it directs that the citation be issued by edict in the set form and read by a person appointed by the court at the regularly appointed time and place of meeting of the court or body to be cited.
Proof of citation
26. Proof of citation is by certificate of the officer or agent of the court who served the citation or by official receipt of postal registration.

Effects of citation
27. Citation protects a court from a charge of failing to give an interested party an opportunity to be heard in a matter pending before the court.

Section Six  ... Overtures

Overture defined
28. An overture is a formal written proposal, with reasons, submitted to a court:
   a) for the enactment, repeal or amendment of a rule or regulation; or
   b) for the interpretation or declaration of any part of the law of the church; or
   c) more generally, to have something done or declared which is within the competence of the court overured.

Who may overture
29. An overture may be made:
   a) to a higher court by a lower court;
   b) to the General Assembly by one of its committees or by any five members of the General Assembly;
   c) to a lower court by any two of its members;

Proceedings non-judicial
30. A court when considering an overture is not exercising its judicial function. The stating of an overture does not bring parties to its bar (except in the case of rule 6:11(a)) or exclude any member of the court from participating in its proceedings.

Notice required
31. No overture may be moved in any court except the General Assembly unless notice of it has been given at a previous ordinary meeting of the court or intimated by circular sent by the clerk to members of the court at least seven days prior to the meeting at which the overture is brought forward.

Transmitted as extract minute
32. A lower court transmits an overture only as part of a certified extract of its minutes and forwards it either without comment or with such comment as it sees fit.

Procedure in dealing with the overture
33. The usual procedure is as follows:
   a) the overture is received;
   b) the overture is stated;
   c) questions are asked of the overturists;
   d) the overturists, if they are members of the court overured, have the prior right over other members, after due notice:
      i) to move "That the overture be sustained"; and, if this motion is approved,
      ii) to move that the specific action proposed in the overture be taken.
If the overture is sustained, any subsequent motion for dealing with the overture or its subject-matter may be approved, amended, or disapproved.

The overture not sustained
34. Should a motion to sustain be disapproved, or should such a motion not have been made, it is then competent for any member of the court to move “That the overture be dismissed”, and this motion, if approved, disposes of the overture.

Section Seven   ...   Petitions

Petition defined
35. A petition is a written and signed request in approved form made to a court and usually relating only to the affairs of the petitioners. It must be in respectful language and usually includes a statement of the circumstances or reasons which are held by the petitioners to justify the specific request made. (See Appendix 3)

Improper form
36. A court may decline to receive a petition containing improper or disrespectful expressions. The court grants to a petitioner, through its clerk, any advice necessary as to the drawing up of a document in the proper form, and directs that any approach to it which takes the form of a petition is put in that form before receiving it.

Who may petition
37. Any lower court or any congregation, committee or organisation of the church, or any person or group of persons within the jurisdiction of the courts of the church, has the right to petition the appropriate court of the church, and that court, at its discretion, may receive and deal with a petition from any other person as well.

Proper use
38. The ordinary and regular use of petition is to initiate the petitioner’s business in the court of first instance, namely, the lowest court competent to deal with such business, when no other constitutional way of initiating it is open to the petitioner.
Petition is therefore not ordinarily used to bring the proceedings of a lower court under the review of a higher court, but it may competently be used when the petitioner:
   a) has been obstructed in his right of appeal in the lower court;
   b) is not legally qualified to proceed by appeal; or
   c) being a court of the church, cannot conveniently deal with a case before it otherwise than by petitioning the higher court to take a specified action.

Notice required
39. A petition is lodged with the clerk of the appropriate court. Any deadline of the court for receiving papers must be complied with.
When a petition affects the interests of persons other than the petitioner, he must supply them in reasonable time and by either personal delivery or registered post with:
   a) a copy of the petition; and
   b) notice of the time and place of the meeting of the court at which he has asked or will ask that the petition be heard, and he must inform the clerk in writing that he has done so.
If the court, after receiving the petition, is not satisfied that sufficient notice has been given to others concerned, it defers the matter to the next ordinary meeting, or sitting of the Assembly.

Who at bar
40. A petitioner is a party at the bar. If a member of a court is a petitioner to it, singly or with others, he is at the bar during that business and until it is disposed of. A member who is not a petitioner cannot present the petition of others, either in his place or at the bar.
Chapter 6: General Rules

Procedure in dealing with petition
41. When a petition is presented, the court:
   a) reads the petition or sufficient of it to be judge of its nature or character, or takes it as read;
   b) receives it, after satisfying itself that:
      i) the petitioner is at the bar of the court to support it;
      ii) it is the appropriate court to deal with the matter;
      iii) the matter should not have come forward by some other course;
      iv) the petition does not contain improper or disrespectful language;
      v) the petitioner could not have appeared as a party in a case before a lower court;
      vi) the petition ought to be received either in the interests of the church or in justice to the petitioner;
   c) determines what action is to be taken in answer to its prayer, see rule 6:43 following.
The court, and not the petitioners, decide what if any action shall be taken.

Petition not received – petitioners heard
42. If the court decides not to receive the petition, the matter lapses. Except for obvious incompetence or if the language or intention of the petition is clearly offensive a decision not to receive it may only be made after the petitioner has first been heard on the question of its reception.

Granting the prayer
43. A motion to grant the prayer of a petition means that the court considers there are sufficient grounds in the petition to justify deliberation and decision.
   If the motion is approved, it is followed by another motion giving effect to the court’s decision.
   If it is disapproved, it is followed by a motion to “dismiss the petition”.

Against a minister
44. A petition affecting the character of a minister is not served upon him, for this matter can be dealt with only by libel in a process of discipline. However he should be communicated with respecting it, and is entitled without being placed at the bar to be heard upon it and to take his ordinary part in the discussion of it.

Section Eight  ...  Reference to a Higher Court

Reference defined
45. A reference is a document containing the facts of a case which is stated and referred by resolution of a lower court for the opinion, advice, direction or judgment of its immediate higher court. (See Appendix 5)

Kind of cases referred
46. A court refers a matter to its immediate higher court when it is in doubt as to the correct procedure of the law of the church; but it may refer other matters such as:
   a) cases of particular difficulty or delicacy, the decision on which may establish an important precedent;
   b) cases on which the members of the court are much divided in opinion;
   c) cases on which it is desirable, for any reason, that a larger body should first decide.

Evasion of responsibility
47. A court may not state a reference merely to evade its proper and ordinary responsibility. In such a case the higher court declines to deal with the reference and directs the lower court to deal with the matter (see rule 7:90).

Effect of referring the case
48. The reference of a case, either without comment or otherwise, to a higher court halts procedure in the lower court until the higher court has given its decision.
Chapter 6: General Rules

How transmitted
49. A reference is transmitted in the form of a properly attested extract minute of the resolution to refer, accompanied by all relevant documents. If there are parties in the case, they must be cited by the court referring so that they may appear for their interests.

How presented
50. A reference places at the bar persons stating the reference who are not members of the higher court. In presenting and stating a reference it is necessary to show what the case is and why it has been referred.

Reference disposed of
51. After a reference has been stated and questions answered, the reference is either sustained or not sustained. If it is sustained, any parties in the case are called and heard, after which the higher court considers the whole case and decides it, or gives such advice and directions as it considers necessary and sends the matter back to the lower court so that it may take the appropriate action.

Cost of printing
52. A lower court may be required to pay the cost of printing a reference which it has transmitted.

Section Nine ... Dissatisfaction With Decision of Court

Dissatisfaction with decision
53. A member of a court who voted in the minority, if dissatisfied with the decision of the court, may either:
   a) record his dissent against the decision (with or without reasons), see section 10 below; or
   b) appeal to the immediate higher court, see section 11 below.

Party at the bar
54. A party at the bar of a court, whether or not a member, may appeal against its decision to the immediate higher court.

Section Ten ... Dissent

Right of dissent
55. Any member of a court, other than a party at its bar, is entitled to have his dissent recorded in respect of a decision, provided:
   a) he has voted against the decision, i.e. he voted in the minority; and
   b) such a decision has been made after a show of hands “for” and “against”, or a recorded count, or a division; and
   c) the matter is not a resolution of the committee of the whole, or a decision on an amendment, or part of a judicial case; and
   d) the dissent is not against carrying out an instruction of a higher court.

Effect of dissent
56. A member of a court who dissents from a decision relieves himself from responsibility for the decision and its consequences and protects himself from censure on account of it. He is still under obligation to comply with the decision itself unless and until it is reversed or altered.

Adherence to dissent
57. When a member of a court has recorded his dissent it is competent for other members to signify their adherence to the dissent, and to have their names recorded as dissenting but only if they also voted with the minority.
Reasons for dissent
58. Reasons for dissent need not be given. However, when a member is recording his dissent he may also at the same time give in brief reasons which are not a discussion of the subject. These reasons, while not a discussion of the subject, serve to justify his position in dissenting. They are recorded without comment or debate provided, they are not disrespectful to the court or injurious to a party.

Reasons handed in later
59. A member who has dissented but not already given in reasons may do so in writing, and read them without comment either:
   a) immediately after the minutes recording his dissent are confirmed by the court; or
   b) immediately after the motion to refer the confirmation of the minutes to a special commission (see rule 6:17(c)) is approved.
Such reasons (which are not subject to debate) are held in the court’s records, unless the court expressly directs that they be recorded in the minutes.

Answers to reasons for dissent
60. When considered necessary the court appoints a committee of its own members to prepare answers to reasons for dissent. The report of the committee may be debated, amended, or otherwise dealt with as is any other report. The answers approved are recorded in the minutes or held in the court’s records in the same way as the reasons have been recorded or held.

Section Eleven  ...  Appeals

Appeal
61. An appeal is a signed document given in by:
   a) a member of a court who has voted in the minority; or
   b) a person who is or was a party at the bar in a case before the court
and is designed to bring the decision of the court under the review of a higher court.
A party who wishes to appeal must clearly state his intention at the time the decision is announced by the moderator, by saying: “I intend to appeal”. The moderator must inform any party at the bar of his right of appeal. (See Appendix 4)

Time limit
62. The appeal, stating reasons for dissatisfaction with the decision, must be given in within ten days (not including the day of the decision). A party’s right of appeal lapses if the appeal has not been lodged with the clerk of the lower court by the end of the specified period.

Extracts sought
63. A person who intends to appeal against a decision of a court may request extracts relevant to the case and is entitled to all relevant extracts of the proceedings and to copies of all relevant papers.

Appeal withdrawn
64. An appellant may withdraw his appeal at any time and, having formed the intention of withdrawing, he ought to do so without delay.

Proper form or document
65. A court may decline to receive a disrespectful or improper appeal, but it grants through its clerk advice as to the drawing up of a document in proper form.

Respondents appointed
66. Upon receiving notice of an appeal against one of its decisions the court appoints two of its members to act as respondents to defend its decision in the higher court.
Effects of appeal
67. An appeal against the final decision or judgment on a case halts execution of the decision or judgment until the appeal is disposed of by the higher court or it lapses by not being prosecuted (except for the case cited in 4:73).
An appeal on a part of a case or a point of procedure, unless expressly indicated to the contrary, does not halt procedure or prevent the court from prosecuting the matter and ripening it to final judgment.
If no appeal is taken against the final judgment, all appeals previously taken fall.

May proceed without regard
68. If a lower court against whose decision an appeal has been taken considers the action of the appellant:
   a) to be evidently without sufficient substance; or
   b) to be deliberately obstructive
it may proceed without regard to the appeal. If the court proceeds it does so at its own risk, the rights of appellants being always reserved.

Papers transmitted
69. A court transmits to its immediate higher court any appeal which it has received against one of its own decisions together with all records and documents connected with it. The appellant should satisfy himself that all documents necessary have been transmitted, as the responsibility for this rests with him.

Parties at the bar
70. An appeal places the parties to the case, namely the respondent court and the appellant, at the bar of the higher court, and they take no part in judging the case. The parties must be duly cited by the clerk of the lower court concerned.

How dealt with
71. In dealing with an appeal transmitted for its judgment, a court:
   a) calls the parties (i.e. appellants and the respondent court) to its bar;
   b) hears read the record of the case in the lower court and relative documents, or, if printed, may take them as read;
   c) hears the appellants or, if there are more than two, their representatives to a number it determines;
   d) hears the respondents appointed by the lower court;
   e) hears the appellants in reply;
   f) calls for questions from members of the court;
   g) removes all parties from the bar;
   h) in the case of the Assembly, hears from the special judicial committee, as referred to in rules 5:50, 78;
   i) deliberates on the case before it.
When parties are removed from the bar, it is at the discretion of the court whether they are permitted to hear the discussion of the case.
No document may be read or appear among the papers of the court (printed or written) unless it was before the court of first instance or was offered to it and rejected.

Decision to sustain
72. A court sustains an appeal if either:
   a) it finds that the lower court has not followed correct procedure and that this is considered to have been prejudicial to the right determination of the case; or
   b) it judges that the decision of the lower court upon the information before that court was not a reasonable decision.
When an appeal is sustained, the decision is not necessarily reversed, but may be altered in part or in whole, and the matter may be remitted to the lower court with particular instructions to take specified action, or with the general instruction to deal with the matter according to the law of the church, or with both.
Chapter 6: General Rules

Decision to dismiss
73. A court dismisses an appeal if:
   a) it finds the procedure of the lower court not to have been such as to prejudice the right
determination of the case; and
   b) it finds the decision of the lower court to have been reasonable upon the information before that
court.
When an appeal is dismissed, the decision of the lower court stands affirmed. Dismissal on the ground of
incompetency is not permissible without the appellant being heard concerning the matter.

Decision announced
74. When the court has reached a decision, the parties are recalled to the bar and the decision is
announced to them.

Section Twelve  ...  Miscellaneous

Assessors
75. Any court may apply to its immediate higher court for assessors to be appointed to sit with it to assist
with any particular matter. Further, any court may decide to appoint assessors to sit with a lower court to give
appropriate assistance even if no request for assessors has been made.
An assessor, during his period of duty, enjoys the full rights, powers, and privileges of membership in the court
to which he is appointed, except when otherwise expressly stated in the law of the church or by the court
appointing him. If the court to which he is an assessor is at the bar of a higher court he is likewise at the bar.
When the task is completed, it is the duty of assessors appointed for this particular task to inform the
appointing court, which immediately discharges them (see rules 3:67; 4:75(c), 110).

Counsel
76. Unless the law of the church states otherwise, a court decides whether or not a party may appear with
the assistance of counsel or agent in any particular process before it; it may allow the appearance of counsel or
agent only if he is a communicant member of The Presbyterian Church of Victoria.

Commissions and committees
77. A court may from time to time appoint commissions from among its own members to discharge
particular business and grant to these commissions such of its own powers as are necessary to discharge the
duties indicated, (see rule 4:12 for matters in which a Presbytery cannot act through a commission).
A court may also appoint any necessary committees, consisting of persons within its jurisdiction, and may remit
to these committees such duties as it sees fit.
Commissions and committees of lower courts report on their proceedings to the court which appointed them;
those (including boards and councils) appointed by a General Assembly report to the next General Assembly
unless otherwise directed.
A commission appointed by a court may not itself appoint a commission, but it may appoint a committee or
committees to perform specified duties, unless not permitted in its terms of appointment. A commission is
responsible for, and may set aside or vary, the actions of any committee it has appointed.

Inquiry by visitors
78. Every court has power to appoint visitors to inquire into and report upon any matter within its
jurisdiction.
Chapter 7 ... Standing Orders

Section One  ... The General Assembly

Definitions
1. For the purpose of these standing orders:
   a) “Assembly” means the General Assembly while sitting;
   b) “Court” means General Assembly, or Presbytery, or Session;
   c) “Chair” means either the moderator or the chairman of the committee of the whole;
   d) “Moderator” includes the chairman of the committee of the whole, so far as is applicable;
   e) “Leave of the Assembly” means leave without any negative voice.

Quorum (rule 5:46)
2. A quorum for any meeting of the Assembly shall be sixteen members, representing at least four Presbyteries. Of these members at least eight must be ministers.

Meetings: constituted with prayer
3. All meetings of the Assembly and their committees shall be opened and closed with prayer, and the fact of their having been so opened and closed shall be recorded in the minutes.

Sitting of lower courts
4. No lower court of which a member has been commissioned to the Assembly shall sit during the sittings of the Assembly, except by permission in a particular case.

Moderator
5. The Assembly shall be presided over by a moderator, duly elected, who shall have a casting vote but no deliberative vote.

Moderator absent (rule 5:8)
6. In the temporary absence of the moderator from the chair during the meeting of the Assembly the member among those present who was most recently moderator, or another ex-moderator, or else a member appointed by the court presides.

Recognising the chair
7. When in the Assembly, and especially when entering, passing the chair, or retiring, members shall show respect for the Assembly and the office of the Moderator.

Clerks (rule 5:11)
8. The General Assembly appoints one or more clerks who are usually, but not necessarily, members of the court. Their general duties are described in rule 6:5 and rule 5:12. The General Assembly determines the specific duties of its clerks and fixes their remuneration. They make the declaration of faithful duty on taking up office (which is as follows: “I solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me” (see rule 6:6)).

Associate members (rule 5:4)
9. The Assembly may associate with itself for any specific sitting, or for all the sittings of that Assembly:
   a) a minister or a member of a Session of another Presbyterian or reformed church who is present;
   b) any minister of the Presbyterian Church of Australia who is, or is entitled to be, a member of a state General Assembly and who, being present, indicates to the clerk his desire to be associated with the court.

Privileges of associate members (rule 5:5)
10. Associate membership is a courtesy extended by the Assembly. Associate members are entitled to speak but not to preside, vote, move or second a motion, nor to remain in the Assembly when it meets in private.
Minutes confirmed
11. When the minutes are submitted for confirmation, no question shall be raised regarding them except such as concerns their accuracy as a record of the proceedings.

Permanent records
12. The permanent records of the Assembly shall be those confirmed either in the presence of the court or by a commission appointed and authorised to confirm them.

Extract minute (rule 6:5(c))
13. The clerks, when appropriate and at their discretion, shall supply properly certified extracts to those entitled to them.

Section Two  …  Assembly Business

Order of business
14. In the Assembly, the order of business for each sitting (other than the first) shall be:
   a) confirmation of the minutes of the previous day, or, if confirmation is to be assigned to a special commission, at least the tabling of the draft minutes;
   b) reasons of dissent from any of the decisions recorded in the minutes referred to in (a) above;
   c) report of the Business Committee;
   d) business listed on the agenda as prepared by the Business Committee and approved by the Assembly;
   e) applications from Presbyteries for authority to meet, and the announcement of meetings of committees;
   f) report of the Business Committee relative to the next sitting.

Orders of the day
15. Items of business listed on the agenda as prepared by the Business Committee, and approved by the Assembly, shall constitute the orders of the day.
When an order of the day is reached it shall be called for by the moderator.
No business shall be introduced to the Assembly by any member until it is called for by the moderator.

Variation of orders of the day
16. The Assembly may if necessary and from time to time during a sitting vary the orders of the day for that sitting by a motion, without notice and without debate. A motion to vary the orders of the day may be made only at the interval between items of business.

Committee reports and deliverances
17. 
   a) The business hours of the Assembly are essentially for the review by the Assembly of the year’s work of its committees, boards and councils, and for the discussion and authorisation of action.
   b) Each committee of the Assembly shall submit a written report. Recommendations for action shall be appended in a proposed deliverance.
   c) The reports and proposed deliverances of all committees, boards and councils shall normally be printed in the White Book and distributed at least seven days prior to the meeting of the Assembly. In exceptional circumstances printed reports and recommendations may be distributed at least one day prior to their consideration.
   d) Printed reports shall be taken as read unless the Assembly desire otherwise.
   e) No recommendation in any report shall be held adopted unless it shall have been definitely set out in the deliverance and approved by the Assembly.

Procedure for reports and deliverances
18. Reports and proposed deliverances shall be dealt with in the manner indicated below:
   a) the business convener shall lay the report on the table and move that it be received, the motion shall be seconded;
   b) questions may then be asked for clarification of the report;
c) the motion to receive the report is put;
d) if the motion is approved, the convener of the committee concerned moves the deliverance as a whole and the motion is seconded;
e) the convener may then speak to the deliverance;
f) questions may be asked through the moderator;
g) if there are no amendments or notices of motion concerning the deliverance, and if no members have indicated a desire to speak for or against any particular clause or clauses, the deliverance as a whole is then put;
h) the court resolves to take the deliverance “clause by clause” if:
   i) amendments have been indicated; or
   ii) members indicate a wish to speak to a particular clause in a deliverance.
i) if the deliverance is being taken “clause by clause”, each clause is moved, seconded and debated separately, with amendments and notices of motion being taken in proper order. The mover of an amendment may be questioned in regard to his proposed amendment. After all clauses have been dealt with in this manner the deliverance as a whole must be approved.

The deliverance when approved is the decision of the Assembly, not of the committee.

**Resolutions involving expenditure**

19. Resolutions of a nature involving expenditure from any of the funds of the Assembly shall not be considered to be competent unless a report on the proposed expenditure is first received from the committee responsible to the Assembly for the application of that fund.

**Questions**

20. Relevant questions may be put by any member through the moderator:
   a) to the convener for clarification of the report before the Assembly receives it;
   b) to the convener after he has spoken to the deliverance;
   c) to the mover of an amendment or notice of motion.

**Section Three ... Motions and Amendments**

**Substantive motion**

21. A substantive motion refers to business which does not arise from the report of any committee. It shall be written and handed to the business convener normally at least one sitting before it is considered by the Assembly. A substantive motion may, by leave of the Assembly, be moved without notice (leave must be unanimous, see rule 7:1(e)).

**Amendments**

22. Motions may be amended:
   a) by leaving out certain words;
   b) by leaving out certain words in order to insert or add other words;
   c) by inserting or adding certain words.

**Incompetent amendments**

23. A direct negative to a motion is an incompetent amendment.

**Amendments to amendments**

24. An amendment may be moved to an amendment that has been moved and seconded as if the first amendment were an original motion.

**Notices of motion – prior to the Assembly**

25. When members have received the White Book, proposed notices of motion shall be sent to the business convener, preferably at least one week prior to the opening of the Assembly but not later than noon on the opening day of Assembly, so that they may be presented as an Assembly paper and issued to members when the Assembly meets.

Copies of proposed amendments should also be sent to the convener of the committee whose deliverance is affected by the proposed amendment as a matter of courtesy.
Chapter 7: Standing Orders

 Notices of motion – during the Assembly
26. During the Assembly, notices of motion shall be received and dealt with in the manner following:
   a) notices of motion shall be written and handed to the business convener at least thirty minutes
      before the close of the sitting prior to that in which the matter of the notice is to be dealt with;
   b) before the close of a sitting the business convener shall read to the members of Assembly all
      notices of motion handed in as described in (a) above, and subject to the consideration and
      approval of the Business Committee they shall be distributed to members in an Assembly paper;
   c) the clerk shall see that motions or amendments are in proper form and, if alteration is required,
      notify the mover of the fact.

 Amendments without notice
27. An amendment may be moved without notice if in the opinion of the moderator:
   a) it arises in the course of the debate; and
   b) it does not alter the substance of the motion.

     If the moderator is of the opinion that the proposed amendment has arisen in the course of the debate, but
     alters the substance of the motion, the amendment cannot be moved unless leave of the Assembly is granted
     (see rule 7:1(e)).

 When seconded
28. Except in committee of the whole, a motion or amendment must be seconded before it can be
   debated or put to the vote.

 Reserving a speech
29. No member who moves or seconds a motion or amendment shall have the right to defer his speech to
   a later stage of the debate.

 Members giving notice absent
30. If, when a motion of which notice has been given is called for by the moderator, and the member who
     gave notice is absent, another member may move the motion, or the court may reschedule the motion.
     Otherwise the motion lapses.

 Motion lapses if not seconded
31. When a motion or an amendment is moved, it is then seconded. If there is no seconder, it lapses and
     shall not be recorded in the minutes.

 Notice withdrawn
32. If a member withdraws a notice of motion, he shall do so without remark, and such motion shall not
     be recorded in the minutes.

 Motions withdrawn by leave of the Assembly
33. A motion or amendment, duly moved and seconded, shall not be withdrawn except at the request of
     the mover, with the consent of the seconder, and by leave of the Assembly (see rule 7:1(e)). Any amendment
to the motion must first be withdrawn.

 Motions not recorded
34. A motion or amendment ruled incompetent shall not be recorded in the minutes, except when the
     ruling of the moderator has been challenged and voted on.

 Notice changed
35. No change shall be made in the terms of a notice of motion after it is given in, except by leave of the
     Assembly. A member has the right to alter his motion, provided notice of the alteration is given at least one
     sitting before it comes before the Assembly.

 No change without leave
36. After a motion or amendment has been moved no change shall be made in its terms without leave of
     the Assembly.
Amendments put first
37. Amendments shall be put before the motions to which they refer.

Debate on amendments
38. When an amendment is before the Assembly, the debate shall be strictly confined to the amendment.

Section Four  ...  Procedure in Debate

Members called
39. When a member desires to speak he shall rise in his place, but he shall not speak until he is called on by the moderator. A member speaking in the Assembly shall address the moderator only.

Speak more than once
40. Each member may speak once to each question in debate, whether a motion or an amendment. No member shall speak more than once to the same question, except:
   a) in explanation;
   b) in stating and asking the ruling of the moderator on a point of order;
   c) in reply at the close of a debate, if he is the mover of the original motion; or
   d) in committee of the whole.

Right of reply
41. Right of reply applies only to the mover of the original motion (not to the mover of an amendment). This reply will close the debate.

Speaker cannot move an amendment
42. A member who has spoken to the main question shall not afterwards move an amendment on it, but he may second or speak to an amendment moved by another member.

Mover of amendment cannot speak later
43. The mover of an amendment shall not afterwards speak to the main question.

Moderator leaves the chair
44. The moderator shall take no part whatever in any debate. If he wishes to speak to any question or to present the report of a committee, he shall leave the chair. He shall also leave the chair when any case arises in which he is a party.

Moderator standing
45. When the moderator shall rise in his place, all members shall resume their seats and shall remain silent so that the moderator may be heard without interruption.

Interruptions
46. No member shall interrupt a speaker except for one of the following purposes:
   a) to state a point of order and to ask for a ruling of the moderator on it;
   b) to call attention to a breach of the privileges of the Assembly or its members;
   c) to object to language considered objectionable or reflecting on character;
   d) to make a personal explanation;
   e) to move that the Assembly sit in private;
   f) to move the adjournment of the debate;
   g) to move the “previous question”.

Points of order must refer strictly to the order of the proceedings of the Assembly.
Chapter 7: Standing Orders

Point of order
47. A member raising a point of order shall simply state it and no other member shall speak at this stage. The moderator shall then:
   a) rule on the point; or
   b) ask certain members whom he selects to state their views on it, and afterwards rule on the point; or
   c) refer it to the Assembly for decision by debate and vote.

Ruling of the chair challenged
48. When the ruling of the moderator is challenged the member who questions the ruling may be heard for not more than five minutes. The moderator shall speak in reply and the vote taken without further discussion.

Privilege
49. Questions of privilege take precedence over all other business and may be brought forward at any time by any member.

Privilege refers to
50. Questions of privilege refer strictly to matters directly affecting the privileges of the Assembly or its members. These matters must have recently emerged and call for immediate attention.

Privilege in committee of the whole
51. If a question of privilege is brought forward in committee of the whole, the committee shall immediately report it to the Assembly which alone can deal with questions of privilege.

Objectionable language
52. When language used in debate seems to any member to be objectionable, he may then, but not later, raise a point of order concerning it and ask for the ruling of the moderator. Language ruled objectionable shall be immediately withdrawn and apologised for by the speaker in a manner satisfactory to the Assembly.

Words taken down
53. A member may also demand that the words he considers to be objectionable be “taken down”. The moderator shall, without debate, put the question, “that the words objected to be taken down”. If this question is resolved in the affirmative, he shall direct the clerk to take them down as ground for such further action as the Assembly may see fit.

Personal explanation
54. A member may at any time make a personal explanation. If a member makes an explanation during a debate, it shall refer exclusively to some statement or statements made by himself which, in his opinion, one or more of the speakers in the debate have misapprehended. No other matter shall be introduced into an explanation during a debate.

Sit in private
55. The General Assembly may at any time close its doors and sit in private in consequence of a ruling by the moderator, or of a motion made, seconded and put to the vote without debate. Cases or questions which have been discussed in private in a lower court shall be so discussed in higher courts unless a motion to the contrary, duly made, seconded and put to the vote without debate, is carried.

Sit in private moved again
56. The disapproving of such motions shall not preclude their being moved again during the same debate or sitting.

Character affected
57. In dealing with cases or questions which have been declared by the moderator to affect character or are of the nature of personal disputes or misunderstandings, the Assembly shall deliberate and decide on this issue in private. In these cases the Assembly will only sit in public if a motion to this effect, duly made and seconded, is carried. Such a motion shall be put to the Assembly without debate.
Chapter 7: Standing Orders

Adjournment
58. A motion for the adjournment of:
   a) the debate, or
   b) the court,
may be made at any time and without notice and shall be put to the vote without debate.

Adjournment moved again
59. The disapproving of a motion to adjourn shall not preclude its being moved again during the same debate or sitting.

Who can move adjournment
60. The adjournment of a debate may be moved by any member, including the member who is at the time speaking to the question in debate.

Resumption after adjournment
61. When an adjourned debate is resumed, the right of speaking first shall belong to the member whose speech was interrupted by the adjournment. If no speech was interrupted, the right of speaking first shall belong to the mover of the adjournment. If the mover of the adjournment has already spoken to the question (original motion or amendment) which was in debate when the adjournment was moved, he may not speak again.

“Previous question”
62. The “previous question” is a mechanism by which the Assembly immediately departs from the matter at hand without any further debate or vote.
   It may be moved at any stage in a debate after the motion in debate has been moved and seconded, but not by anyone who has spoken to the main question or to an amendment.

No debate on previous question
63. The previous question shall be moved and seconded without debate and shall then be put to the vote.

Previous question refers to
64. The mover of the previous question must specify whether the matter to be departed from is the clause or sub-clause that is before the Assembly or the whole matter. It cannot be moved in a committee of the whole.

Previous question means
65. The carrying of the previous question shall mean that the court does not consider it expedient to discuss further, or to give a deliverance on, the matter before the Assembly. The effect shall be that the court then departs from the whole subject under deliberation and proceeds to the consideration of the next subject of the deliverance before the Assembly, or the next item on the order of business, as the case may be.

Previous question moved again
66. The disapproving of the previous question shall not preclude its being moved again during the same debate.

Laws and decisions not to be reflected on
67. No member is allowed to reflect adversely on any law or decision of the Assembly except for the purpose of moving in a legitimate form that it be altered or rescinded.

The closure
68. When it shall appear to the moderator during any debate that the motion or any amendment on it has been adequately discussed, and that it is the evident sense of the Assembly that the question be now put, he may indicate this to the Assembly. The moderator distinctly states at the same time whether it is to the debate on the amendment only or to the debate on both the amendment and motion that the closure is to be applied.
“That the question be now put”
69. A motion “that the question be now put” may then, but not till then, be made and seconded without any remark or discussion. The moderator shall then put this motion and, if approved, the moderator shall put to the vote the motion, or the amendment only, or the amendment and the motion, as the case may be, without further debate.

Stating the motion before voting
70. The moderator shall endeavour to put the question at every convenient opportunity. He shall state the motion or amendment or shall cause it to be stated by the clerk. Any member not distinctly hearing the motion or amendment may require it to be stated again.

The moderator interrupted
71. When the moderator shall rise in his place to state or put the question, he may be interrupted by, and shall give way to, any member who wishes to speak to the question, except when the debate has been closed by a speech in reply or by the application of the closure. A member may so intervene up to the moment when the moderator says the word “aye” in putting the question to the voices.

Section Five ... Voting

Member’s vote
72. A member may vote on a motion even though he has not voted on any amendment to it.

Within the Assembly
73. No member can, by voice or otherwise, give a vote outside the barrier.

Vote taken
74. The vote shall be taken by the following method:

   a) **By the voices.** The moderator shall take the vote first by the voices.

   i) He shall put the question in this form:

   “The question is: Shall this motion (or amendment) pass? All who are of that opinion say ‘aye’.”

   ii) The “ayes” shall then respond.

   iii) The moderator shall further say:

   “All who are of the contrary opinion say ‘no’.”

   iv) The “noes” shall then respond.

   v) The moderator shall then say, as the case may appear to him:

   “I think the ‘ayes’ (or the ‘noes’) have it.”

   vi) If his opinion is acquiesced in by the silence of the Assembly, he shall say:

   “The ‘ayes’ (or the ‘noes’) have it”, and the motion or amendment is passed or lost accordingly.

   vii) Should there be no dissenting voice a unanimous vote may be recorded.

   b) **By show of hands.** If the moderator’s opinion is challenged by one or more members who have voted “no” saying “Show of hands!”, the vote shall be further taken by a show of hands but the numbers shall not be recorded.

   c) **By recorded count or division.** If the moderator’s opinion is further challenged by:

   i) a member moving that the vote be taken by recorded count; or

   ii) five members requesting a division,

   the vote shall be taken by recorded count or by division as the case may be.

Recorded count
75. A motion that the vote be taken by recorded count, after being seconded, shall be put without debate and decided by a show of hands “for” or “against”. Should such a motion be carried, it precludes the taking of the vote by a division. The result of a vote by recorded count as reported to the moderator in writing and declared by him to the Assembly shall be final. The numbers shall be recorded in the minutes.
Division
76. When a motion to take the vote by recorded count has not been moved or has been lost, a division may be called for by five members of the Assembly. Any five members of the Assembly may further demand that the names of those voting be recorded. Numbers are recorded in any case. When the vote is about to be taken by division, the bell shall be rung and after a lapse of two minutes the doors shall be locked and no one shall be allowed to enter or leave the Assembly until the vote is taken. Members of the Ballot Committee shall act as tellers on each side. Those “for” the motion or amendment shall go to the right of the chair and those “against” to the left. The result of the division, as reported in writing to the moderator and declared by him to the Assembly, shall be final.

Casting vote
77. In the case of an equality of votes the moderator shall have a casting vote, but he should vote so as to leave the matter open for further consideration. He has no deliberative vote.

Questions not reconsidered
78. No question which has been decided at one sitting of the Assembly can be reconsidered at a subsequent sitting.

Section Six … Dissents

Right of dissent (rule 6:55)
79. Any member of a court, other than a party at its bar, is entitled to have his dissent recorded in respect of a decision, provided:
   a) he has voted against the decision, i.e. he voted in the minority; and
   b) such a decision has been made after a show of hands “for” and “against”, or a recorded count, or a division; and
   c) the matter is not a resolution of the committee of the whole, or a decision on an amendment, or part of a judicial case; and
   d) the dissent is indicated when the decision is announced; and
   e) the dissent is not against carrying out an instruction of a higher court.

Reasons for dissent (rule 6:58)
80. Reasons for dissent need not be given. However, when a member is recording his dissent he may also at the same time give in brief reasons which are not a discussion of the subject. These reasons, while not a discussion of the subject, serve to justify his position in dissenting. They are recorded without comment or debate, provided they are not disrespectful to the court or injurious to a party.

Reasons handed in later (rule 6:59)
81. A member who has dissented but not already given in reasons may do so in writing, and read them without comment either:
   a) immediately after the minutes recording his dissent are confirmed by the court; or
   b) immediately after the motion to refer the confirmation of the minutes to a special commission is approved.

Such reasons (which are not subject to debate) are held in the court’s records, unless the court expressly directs that they be recorded in the minutes.

Answers to reasons for dissent (rule 6:60)
82. When considered necessary the court appoints a committee of its own members to prepare answers to reasons for dissent. The report of the committee may be debated, amended, or otherwise dealt with as is any other report. The answers approved are recorded in the minutes or held in the court’s records in the same way as the reasons have been recorded or held.
Chapter 7: Standing Orders

Section Seven  … Committee of the Whole

Committee of the whole
83. For the consideration of a matter involving a variety of details, or for other reasons, a court may resolve to meet as a committee of the whole, in which sufficient of the ordinary rules of debate are suspended so as to permit freer discussion. The following rules apply to a committee of the whole:
  a) all members of the court shall be members of the committee of the whole;
  b) the court shall appoint the chairman of the committee;
  c) separate minutes shall be kept of the proceedings;
  d) a motion need not be seconded;
  e) a member may speak more than once to the same question;
  f) no member may dissent from any resolution of the committee;
  g) the proceedings shall be closed by the carrying of a resolution to report to the court on the matter committed, or to report progress and request to sit again; the motion “that the committee report” may be made at any time and without notice;
  h) the court shall then resume, and the report of the committee shall be given in;
  i) the report may be adopted with or without amendment, rejected, deferred, recommitted, or otherwise dealt with as the court sees fit; at this stage any member may exercise his privilege of dissent.

Section Eight  … Overtures, Petitions, References

Papers transmitted
84. All overtures, returns on remits, and all papers transmitted by the lower courts shall be in the form of certified extracts from the minutes of those courts.

Questions
85. Relevant questions may be put by any member through the moderator to:
  a) overtourists;
  b) petitioners;
  c) parties stating references; and
  d) parties in any case when they have completed their respective statements.

Parties at the bar
86. Overtourists who are not members of the Assembly, petitioners, and parties duly commissioned to state references or appeals shall take their places at the bar when called by the moderator. They shall not leave the bar until they are formally dismissed from it by the moderator.

Two heard
87. References shall be stated, and overtures and petitions supported, by not more than two persons in each case (except if otherwise determined as in rule 7:88(c)).

Procedure in appeals (rules 6:71–74)
88. In dealing with an appeal transmitted for its judgment, a court:
  a) calls the parties (i.e. appellants and the respondent court) to its bar;
  b) hears read the record of the case in the lower court, and relative documents, or, if printed, may take them as read;
  c) hears the appellants or, if there are more than two, their representatives to a number it determines;
  d) hears the respondents appointed by the lower court;
  e) hears the appellants in reply;
  f) calls for questions from members of the court;
  g) removes all parties from the bar; when parties are removed from the bar, it is at the discretion of the court whether they be permitted to hear the discussion of the case;
  h) in the case of the Assembly, hears from the special judicial committee, as referred to in rules 5:50, 78;
  i) deliberates on the case before it;
Chapter 7: Standing Orders

j) reaches a judgment;
k) recalls parties to the bar and announces its decision through the moderator;
l) removes all parties from the bar.

No document may be read or appear among the papers of the court (printed or written) unless it was before the court of first instance, or was offered to it and rejected.

Sustain or dismiss
89. If a motion dealing with an overture, reference or appeal is disapproved, the matter is still before the Assembly. It must be disposed of by another motion. For instance, if a motion to “sustain” or “dismiss” is disapproved, it shall be followed by another motion to “dismiss” or “sustain”, or by any other relevant and competent motion, until the matter is disposed of.

Reference dismissed
90. If a reference is informal or considered to be frivolous, or if it clearly appears that the lower court has not exhausted all its resources in the matter, the Assembly may dismiss the reference without considering the substance of the reference.

Petitions (rule 6:43)
91. A motion to grant the prayer of a petition means that the court considers there are sufficient grounds in the petition to justify deliberation and decision. If the motion is approved, it is followed by another motion giving effect to the court’s decision. If it is disapproved, it is followed by a motion to “dismiss the petition”.

Documents in a case
92. All overtures, petitions, references and appeals, with all necessary papers, shall be printed and circulated among the members of the Assembly at least one sitting before the business is taken up for discussion in the Assembly. No other document shall be considered part of the record unless it is expressly so ordered by a resolution duly moved, seconded and approved.

Expenses of printing
93. In appeals the expense of printing shall, in the first instance, be borne by the appellant or appellants, and by the party losing when the case is finally decided, unless remitted or distributed by the Assembly.

Section Nine ... Committees and Commissions

Committees
94. The Assembly shall appoint standing and special committees and the conveners for each. The following applies:
   a) three members of a committee shall constitute a quorum;
   b) motions need not be seconded;
   c) a member may speak more than once to the same question;
   d) the convener, without leaving the chair, may speak to a question and may move motions or amendments, and he shall have both a deliberative and a casting vote;
   e) a committee may, however, at any time resolve to be guided strictly by the standing orders;
   f) any member of the Assembly has a right to be present at a meeting of any of its committees, whether standing or special, and may be associated;
   g) reports of the proceedings of the committees shall not be published without their consent.

Commission
95. The Assembly may appoint a commission of one or more persons with full powers to deal with all matters submitted to it and any other urgent matters which may arise from time to time. When a commission consists of two or more members, the Assembly appoints the chairman.
Section Ten  ...  Standing Orders Suspended

Suspension of standing orders
96. These standing orders may be suspended in whole or in part by a motion properly moved, seconded and carried. Notice of this motion shall normally be given at a previous sitting. A motion without notice to suspend standing orders must have the unanimous leave of the Assembly. The purpose for which it is proposed to suspend standing orders shall be distinctly stated.
Appendix

of forms and certificates

for various occasions
1. Form of Call

CALL TO REV ....................................................

We, the undersigned members and adherents of the congregation at ................................................................. in connection with The Presbyterian Church of Victoria, seeking the promotion of the glory of God and the good of the church, being also without a pastor, are well assured of the ministerial abilities, godly character, learning and spiritual wisdom of you ................................................................., and we are also convinced of your suitability to our present circumstances.

We have agreed to invite and call you to undertake the office of pastor among us for the promotion of the Christian gospel in our district and for our spiritual welfare. On your acceptance of this call we promise you all due respect, encouragement, and obedience in the Lord, and promise to contribute appropriately to your support as God may prosper us.

In witness of this we have signed this call, as duly attested by:

........................................................................  .................................................................

(witnesses to signatures attached at the time of the congregational meeting)
(Normally, the Interim Moderator and Session Clerk)

........................................................................  .................................................................

(witnesses to signatures attached afterwards)
(Normally, the commissioners appointed at the congregational meeting, see rule 4A:26)
2. Overture

Note: An overture is used whenever a change is sought to a rule or regulation of the church, or when an interpretation or declaration of general interest to the whole church is required.

To the General Assembly of The Presbyterian Church of Victoria (or Commission of Assembly).

In the light of:

a)  

b)  

c)  

etc. ...

Now therefore ..............................................................

(insert the name of the court or committee overting, or, if by five members of Assembly, insert the word “we”)

humbly overture(s) the Assembly to take these premises into consideration and ..........................................................

........................................................................................................................................................................

........................................................................................................................................................................

(insert, in brief and general terms only, the substance of what the overture is seeking to achieve; in the case of rule change being sure to indicate which part of the law of the church it is proposed to alter, and specify the exact wording of the change)

or do otherwise as in their wisdom they may consider appropriate.

Signed: (by persons concerned, the Presbytery Clerk, committee secretary, other appropriate person)

Dated:

The overtursts (if members of Assembly) should then prepare separately a notice of motion, relating to their overture, by which they hope to secure their proposal. If it includes a change to chapters 1–7 of the rules, it must do this by way of the Barrier Act. The notice begins with:

That the Assembly: a) sustain the overture

Note: When an overture is forwarded by a court of the church to a higher court, the following extract should be attached to the overture:

Extracted from the minutes of the meeting of ..................................................................................... on ........................................ by me: ................................................................., Clerk.

Also, provide the names of persons appointed to state the overture.
3. Petition

**Note:** A petition is used to bring to the attention of the court a matter relating only to the affairs of the petitioners. It is brought to the lowest court competent to deal with the matter, and is used when other avenues of approach are not open. The wording of this form is for use to the General Assembly. The same wording can be used to petition the Presbytery by substituting “Presbytery” for “General Assembly”.

To the General Assembly of The Presbyterian Church of Victoria (or Commission of Assembly).
This petition shows that:
*(here state the grounds on which the petition is made, or the matters leading up to the petition, each one in a separate paragraph)*

a)

b)

c)
etc. ...

Now therefore .................................................................
*(insert the name of the court, congregation, committee or person petitioning, or, if by a group of people the names of representatives)*

humbly petition(s) the Assembly to take these premises into consideration and .................................................................
.................................................................................................................................
.................................................................................................................................
*(insert, in brief and general terms only, the substance of what the petition seeks to address or achieve)*
or do otherwise as in their wisdom they may consider appropriate.

Signed: *(by persons concerned)*

Dated:

*Because petitioners are placed at the bar of the court, they take no part in the deliberation of the matter, and nor do they present any notices of motion relating to it. They wait for the court to provide some, none or all of their requests.*

*Note: When a petition is forwarded by a court of the church to a higher court, the following extract should be attached to the petition:*

*Extracted from the minutes of the meeting of ................................. on ........................................ by me: ................................., Clerk.*

*Also, provide the names of persons appointed to present the petition.*
4. Appeal

Note: An appeal is an avenue open to someone who is dissatisfied with a decision of a court, whether he was a member of the court who voted in the minority or whether he was a party at the bar in a case. The person appealing (the appellant) wishes to bring that decision to the higher court for review. The normal grounds for appealing are that the decision of the court was not reasonable given the information before the court, or that it was prejudiced by improper procedure.

I/We, .............................................................................................................., appeal to .................................................................................................... (name the court) against the decision of .............................................................................................................. (name the court) given on ...................... (date) concerning .............................................................................................................. (insert here the issue about which the appeal is made) on the following grounds/for the following reasons:

a) ........................................................................................................

b) ........................................................................................................

etc. ...

.............................................................................................................. have been appointed to state the appeal on behalf of ................................................................. (This is needed only when a group, congregation or court is appealing)

Signed: ..............................................................................................................

Dated: ..............................................................................................................

The Session, Presbytery, or Assembly (as the case may be) of .............................................................................................................. duly convened and constituted on ...................... (date), resolved, among other things, that the appeal be forwarded to the .............................................................................................................. and that ................................................................. are appointed as respondents for the .............................................................................................................. .

(Signed by the Clerk)
5. Reference

**Note:** A reference is an avenue of approach in which a court wishes to bring a matter to a higher court for its opinion, advice, direction or judgment. It is used when a court is in doubt as to the correct procedure or interpretation of the law of the church on a matter and wishes to seek the opinion of the higher court before coming to a decision.

The .............................................................. (name of the court bringing the reference) convened and constituted on ....................... (date) resolved, among other things, to refer to the ................................................................. (name of the court to which the reference is brought) the matter contained in the following extract minute for opinion, advice, decision, direction or judgment:

(state minute(s), which give the intention of referring and the substance of the matter being referred)

Extracted from the minutes of the meeting of ................................................................. on ......................... by me: ....................................................... , Clerk.

Dated:
6. The Barrier Act, 1697 (Church of Scotland)

**Note:** The Barrier Act is used whenever change or addition to the rules of the church, chapters 1 to 7, is considered. It is used to prevent sudden, rash and poorly considered change to the church’s constitution.

The normal procedure is as follows.

a) The proposed change is brought to the General Assembly by overture. The case is presented and deliberated on.

b) If the Assembly agrees to take the matter further, the proposal is sent to each Presbytery in a remit, requesting each Presbytery to consider the matter and to give a clear approval or disapproval.

c) The subsequent General Assembly considers the matter a second time, this time in the light of the Presbyteries’ approvals and/or disapprovals. The Assembly then makes its own decision, as provided in the rules (see rules 5:58, 59).

“The General Assembly, taking into their consideration the overture and act made in the last Assembly concerning innovations, and having heard the report of the several commissioners from Presbyteries to whom the consideration of the same was recommended, in order to its being more ripely advised and determined in this Assembly; and considering the frequent practice of former Assemblies of this church, and that it will mightily conduce to the exact obedience of the acts of Assemblies, that General Assemblies be very deliberate in making of the same, and that the whole church have a previous knowledge thereof, and their opinion be had therein, and for preventing any sudden alteration or innovation, or other prejudice to the church, in either doctrine or worship, or discipline, or government thereof, now happily established; do therefore, appoint, enact, and declare, that before any General Assembly of this church shall pass any acts, which are to be binding rules and constitutions to the church, the same acts be first proposed as overtures to the Assembly, and, being by them passed as such, be remitted to the consideration of the several Presbyteries of this church, and their opinions and consent reported by their commissioners to the next General Assembly following, who may then pass the same in acts, if the more general opinion of the church thus had agreed thereunto.”
7. Edict for ordination/induction of elders

Messrs or Mr .......................................................... ..........................................................
 ........................................................................... , have/has been duly elected to the office of the eldership in
this congregation. Before they/he are/is ordained and inducted (or inducted) into
office, opportunity is provided for any member or adherent of the congregation
who has any objection to the ordination and induction of ...........................................
 .......................................................... .......................................................... .......................................................... (or to any of them), to notify the
Session Clerk of the objection, in writing, by ........................................ (date). If no relevant
objection is given and proved, the ordination and induction (or induction) of
 .......................................................... .......................................................... ..........................................................
 .......................................................... to the office of eldership of this congregation will proceed on
 .......................................................... according to the laws of the church.

Signed: (Session Clerk)

Dated:

Read to the congregation on: ..........................................................

Signed: (witness)

Dated:
8(a) Commission for representative elders

The Session of .........................................................., having met at ........................................ on ............... , and been duly constituted, among other things, resolved to appoint:

a) ............................................. , one of their number, to represent it in the Presbytery for the next twelve months (and ............................................. as alternate); and

b) ............................................. , one of their number, to represent it in the General Assembly for the next twelve months.

Extracted from the minutes of Session on ................. by me: ............................................., Clerk.

Dated:
8(b) Commission for representative elders (of another Session)

The Session of .........................................................., having met at ........................................ on ........................................, and been duly constituted, among other things, finding that its representative(s) for the year is/are unable to attend the meetings of the Presbytery and/or General Assembly, and/or it is unable to appoint from its members, resolved to appoint:

a) .................................................., member of the Session of .................................................., to represent it in the Presbytery for the next twelve months; and

b) .................................................., member of the Session of .................................................., to represent it in the General Assembly for the next twelve months.

Extracted from the minutes of Session on ........................................ by me: .................................................., Clerk.

Dated:
9. Certificate for Licentiates

Extract of minute of licence:

Mr ........................................................., following his request and having forwarded all necessary certificates, was taken on trials for licence and has successfully completed all requirements. He satisfactorily answered the appointed questions put to him by the moderator and signed the formula.

The Presbytery licensed Mr .............................................. to preach the gospel of the Lord Jesus Christ.

Signed: (Presbytery Clerk)

Dated:
10. Certificates for ministers

Certificates of status:

At ........................................ (place where meeting was held) and on ........................................... (date), the Presbytery of ........................................ having this day accepted the Rev .........................................’s resignation of his charge at ........................................, instructed me to give this certificate that he retains his full status as a minister of the Presbyterian Church of Australia.

Signed: (Presbytery Clerk)

Dated:
11. Edict of Vacancy

As a result of the translation (resignation, termination of appointment, death) of the Rev …………………………., formerly minister of the pastoral charge of …………………………………, the Presbytery of …………………………. declares the charge to be vacant. The Presbytery calls on all parties concerned to proceed diligently and prayerfully and according to the law and practice of the church to fill the vacancy.

Signed: (Presbytery Clerk)

Dated:

Confirmation that the edict was read:

This edict was duly announced to the congregation at ……………………………., on the ....... day of ............... 20.....

Signed: (normally, Session Clerk or Interim Moderator)

Dated:
12. Edict of ordination/induction of ministers

The Presbytery of .................................................., in connection with The Presbyterian Church of Victoria, having completed the necessary steps for the .................................................. of ........................................................ as minister of the congregation at .................................................., directed that this edict be read.

If any person has anything to object to in the life or doctrine of .................................................., they should attend the meeting of Presbytery at .................................................. on the ...... day of ........... 20.... at ...... (time) and state their objection in person.

If no relevant objection is made, or unless the objectors give satisfactory evidence indicating that they intend to substantiate the objection, the Presbytery will proceed to the .................................................. service as arranged.

Signed: (Presbytery Clerk)

Dated:

Confirmation that the edict was read:

This edict was duly announced to the congregation at .................................................., on the ........ day of ........... 20.....

Signed: (normally, Session Clerk or Interim Moderator)

Dated:
13. Questions at ordination/induction of ministers

**Questions for the congregation, which is invited to stand:**
(Normally assent is given by the congregation answering together: “We do”)

a) Do you, the members and adherents of this congregation, adhere to the call which you have already signed in favour of Rev ........................................ to be your minister?

b) Do you now warmly receive him as your minister, promising to provide for his suitable maintenance, and give him all due respect, encouragement and obedience in the Lord?

**Questions for the minister-elect:**
(Assent is given by the answer: “I do” for all questions except the 5th which is answered: “They are”)

a) Do you believe the Word of God which is contained in the Scriptures of the Old and New Testaments to be the only rule of faith and practice?

b) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, read in the light of the Declaratory Statement contained in the Basis of Union adopted by this church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to maintain and defend the same?

c) Do you own and accept the purity of worship as practised in this church?

d) Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto; and do you promise that, through the grace of God, you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain and defend the same?

e) Are zeal for the glory of God, love to the Lord Jesus Christ, and a desire to save souls, and not worldly interests and expectations (so far as you know your own heart), your great motives and chief inducements to the work of the holy ministry?

f) Do you accept this call and promise through grace to perform all the duties of a faithful minister of the gospel among this people?
g) Do you promise to give conscientious attendance upon the courts of this church, and to direct your best attention to the business thereof, doing all in the spirit of faithfulness, brotherly kindness and charity?

h) Do you promise, in the strength of divine grace, to lead a holy and circumspect life, to rule well your own house, and faithfully, diligently and cheerfully to perform all the parts of the ministerial work to the edifying of the body of Christ in love?

i) All these things you profess and promise through grace, as you shall be answerable at the coming of the Lord Jesus Christ?

Note: For questions at inductions of ministers appointed to special offices, for ordinations and/or inductions of missionaries, professors and lecturers, or at licensing of theological students, see “Constitution, Procedure and Practice of the Presbyterian Church of Australia”, commonly called the GAA Code.
14. Questions at ordination/induction of elders

Questions for the congregation, which is invited to stand:
(Normally assent is given by the congregation answering together: “We do”.)

a) Do you, the members and adherents of this congregation, now confirm the election of these brethren (or this brother) to the office of Ruling Elder in this congregation?

b) And do you promise to render them (or him) all due respect and encouragement in the discharge of their (or his) office?

Questions for the elder-elect:
(Assent is given by the answer: “I do” for all questions).

a) Do you believe the Scripture of the Old and New Testaments to be the Word of God, and the only rule of faith and practice?

b) Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly, read in the light of the Declaratory Statement contained in the Basis of Union adopted by this church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to maintain and defend the same?

c) Do you own and accept the purity of worship as practised in this church?

d) Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto; and do you promise that, through the grace of God, you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain and defend the same?

e) Do you adhere to your acceptance of the call of this congregation to exercise among them the office of ruling elder?

f) Do you engage through divine grace to discharge with diligence and faithfulness the various duties of your office, watching over the flock, showing yourself a pattern of good works and giving a conscientious attendance on the meetings of Session, Presbytery and Assembly when duly called so to do?

g) All these things you profess and promise through grace, as you shall be answerable at the coming of the Lord Jesus Christ?
15. Formula for ministers and elders

I own and accept the subordinate standards of this church, with the explanations given in the articles contained in the Declaratory Statement, as an exhibition of the sense in which I understand the Holy Scriptures, and as a confession of my faith. I further own the purity of worship practised in this church and the Presbyterian government thereof to be founded on the Word of God and agreeable thereto; and I promise that through the grace of God I shall firmly and constantly adhere to the same, and to the utmost of my power shall, in my station, assert, maintain and defend the doctrine, worship and government of this church.
16(a) Citation

To ........................................ (name of person being cited) of ................................................... (address).

I, ........................................, Clerk of the Session of ................................. (or of the Presbytery of ................................. or of the General Assembly of The Presbyterian Church of Victoria) on behalf of the court by this letter cite you to be in attendance when the court will meet at ........................ (place) on ......................... (date) at the time of ....................... for the purpose of .................................................................

If you fail to attend at the place and time mentioned above the court may proceed to determine the matter in your absence.

Signed: (Clerk of Session, or other court)

Dated:
16(b) Edict of Citation

To the congregation of ........................................ (or the Session of ......................... or the Presbytery of ......................... as the case may be).

I, ....................................................., Clerk of ................................. on behalf of the court by this letter cite all members to be in attendance when the court will meet at ........................... (place) on ...................... (date) at the time of ............... for the purpose of ..........................................................

If you fail to attend at the place and time mentioned above the court may proceed to determine the matter in your absence.

Signed: (by persons concerned)

Dated:

(Clerk of ....................................................)

Confirmation that the edict was read:
This edict was duly read to the congregation of ........................................ (or Session or Presbytery) on the ........... day of ........... 20..... at ...... (time).

Signed as witnesses:

(Two office bearers)
### 17. Rolls

#### a) Roll of communicants

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Address</th>
<th>Date</th>
<th>How admitted into Membership</th>
<th>Attendance at communion</th>
<th>Remarks</th>
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#### b) Roll of adherents

<table>
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<tr>
<th>No.</th>
<th>Name</th>
<th>Address</th>
<th>Date</th>
<th>How admitted as adherent</th>
<th>Remarks</th>
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#### c) Register of baptisms

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<tr>
<th>No.</th>
<th>Father's Name</th>
<th>Mother's Name</th>
<th>Mother's maiden name</th>
<th>Address</th>
<th>Child's Names</th>
<th>Date of Birth</th>
<th>Date of Baptism</th>
<th>Where Baptised</th>
<th>Officiating Minister</th>
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**Vote of Chairman/Moderator – Deliberative/Casting**

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**Voting**

| see heading appropriate body |

**W**

**Worship, Public**

| see Public worship |
General Assembly

committee (and board)

regulations
1. **Assessors Committee**

**Membership**

1. The membership of the committee will be the Moderator of the General Assembly, the Clerk of Assembly, the convener of the Selection Committee and the convener of the Business Committee.

**Duties**

2. The duties of the committee are to assist in the appointment of assessors to presbyteries upon:
   a) a direction from the General Assembly, or
   b) a request from a presbytery.

**Requests for Assessors**

3. Presbytery shall make request for assessors to the Moderator or acting Moderator of the General Assembly who may either:
   a) subject to the consent of the proposed appointee, appoint him to sit with the Presbytery, or
   b) convene a meeting of the committee should the case in his opinion warrant such action.

**Completion of Duties**

4. Upon completion of their duties the Presbytery shall notify the Moderator and thereafter the assessors shall be relieved of further responsibility.
2. **Australian Presbyterian World Mission (Vic) Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Australian Presbyterian World Mission (Vic) Committee.

**Membership**
2. The Committee shall consist of:
   a) ten members nominated and appointed by the Assembly, and
   b) two members nominated by the P.W.M.U. State Council.

**Function**
3. The General Assembly of Australia is entrusted by the Deed of Union (Article 4.1) with the task of "world mission" and to fulfil this function has appointed a Committee for Australian Presbyterian World Mission (GAA Code, ch 10.1), known as Mission Partners APWM.

**Duties**
4. The Australian Presbyterian World Mission (Vic) Committee is responsible for:
   a) promoting the work of Mission Partners APWM throughout Victoria by encouraging Victorian congregations to an informed, wholehearted and consistent commitment to the missionary task of the church (Matthew 28:18-20) and seeking to involve the church in praying for and supporting approved personnel and projects through practical and financial means.
   b) recruiting, interviewing and recommending to Mission Partners APWM, potential candidates for short and long-term missionary service with approved partner churches and partner mission societies, in accordance with the general lines of policy laid down by Mission Partners APWM.
   c) encouraging and maintaining partner relationships with approved overseas partner churches and societies and, where appropriate, seeking out new partnerships for gospel work always in co-operating with and fully informing Mission Partners APWM.
   d) assisting in providing pastoral care and support for all Victorian Presbyterian missionaries while in the field and on home assignment by widespread disclosure of their needs, and by prayerfully and wisely dispersing funds available in keeping with the policies of Mission Partners APWM.

**Meetings**
5. The committee shall meet regularly to fulfil these functions, at least five times a year.
3. Ballot Committee

Title
1. There shall be a committee of the General Assembly entitled the Ballot Committee.

Membership
2. The committee shall consist of five members, including a convener, elected by the Assembly.

Duties
3. The committee shall conduct all ballots arising during the sitting of the Assembly or the Commission of Assembly.

Regulations
4. The following regulations shall apply except where otherwise specifically stated:
   a) the committee authorised by the Assembly to receive nominations and/or applications for offices to be filled shall furnish a list of those names to go to ballot to the Ballot Committee not later than the commencement of the morning sederunt on the day on which the ballot is to be held;
   b) nominees and/or applicants for offices to be filled who desire to withdraw their names from the ballot should notify the convener of the committee authorized by the Assembly to receive them as soon as possible and not later than the closing of the evening sederunt prior to the day on which the ballot is to be held;
   c) the ballot shall be by preferential voting;
   d) the committee shall report the result of the ballot to the Moderator who shall privately inform the person whose name is first on the list and ascertain his willingness to accept the office; if the office is accepted he shall inform the Assembly of the result of the ballot. Should the person whose name is first on the list indicate his unwillingness to accept the office the Moderator shall approach the other persons in order of preference until he is in a position to notify the Assembly of the result of the ballot in terms of the one who accepts the office.
4. Board of Investment and Finance

**Title**
1. There shall be a committee of the General Assembly entitled the Board of Investment and Finance.

**Membership**
2. a) The Board shall consist of ten persons elected and appointed by the Assembly and such appointees shall form the membership of The Presbyterian Church of Victoria Trusts Corporation.
   b) Members of the Board shall be appointed for a five year term initially and be eligible for re-election for a second consecutive five year term.
   c) As vacancies arise and after consultation with the Board of Investment and Finance, the Selection Committee shall bring nominations to the General Assembly each year for the election of new Board members.

**Chairman**
3. The Board shall elect one of its number as chairman at its December meeting who shall hold office for a twelve month term and be eligible for re-election.

**Meetings**
4. The chairman shall convene a meeting of the Board at least once a month except in the month of January.

**Duties**
5. Subject to the powers, duties and functions of The Presbyterian Church of Victoria Trusts Corporation under the Presbyterian Trusts Act 1890 as amended by the Presbyterian Trusts (Common Fund) Act 1965 and the regulations there under and subject to the rules of the Church and the Resolutions and directions of the Assembly, the Board shall:
   a) Administer the financial affairs of and act as Treasurer of the General Assembly and be responsible for the maintenance of all accounting records and publish audited accounts for the General Assembly of The Presbyterian Church of Victoria Trusts Corporation annually;
   **Office of the General Assembly**
   b) Maintain an office of the General Assembly;
   **General Manager**
   c) Engage such staff as may from time to time be deemed necessary for the work of the General Assembly, including a General Manager, who shall manage that office and control the staff and shall be responsible to the Board of Investment and Finance of the General Assembly; (If required, the General Manager shall attend meetings of the Board.)
   **Office Staff**
   d) Engage such staff as may from time to time be deemed necessary for the work of the General Assembly and determine the salaries and conditions of employment of the General Manager and other staff and make adjustments thereto from time to time;
   **Committee Staff**
   e) with regard to committee staff appointments:
      i) consider all proposed appointments of office and other staff by committees of the General Assembly; and
      ii) determine, after consultation with the committee, the proposed salary and conditions of employment of such staff; and
      iii) approve the appointment provided that it is satisfied that the proposal is:
          1) in accordance with the committee’s regulations, and
          2) financially viable.
   f) Present to the Commission of Assembly each year for approval by the Commission of Assembly a recommended Budget for the forthcoming year disclosing:
      i) the estimated expenditure of all Assembly committees including a division between capital expenditure; and non-capital expenditure;
ii) the estimated receipts of all Assembly committees.

   g) Carry out its duties with respect to the preparation of the Budget by:

      i) requiring from each Assembly committee in the prescribed form not later than 28th February its proposals and estimates for the Budget for review and advice prior to submission to the Commission of Assembly in May, provided that the Board may thereafter require any Assembly committee to provide such additional information in relation to any item as the Board shall consider necessary to assist in its review;

      ii) requiring any Assembly committee wishing to undertake work or initiate a project involving expenditure not included in the Budget approved by the Commission of Assembly or General Assembly to submit its proposal to the Board which:

            1) in the case of expenditure not exceeding 10% of the committee’s total budgeted expenditure as approved by the Assembly or $20,000, whichever is the greater amount, and consistent with the committee’s regulations and which would be financed from trust income available within the terms of the trust in question, shall have authority to approve or disapprove such expenditure and shall report any expenditure so approved to the subsequent Assembly.

            2) in the case of expenditure which does not fall within the terms of sub-clause (1.) hereof may present such proposal to the Commission of Assembly or subsequent Assembly for approval.

   h) For each Assembly committee requesting funds from the General Mission Program, require that committee to forward the reviewed or amended budget, together with any Board advice, to the General Mission Program Committee no later than 28th February each year.

   i) Oversee the expenditure of all Assembly committees to the end that the committees shall exercise proper budget controls and not engage in expenditure that has not been submitted to the Board under clause g(ii) and approved in accordance with the provisions of that clause.

**Property Management**

6. The Board shall manage property held in trust for the purposes of The Presbyterian Church of Victoria - the management of which has not been vested by the Assembly in any other committee or body.

**Committee Expenditure**

7. The Board shall take steps to prevent committees from incurring expenditure beyond their means or in unauthorised ways.

**Deceased Congregation**

8. The Board shall take steps to see that any monies held for all or some of the purposes of a congregation that has ceased to exist be forwarded to The Presbyterian Church of Victoria Trusts Corporation to be dealt with by it according to law.

**Sale, Mortgages, Leases, Transfers etc**

9. a) A sale, lease or mortgage shall not be effected without the consent of the Assembly or Commission of Assembly, provided that the Board of Investment and Finance (BIF) may give consent to any application which in the opinion of the Presbytery and the BIF is urgent and the BIF shall report the action taken to the Assembly or the Commission of Assembly, as the case may be.

   b) Where in the opinion of the Presbytery it is desirable that buildings or furnishings which are depreciating in value because the congregation has ceased to exist be transferred to serve another congregation, such transfer may be approved on such terms and conditions as the BIF may decide.

**Sites Reserve Accounts**

**Existing Congregations**

10. a) When any land owned by or vested in trustees for The Presbyterian Church of Victoria is sold on behalf of a congregation either as vacant land or with buildings erected thereon, the whole of the proceeds shall be paid to the Assembly Treasurer who shall hold such moneys in trust in a Sites Reserve account until the congregation defines the purpose for
which it desires such money to be expended and applies to the BIF through the Presbytery for consent to expend the whole or portion thereof. The interest earned may be paid to such congregation if the BIF so decides.

b) Moneys held in Sites Reserve Accounts by operation of clause 10(a) may be applied by the congregation for which they are held in trust:
   i) with the approval of the Presbytery of the bounds for:
      1) the purchase of land or the erection, purchase or extension of buildings for its own use; or
      2) the liquidation or partial liquidation of its existing debts; or
   ii) with the approval of the Presbytery and the BIF, for any other purpose within The Presbyterian Church of Victoria that will serve the cause of the gospel and the building up of the Church provided that, if the congregation determines to apply such moneys to other than its own needs, Presbytery and the BIF are satisfied that reasonable account has been taken of the congregation’s own foreseeable capital needs.

Deceased Congregations

c) Where a congregation has ceased to exist and when as a result land owned or vested in trustees for The Presbyterian Church of Victoria is, on the recommendation of the Presbytery sold on behalf of the Assembly either as vacant land or with buildings erected thereon, the whole of the proceeds shall be paid to the Assembly Treasurer who shall hold such money in trust until the Assembly otherwise directs.

d) When moneys are held in a Sites Reserve account by operation of clause 10(c), the BIF:
   i) shall notify the amount to the Presbytery of the deceased congregation, which shall in turn notify all congregations within its bounds. After considering any submissions those congregations may make for local use to the money, Presbyteries may refer any such proposals to the BIF, which may approve them and then notify the Assembly.
   ii) shall if in the opinion of the BIF no reasonable proposal emerges after the operation of the preceding clause, give opportunity by similar procedure to all other Presbyteries and Congregations of The Presbyterian Church of Victoria. After considering any further submissions received in this way, the BIF shall consider them and make recommendation to the Assembly.

Capital Fund Purposes

11. a) to lend money to congregations seeking funds for capital projects including the purchase of property and erection, extension or renovation of buildings;
    b) to lend money to organisations associated with The Presbyterian Church of Victoria such as Christian Schools for capital projects including the purchase of property and erection, extension or renovation of buildings, providing that first priority is accorded to congregations;
    c) to make any such loans at a rate of interest more favourable than the prevailing rate of bank interest;
    d) to use any surplus that may be generated in the fund to make rebates of interest and/or grants for loan reduction purposes to borrowers from the fund and/or make contributions to the property development fund.

Resources

12. The capital fund may be resourced from:
    a) transfer of the funds administered by the Capital Fund Committee up to March 31, 2006;
    b) deposits and/or grants by any congregation or other church body minded to help the wider church by this means.

Administration

13. The Board of Investment and Finance may do all things it considers necessary to promote the purposes of the capital fund, including:
a) setting interest rates to be paid on deposits in the fund;
b) setting interest rates on loans from the fund;
c) assessing the financial viability of potential borrowers and declining to lend money if considered prudent to do so;
d) assessing any amount which may be available for grants and determining an equitable basis for distribution of same;
e) determining conditions that may be applied to loans from the fund.
5. **Building and Property Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Building and Property Committee.

**Membership**
2. The committee shall consist of three members appointed by the Assembly.

**Church Architect**
3. The Committee shall submit to the Assembly from time to time the name of a suitably qualified person for appointment by the Assembly as Church Architect. In the event of a vacancy occurring between Assemblies, the vacancy shall be filled by the Selection Committee until the next General Assembly.

**Duties - Church Architect**
4. The Church Architect shall:
   a) advise and assist Boards of Management with church and manse building matters on such terms and conditions as may be agreed to between the Church Architect and the Board concerned in each particular case.
   b) advise and assist the committee with applications for the approval of proposed new buildings or alterations to buildings by Boards of Management referred to him by the Committee.

**Duties – Committee**
5. The committee shall:
   a) consider plans and specifications of proposed new congregational buildings or alterations to congregational buildings submitted to it in accordance with Rule 2.90A of the Code; and consult with the Church Architect regarding the proposed works (or, in the case of documentation prepared by the Church Architect, with another architect of its choice); and
   c) if satisfied
      i) that the proposed works, if constructed in accordance with the plans and specifications submitted, will
         A. meet the needs of the particular parish; and
         B. comply with the principles approved by the Assembly, with such variations as the committee may in any special case approve; and
      ii) that the site on which the proposed works are to be constructed is
         A. suitable in area, situation and character to the needs of the particular parish; and
         B. laid out in such a manner as to ensure its full, proper and economic utilisation;
   approve the plans and specifications.

6. **Spending Authority**
The Committee may remunerate the Church Architect for his services to the Committee on an agreed hourly rate.

7. **Documentation of Applications**
Applications must be accompanied by sufficient information to enable the Committee to make a proper evaluation of the proposal. Where the works relate to a new building or extensions/alterations to existing buildings this information should include, but not be limited to the following:
   a) Reasons for the proposed changes and a brief description of the project.
   b) Outline of proposed uses for the new spaces or facilities including expected number of people.
   c) Where appropriate, number of members and adherents of congregation.
   d) Anticipated cost and method of funding the proposed works.
   e) Drawings, specifications, notes and general information of sufficient detail to clearly define the extent of works proposed.
f) In the case of extended or altered buildings, drawings indicating the existing conditions.

g) Details of any discussions with local Council and requirement for Planning and/or Building Permits
6. Business Committee

Title
1. There shall be a committee of the General Assembly entitled the Business Committee. (Rule 5:47)

Membership
2. The membership of the committee shall be:
   a) a convener who shall not be the convener of any other Assembly committee during his term of office. He shall be appointed for three years and, notwithstanding anything to the contrary in the regulations of the Assembly, he shall be eligible for re-election;
   b) 'ex officio' members: the Clerks of the General Assembly, Procurator and Law Agent;
   c) three members of Assembly elected by the Assembly after nomination. No convener of any committee reporting directly to the Assembly shall be eligible for membership except ex officio members;
   d) in addition to the members appointed as above, the clerks of all presbyteries under the jurisdiction of the Assembly shall be 'ex officio' members during the sittings of Assembly.

Duties
3. The committee shall arrange the order of business for all meetings of the General Assembly, all of which, in these regulations, are designated by the word Assembly unless the context otherwise requires.

4. The committee shall receive all papers proposed to be submitted to the Assembly (except appeals, petitions, and references, for which see Rule 5:78).

5. The committee shall decide whether papers sent to them are duly attested, drawn up in proper form, and competent, and shall transmit them to the Assembly without comment or with notes attached as it shall determine.

6. The committee shall not transmit papers containing proposals which seem to it incompetent, or which are in language it considers disrespectful.

7. The committee shall bring before the General Assembly any proposed expenditure of General Assembly funds (except GMP Budget) without the assurance that the Trusts Corporation/Board of Investment and Finance has been advised of such a proposal and that they are in a position to guide the General Assembly should such guidance be requested.

8. The committee through its convener shall determine the date on which it is necessary that papers shall be received to enable the White Book to be edited and printed and issued on such date as to be in the hands of members at least ten days before the meetings of the Assembly.

9. Other business than that contained in the White Book or in Assembly Papers issued therewith shall be taken only when recommended by the committee and approved by the Assembly.

10. The committee shall submit to the Assembly a report of the papers which have been brought under its review and the manner in which these have been disposed of by it, and shall also indicate the order in which it proposes to have the various items of business in the papers taken up.

11. The consideration of the report shall be the first matter submitted to the Assembly after the rolls have been adjusted and the Moderator elected.

12. The committee shall meet from day to day during the sittings of the Assembly at the close of each sederunt and report at each evening sederunt the items of business it proposes to have taken up on the following day. The report shall be approved or modified as the Assembly may determine, and no
business, except what is included in the report so approved, may be dealt with on the day to which it refers, unless otherwise provided in standing orders.

13. The committee shall recommend to the Assembly such fixed orders of the day as appear essential to assure the presence in the court of some person or persons not able to be in constant attendance.
7. Christian Education and Nurture Committee

Title
1. There shall be a committee of the General Assembly entitled the Christian Education and Nurture Committee.

Membership
2. The committee shall consist of eleven members at least six of whom, including the convener, shall be members of the Assembly.

Duties
3. The committee shall:
   a) seek to support presbyteries and sessions, ministers and congregations within The Presbyterian Church of Victoria, by providing them with material aids to assist in music, worship, devotion, teaching (child/adult) and pastoral care;
   b) i) have jurisdiction over the affairs of the PYV;
      ii) encourage and support the work of the PYV throughout Victoria;
      iii) upon initiation by either the CENC or the PYV State Council, the CENC, in consultation with the PYV State Council, may make or approve changes to the constitution of the PYV, as and when necessary;
   c) promote the aims and discharge the responsibilities of the committee through the organisation and running of seminars.

Youth Worker
4. The committee shall direct the Youth Worker appointed by the Assembly, who, under the direction of the committee, shall develop in co-operation with presbyteries and sessions the youth work within Victoria and report to the committee.

Allan Bequest
5. The committee shall administer the Allan Bequest.
8. Church and Nation Committee

Title
1. There shall be a committee of the General Assembly entitled the Church and Nation Committee.

Membership
2. The committee shall consist of ten members.

Duties
3. The committee shall:
   a) consider all matters referred to it by the Assembly and take appropriate action;
   b) keep under critical surveillance contemporary trends, movements and controversial issues in public life;
   c) select for special study, in the light of the church’s standards, such of these as may require the General Assembly:
      i) to issue special guidance to the church as a whole;
      ii) to acquaint the Government or other relevant authorities of the church’s attitude and the revealed Will of God on such matters;
   d) report annually to the General Assembly the findings of such studies with recommendations as to appropriate action;
   e) take appropriate action on behalf of the church on urgent matters of public and Christian concern emerging between meetings of the General Assembly;
   f) advise and assist the Moderator in composing and issuing pastoral letters and public statements other than those authorised by the Assembly.

Public Interface of the Church on Matters of Social and Ethical Concern
4. a) The Assembly recognises that from time to time the Moderator, the Clerk and the Convener of the Church and Nation Committee will individually represent the Church in communication with Government, the Media and other outside bodies on matters of social and ethical concern.
   b) The Officers of the General Assembly named in clause 4(a), above, shall always speak consistently with past resolutions of the Assembly provided that such resolutions have not been superseded.
   c) The Officers of the General Assembly named in 4(a), above, shall speak wherever possible in consultation with one another for harmony of response.
   d) On matters in which the General Assembly has not clearly expressed its mind, as distinct from those matters referred to in clause 4(b), above, these Officers as necessary, and time permitting, will confer with the Executive of the Church and Nation Committee for their guidance.
   e) The Church Office shall retain the services of a Public Relations Consultant for expert advice in regard to its relations with the Media and other outside bodies on a needs basis.

Executive
5. a) The Church and Nation Committee shall appoint an executive of three persons, normally its Convener, Secretary and one other member:
   i) to deal with matters that the committee may refer to it;
   ii) to deal with urgent business which must be dealt with prior to the next meeting;
   iii) and in accord with clause 4, above, to advise the Officers of the Assembly when speaking on behalf of the Assembly in relation to matters of social and ethical concern.
   b) All activities of the Executive including any guidance offered to Officers of the Assembly shall be reported to the Committee. Decisions of the Executive shall be recorded in the minutes and are to be regarded as any other decision of the Committee.
   c) From time to time the Committee shall adopt procedures to facilitate the work of the Executive.
9. **Church Planting Committee**

**Title**
1. There shall be a committee of the General Assembly called the Church Planting Committee.

**Membership**
2. The committee shall consist of a Convener plus six other persons.

**Purpose**
3. The committee shall oversee and prosper church planting through evangelism (an activity formerly carried on by a committee of the General Assembly known as the Home Mission Committee) within The Presbyterian Church of Victoria always working in conjunction with the Presbytery of the bounds.

**Duties**
4. The committee shall be responsible to the General Assembly for developing, in conjunction with the Presbytery, the work of church planting through evangelism in the state of Victoria. This work shall include, but not be limited to:
   a) planting of new churches
   b) recruiting and training of church planters
   c) funding church planters and their teams
   d) providing funds or grants to establish new congregations
   e) organising and funding conferences to promote church planting and to train church planters
   f) providing funds to encourage attendances at conferences by church planters, potential church planters and committee members
   g) initiating discussion with presbyteries regarding suitable locations for church plants
   h) responding to the requests of presbyteries for assistance with church planting
   i) funding research, including costs of appropriate consultancy, regarding potential:
      i) Church planting areas,
      ii) Property and building developments
   j) application of funds from the Property Development Fund.

**Employed Officer**
5. The committee shall, when occasion warrants, bring to the General Assembly the name of a suitably gifted person for appointment as the Church Planter Evangelist. The Church Planter Evangelist will work under the committee according to such job description as shall be approved from time to time by the General Assembly.

**Team to assist**
6. The Church Planter Evangelist shall be responsible, in consultation with the committee, to recruit a team of part-time or full-time people, to work with him. He shall also assist in the process of recruiting other suitable church planters and their teams to work in other church plants. Teams may include but not be limited to, full-time co-workers, METRO trainees or equivalent and administrative workers.

**Other Church Planters**
7. As funds and opportunities exist, the committee may employ other suitable, qualified individuals for church planting work. These church planters, while employed by the committee, shall work under the guidance and direction of the committee.

**Funding of team**
8. The committee shall commit to funding a church plant for five years or until it becomes self-sustaining, whichever comes first. After five years, funding shall be re-evaluated and a new time schedule for ongoing grants will need to be negotiated. Church plants will be funded through three streams:
a) the funding of church planters and their teams either directly by the committee or through grants.
b) grants for capital purchases, recognising that such assets are not part of congregational property until the congregation is declared a charge.
c) grants for operational costs to fund the ministry and mission activities of the church plant.

The committee is responsible to approve the first budget and thereafter the church plant shall follow normal parish procedures and apply annually to the committee for needed grants.

The use of these funds is subject to the normal accountability processes, plus quarterly reporting by the Church Plant to the Committee on the use of funds.

**Interim Session and Assessor Elders and Board of Management**

9. While initially, the Church Planter Evangelist and his assistant, or other church planters and their assistants, will make necessary planning decisions; an Interim Session shall be established before the church plant formally begins:

a) the Church Planter Evangelist, or other church planters may make relevant recommendations to Presbytery regarding the appointment of assessor elders to form an initial Session for the church plant;
b) the Interim Session shall also act as the Interim Board of Management with the power to co-opt additional members. When there is a sufficient number of people on the communicant and adherent rolls the Session shall hold Board elections in the regular manner;
c) the Interim Session shall consult with the committee on a regular basis in order to draw on its experience and guidance in church planting;
d) at the appropriate time, all church plants shall move towards the regular election and induction of elders.

**Closure of Church Plants**

10. The committee recognises that success is not guaranteed in church planting and that some ventures will fail. If, after five years, a church plant has made very little progress and has little prospect of existing without significant ongoing grants, the committee and the Presbytery shall discuss the need for an exit strategy. This exit strategy may include attempts to revive the work over an agreed period of time. Apart from the Church Planting evangelist, none of his team, or other church planters and their teams, are guaranteed placements elsewhere. The closure of a church plant will lead to an end of employment contracts if no other placement is made.

New works may also be terminated during the first five year period if the committee and the Presbytery deem this to be necessary.
10. Clerkship Committee

Title
1. There shall be a committee of the General Assembly to be called the Clerkship Committee (‘the Committee’) consisting of the Moderator (convener), the Law Agent, the convener of the Business committee, the convener of the Maintenance of the Ministry Committee, the chairman of the Board of Investment and Finance and the two immediate past moderators.

Purpose
2. The purpose of the committee is to provide pastoral and other support for the Clerk and to administer the Clerk's terms of settlement.

Function
3. The functions of the Committee shall be to:
   a) provide counsel, pastoral care and support to the Clerk;
   b) provide a body from whom the Clerk can seek advice between meetings of the Assembly;
   c) receive annual reports from the Clerk on the performance of duties as determined by the Assembly and specified in the 'Statement of Duties' as published by the Assembly from time to time;
   d) recommend to the Assembly, in consultation with the Board of Investment and Finance, the remuneration to be paid to the Clerk;
   e) receive and determine any requests for leave made by the Clerk;
   f) appoint an Acting Clerk whenever the Clerk is on leave, ill or otherwise unable to perform the duties of his office;
   g) perform the role of the Clerkship Review Committee as specified in the Terms of Settlement for the Clerk of Assembly.

Frequency of Meeting
4. The Committee shall only meet as and when required but shall meet at least once during the year prior to the meeting of the Assembly for that year.

Definitions
5. In these regulations:
   The Assembly means the General Assembly of Victoria;
   The Clerk means the person elected to that office by the Assembly pursuant to provisions contained in the Code and shall also mean, where appropriate, the Deputy Clerk.
11. **Code and General Administration Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Code and General Administration Committee.

**Quorum and Membership**
2. The committee shall consist of 3 members appointed by the General Assembly, *ex officio* members: the Clerks, Business Convener, Law Agent, Procurator, the Chairman of the Trusts Corporation, with the Clerk as Convener *ex officio* and 4 members to form a quorum. Where the Chairman of the Trusts Corporation is not an elder or minister of the church he may appoint another member of the Trusts Corporation who is a minister or elder in his place.

**Duties**
3. The duties of the committee shall be to:
   
a) i) deal with all matters referred to it by the Assembly in terms of the Assembly’s instruction;
   
   ii) discuss and report to the Assembly upon matters which concern the organisation and work of the church as a whole;
   
   iii) suggest to the Assembly ways in which a greater measure of co-ordination and co-operation in the work of the church may be secured, and increased efficiency promoted in the work of the Assembly and its committees.

**Changes in Code and Regulations**
   
b) i) take necessary action to keep the Code in line with the changing policy of the church;
   
   ii) remit to presbyteries proposed changes in rule and report to the Assembly on their return;
   
   iii) receive and consider overtures and report to the Assembly any bearing they may have on the Code;
   
   iv) supply to presbyteries, sessions and conveners of committees, on request:

   1) a considered opinion on the interpretation of rules or regulations;
   
   2) guidance on matters of procedure.

v) be consulted by any committee contemplating changes or additions to regulations before such changes or additions are proposed to the Assembly.
12. Conciliation Committee

Name
1. There shall be a committee of the General Assembly named the Conciliation Committee.

Membership
2. The membership of the committee shall consist of 3 ministers and 3 elders, appointed annually, and in addition, the immediate past Moderator shall be the convener of the committee. If members are involved in a dispute that is to come before the committee, then the Moderator is empowered to appoint alternates.

Purpose
3. The purpose of the Conciliation Committee is to seek to resolve disputes through negotiation prior to Assembly with a view to earlier resolution of the dispute and to save taking up the time of Assembly unnecessarily.

Powers and Functions
4. The Committee shall exercise the following powers and functions:
   a) to assist parties to appeals (and petitions that air grievances) to resolve their dispute through negotiations, prior to the hearing of the appeals, (or petitions);
   b) to conduct negotiations between parties, or to assist parties to come before mutually agreed negotiators;
   c) to report to the General Assembly, in the case of unresolved disputes, whether negotiations have been held and the general outcomes of those negotiations, while keeping the content of those negotiations confidential.

Duties
5. The Committee receives copies of the relevant documents that have been lodged with the General Assembly.
   While parties to the dispute are strongly encouraged to meet with the Conciliation Committee, such meeting is not compulsory.
   It is the duty of Clerks of Presbytery to transmit the appeal documents to the Clerk of the General Assembly.
13. Defence Force Chaplaincy Committee

Title
1. There shall be a committee of the General Assembly entitled the Defence Force Chaplaincy Committee.

Membership
2. The committee shall consist of:
   a) ex officio members: all full-time and part-time Australian Defence Force (ADF) chaplains serving in Victoria who are within the jurisdiction of The Presbyterian Church of Victoria;
   b) three members appointed by the Assembly.

Duties
3. Subject to the superior jurisdiction of the General Assembly of Australia and its corresponding committee and officers, and to the General Assembly of Victoria and the authority delegated by it to the Defence Force Chaplaincy Committee from time to time, the committee shall act as the executive authority of the church for the nomination of chaplains for ADF service, and shall maintain a lively interest in the work of Presbyterian chaplains serving in Victoria.

Requirements of Defence Chaplains
4. a) Chaplains shall be ordained ministers of the church in full standing.
   b) Applicants for appointment as chaplains shall be within the age prescribed by the authorities of the respective arms of service.

Temporarily in Full-Time Service
5. Other than in times of war, chaplains who are ministers of charges, when serving in full-time service for extended periods (i.e. beyond the two months provided by Rule 4.66,) shall make provision for the carrying on of the full work of their charges and shall arrange commensurate payments for their Board of Management; the terms, fully detailed, shall be reported to the Presbytery of the bounds for approval.

Chaplains and Their Status During War
6. Chaplains who are ministers of charges, when engaged for the duration of any war, shall:
   a) lodge their resignation with the Presbytery. In ordinary cases such resignations shall be accepted subject to the provisions of Rule 4A:4. In special cases the Presbytery may hold the resignation in retentis, to take effect only if and when, in the opinion of the Presbytery, circumstances have arisen which require a new settlement;
   b) retain their seats in the Presbytery in which their late charges are situated for the currency of their appointment, or until regularly transferred to another presbytery (Rule 4.3(h)).
14. **Exit Students Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Exit Students Committee.

**Membership**
2. 
   a) the Convener of the Ministry Development Committee (Convener);
   b) the Ministry Development Director;
   c) the Principal of the Presbyterian Theological College, or his faculty representative;
   d) the Training Officer;
   e) the Convener of the Church Planting Committee (whenever a Church Planting placement is being considered);
   f) the Convener of the Health and Community Chaplaincy Committee (whenever a Chaplaincy placement is being considered);
   g) a representative of each candidate’s presbytery (preferably the convener of the Presbytery’s candidates committee or equivalent).

**Function**
3. The sole function of the committee is the placement of exit students for ministry in parishes, mission fields or other appointments where there is a reasonable prospect of obtaining a settlement, except for the possible involvement as indicated in clause 8 below.

**Applications**
4. Applications shall not be considered by the Exit Students Committee unless they have prior approval by Presbytery and the Ministry Development Committee.

**Access to Reports**
5. The Exit Students Committee shall have access to all reports concerning the exit students and also of such parishes, mission fields or other places as have been approved by the Ministry Development Committee as suitable to receive a student.

**Consultation With Students**
6. Prior to appointment, the Exit Students Committee shall consult with each student concerned.

**Communication of Decisions**
7. The Exit Students Committee shall communicate decisions regarding appointments directly with each student concerned.

**Reception of Call by Placed Licentiate**
8. If a licentiate, duly placed in his exit appointment, receives a Call during the first 12 months from any other congregation, he shall not deal with it except with consent of the Exit Students Committee.

**Failure to Place**
9. If all reasonable efforts to place an exit student in Victoria or interstate prove unsuccessful, the exit student is released from the exit appointment process and can seek his own ministry path.
15. **General Mission Program Committee**

### Title

1. There shall be a committee of the General Assembly entitled the General Mission Program Committee.

### Membership

2. The committee shall consist of six members appointed by the General Assembly, one of whom shall be the convener.

### Duties

3. The duties of the committee shall be:

   a) to present to the General Assembly or a Commission thereof each year for approval, a mission program for The Presbyterian Church of Victoria for the ensuing financial year, to be known as the "General Mission Program" (GMP), which shall include the following recommendations:

      i) the total amount of money to be sought from parishes through presbyteries during the relevant year to fund the Program;
      
      ii) an equitable formula for the allocation to presbyteries of the total amount of the Program, such formula remaining in operation for such period as the General Assembly or the Commission may determine;
      
      iii) based on the formula referred to in sub-clause 3(a)(ii), the allocation to presbyteries of amounts which in total equal the amount of the Program referred to in sub-clause 3(a)(i);
      
      iv) the distribution of the total amount of the General Mission Program to the relevant committees of the General Assembly and/or to any other organisations within or outside The Presbyterian Church of Victoria which the General Assembly has approved for financial support;

   b) for the purpose of determining its recommendations to be submitted to the General Assembly or Commission, the committee:

      i) shall require each committee of the General Assembly which desires to apply for a distribution from the General Mission Program, to prepare in a form approved by the committee, a budget for the ensuing year clearly indicating the amount sought by that committee from the General Mission Program, supplemented by a submission supporting the application, such budget to be provided to the committee by a specified date;
      
      ii) shall receive a copy of the budget for the ensuing year of each Committee of the General Assembly which desires to apply for a distribution from the General Mission Program, clearly indicating the amount sought by that Committee from the General Mission Program, where necessary supplemented by a submission supporting the application;
      
      iii) may confer with any Assembly committee or its convener for the purpose of clarifying any item in the budget submitted by that committee;
      
      iv) may reduce or increase the amount sought by any Assembly committee, or decline to include any amount for that committee;
      
      v) may from time to time, require each presbytery to supply to it by a specified date, such financial and other information relating to the several parishes or a specific parish within its bounds, as it may deem necessary for it to prepare the formula referred to in sub-clause 3(a) (iii);

   c) to encourage presbyteries and parishes to fully subscribe the amounts allocated to them under the General Mission Program;

   d) to include in its report to the General Assembly each year a table listing all parishes and home mission stations and their respective annual contributions to the General Mission Program during the preceding financial year.
Duties of the Presbyteries

4. The duties of each presbytery in respect to the administration of the General Mission Program shall be:

a) when advised of the amount allocated to it by the General Assembly or the Commission, to allocate to each parish within its bounds, an amount which it considers appropriate to be subscribed by that parish to the General Mission Program in the ensuing year, such amounts equalling the total amount allocated to it by the General Assembly or Commission;

b) in determining the amount to be allocated to any parish, to take into consideration the resources of that parish and its ability with reasonable effort, to subscribe in full the amount allocated to it;

c) to advise each parish in writing of the amount allocated to it under sub-clause 4(a), and to advise the Clerk of the General Assembly and the convener of the General Mission Program Committee the amounts of such allocations;

d) when requested by the committee, to collect from each or any parish within its bounds such financial and other information required by the committee under sub-clause 3(b)(v) and to ensure that it is provided to the committee by the specified date in such form as the committee may specify.

e) to:
   i) appoint one of its number as its General Mission Program Liaison Officer having the duties of:
      1) dealing with matters between the Presbytery and the committee and
      2) promoting the General Mission Program to parishes within the Presbytery; and
   ii) advise the convener of the committee of the name and address of such officer.
16. **Health and Community Chaplaincy Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Health and Community Chaplaincy Committee.

**Membership**
2. The committee shall be appointed by the Assembly and shall consist of 10 persons.

**Duties**
3. The committee shall:
   a) arrange for the spiritual welfare of Presbyterians and their families within the following areas of responsibility:
      i) Primary area of responsibility: those who are the recipients of care in hospitals or similar institutions for the physically or mentally sick, aged or infirm, and those who are in custody in correctional institutions; and
      ii) Secondary area of responsibility: workers in community support agencies such as the Victoria Police Force, hospitals, fire and ambulance services, or in any area of industry where chaplaincy could provide support; and
   b) support the pastoral care of ministers and their families by providing pertinent literature and resources, arranging speakers and conferences, and keeping abreast of developments in this field in other denominations.

**Committee as Executive**
4. The committee shall act as the executive authority of the church for the nomination or appointment (as the case may be), supervision and discharge of Presbyterian chaplains to the institutions, services or organisations referred to above, and shall notify the Presbytery of the bounds of all such appointments and discharges.

**Chaplains**
5. Full time chaplains (whether ordained or lay) shall be appointed as follows:
   a) in cases where the appointment is made by an authority other than the Health and Community Chaplaincy Committee, the committee shall nominate to this authority, and shall report the subsequent appointment to the Assembly;
   b) in all other cases the committee shall have power to appoint and when the appointment is for full-time shall report to the Assembly.

**Joint Appointments**
6. The committee shall have authority to negotiate with other denominations or inter-church bodies with a view to making joint appointments of chaplains to work in the institutions, services or organisations outlined in regulation 3.

**Status of Chaplains**
7. Chaplains who are ministers of the Presbyterian Church of Australia shall have seats in the presbyteries in which they reside.

**Other Workers**
8. The committee may appoint persons to assist chaplains, and such other workers as it sees fit, to labour under its direction in the institutions, services or organisations referred to in regulation 3.

**Special Collections**
9. The committee shall recommend to Boards of Management the taking of a special collection on the second Sunday in October each year (or such other date as is convenient to the parish) to support the work of the committee.
Tertiary Chaplaincy Sub-Committee

10. There shall be a sub-committee of the Health and Community Chaplaincy Committee appointed, as follows:

a) Membership of the sub-committee shall be:
   i) two current Presbyterian Chaplains/Tertiary Campus Workers (from different institutions)
   ii) the church’s Training Officer
   iii) two ministers of congregations associated with the work of tertiary chaplains;
   iv) either the convener or the executive officer of the Health and Community Chaplaincy Committee (who shall be the Convener of the sub-committee)

b) Where the AFES State Director is not otherwise a member of the committee, the sub-committee is authorised to associate him in their deliberations.

c) The function of the sub-committee shall be:
   i) to receive reports from the Presbyterian Chaplains/Tertiary Campus Workers and to deal with all matters relating to their work;
   ii) to make funding recommendations to the HCCC;
   iii) to recommend to the relevant authorities suitable people for appointment as Presbyterian Chaplains where such official recognition will facilitate their work;
   iv) to appoint the Presbyterian representatives to Council for Chaplaincy in Tertiary Institutions and monitor the usefulness of continuing involvement in that body;
   v) to report to the General Assembly on the work of the Chaplains/Tertiary Campus Workers through the convener of the HCCC.

d) The sub-committee shall meet at least twice a year, once to make appointments to Council for Chaplaincy in Tertiary Institutions and formulate funding requests, and once to review the progress of the work.
17. Maintenance of the Ministry Committee

Title
1. There shall be a committee of the General Assembly entitled the Maintenance of the Ministry Committee.

Membership of the Committee
2. The committee shall consist of six members.

Duties of the Committee
3. It shall be the duty of the committee, subject to the direction of the General Assembly, to ensure that adequate provision is made for the maintenance of the ministry, and for all ministerial appointments, and to this end the committee shall:
   a) Recommend annually to the Commission of the General Assembly the minimum remuneration, stipend and non-cash benefit components for the ensuing financial year, and any alterations to the minimum terms of settlement which it judges advisable.
   b) Recommend annually to the Commission of the General Assembly the amount of sustentation qualifying stipend for the ensuing financial year.
   c) Recommend to the General Assembly any mid-year amendments to the minimum remuneration, stipend and non-cash benefits which it deems necessary.
   d) Report to the General Assembly amounts approved for expenditure in grants for the previous financial year.
   e) Report to the General Assembly on all matters connected with the maintenance of the ministry, and make such recommendation thereto as it sees fit from time to time.
   f) Administer the Sustentation Fund and all other funds provided to the Committee by the General Assembly, together with any other money of which it may, from time to time become possessed for augmenting ministerial remuneration.
   g) Administer the Long Service Leave Fund.
   h) Report to the General Assembly Long Service Leave granted in the previous year and any other matters related to Long Service Leave as it deems necessary.
   i) Approve or disapprove the proposed terms of settlement in respect of each proposed settlement of a Minister in a Charge or Appointment Parish.
   j) Approve or disapprove the proposed terms of all ministerial appointments.
   k) Initiate through the Presbytery a review of any existing terms of settlement if in the opinion of the Committee a change in the circumstances requires such a review, and when required by these regulations.

Minimum Remuneration
4. “Minimum Remuneration” shall mean the amounts of stipend and non-cash benefits as defined herein which combined will meet the proper and reasonable requirements of the ministry at the current level of living costs and which the General Assembly or the Commission thereof shall declare from time to time.

Stipend and Non-Cash Benefits
5. "Stipend" is the actual amount of money paid or payable to a Minister from church sources for his ordinary ministerial duties. Stipend must equal or exceed the minimum stipend declared by the General Assembly or the Commission thereof.
   "Non-Cash Benefits" are the church's provision of benefits to, or payment of accounts on behalf of a Minister, or his spouse or child. Non-Cash Benefits are payments for, not to, the Minister. The Non-Cash Benefit component of Minimum Remuneration will be declared by the General Assembly or the Commission thereof.
Sustentation Qualifying Stipend

6. "Sustentation Qualifying Stipend" is the amount of stipend which the General Assembly or Commission thereof shall declare from time to time to be normally necessary for a Parish to provide in order to qualify for a sustentation grant of money under the control of the Committee. Ordinarily the non-cash benefit component as defined in Regulation 5 shall be required of a Parish for it to qualify for a sustentation grant.

Minimum Terms of Settlement

7. "Minimum Terms of Settlement" are part of a proposal for the Settlement of a Minister in a Charge or Appointment Parish which shall include the promise of provision at least for:
   a) all costs of removal of the Minister’s family and goods to his new place of residence, except where the Committee approves a variation in special circumstances;
   b) a Remuneration consisting of a Stipend and Non-Cash Benefits;
   c) the Stipend Component to be:
      i) equal to or greater than the minimum stipend (stipend is to be in keeping with the resources of a charge, see regulation 11);
      ii) not less than the sustentation qualifying stipend plus the necessary sustentation grant to reach the minimum stipend; or of such amount which together with a grant or payment from church sources other than the Committee’s funds, with or without a sustentation grant will be equal to the minimum stipend;
   d) the Non-Cash Benefit component to be such that when combined with the Stipend the total is not less than the approved Minimum Remuneration, declared by the General Assembly or Commission thereof;
   e) additional Non-Cash Benefit;
   f) an amount at the rate the General Assembly or Commission thereof shall declare from time to time based on annual distance of all Church-related travel in excess of 6,000 km;
   g) rent free occupation of a suitable dwelling in the locality or an amount equivalent to rent as an additional Non-Cash Benefit if the minister lives in his own home;
   h) direct payment or reimbursement (not including expenses related to travel) necessarily incurred in carrying out ministerial duties including, but not limited to, telephone rental and all church calls, stationery, printing, copying and postage;
   i) annual leave from pastoral duties for five weeks annually, including pulpit supply on five Sundays. Leave may not be accumulated unless approved by the Parish and the Presbytery;
   j) study leave from pastoral duties for seven days annually being non cumulative including one Sunday’s pulpit supply, for the purpose of professional development;
   k) ministers shall submit details of their study program and obtain approval from Presbytery prior to taking Study Leave;
   l) superannuation contributions at a rate not less than the minimum prescribed rate;
   m) Long Service Leave contributions to The Presbyterian Church of Victoria Long Service Leave Fund by the Parish as per Regulation 23; (see Regulations 24-33 re eligibility etc).

Remuneration above the Minimum

8. This can be provided and may be taken as additional stipend or apportioned between stipend and Non-Cash Benefits. It is not to be taken solely as additional Non-Cash Benefits. Additional Non-Cash Benefits may be provided as detailed on the Annual Parish Report.

Notification of Changes to Minimum Terms of Settlement

9. All Charges and Appointment Parishes will be notified by the Committee of any changes to the Minimum Terms of Settlement within two months of the changes being approved and declared by the General Assembly or Commission thereof.

Annual Parish Report

10. For the purposes of this and following regulations, “Parish” includes all parishes and mission fields as defined by Rule 2:3 whether settled, vacant, part time or special interest. Each Presbytery shall ensure that an Annual Parish Report as provided by the Committee is completed by all parishes within its bounds. The Annual Parish Report is to be completed when:
a) the General Assembly or Commission thereof has declared a change to the Terms of Settlement;
b) annually at the close of each congregation’s financial year for the year just concluded;
c) after the Presbytery has dissolved the pastoral tie of a Charge;
d) in the opinion of the Presbytery any change in circumstances requires a review of terms of settlement, or when initiated by the Committee, the Minister, or the Parish.

The Parish shall forward the completed Annual Parish Report to the relevant Presbytery by the due date for their consideration and action.

**Presbytery Examination of Annual Parish Report**

11. The Presbytery or a Committee thereof to which authority to act in the matter has been given, shall examine the Annual Parish Report and if it judges the Terms of Settlement are not in keeping with the resources of the Charge or Appointment Parish, it shall urge the Charge or Appointment Parish to greater liberality.

When this has been done, the Presbytery shall assess the Terms in accordance with these Regulations and any Guidelines published from time to time, and shall conclude with a decision to either:

a) approve the Terms with or without additional comments (and forward the Annual Parish Report to the Committee, with any relevant additional information, applications for assistance and the like as determined during the assessment); or

b) disapprove the Terms (and return the Report to the Parish). In this case, the Presbytery as a consequence shall promptly assess the overall viability of the Parish.

**Committee Examination of the Annual Parish Report**

12. The committee shall carefully examine the Annual Parish Report properly submitted to it by a Presbytery and consider any accompanying recommendations. It may make such further enquiries as it deems fit, and may refer part or all of the terms back to Presbytery for further negotiations with the Charge. The committee shall in no case approve proposed terms of settlement unless it judges that the terms are appropriate to the Charge, and that there is sufficient income to meet expenditure.

The committee may approve the Terms of Settlement if:

a) the proposed Terms of Settlement are equal to or in excess of the minimum;
b) the proposed stipend is less than the minimum stipend, but is equal to or in excess of the sustentation qualifying stipend and all other components of the Terms of Settlement are equal to the minimum and Presbytery certifies that the continuance of the Charge or Appointment Parish in its present form is essential for the work and witness of the Church, provided the Committee is satisfied that a sufficient grant is available from its funds to raise the stipend to the minimum stipend by making a sustentation grant to the Charge or Appointment Parish;

c) the proposed stipend is less than the sustentation qualifying stipend and all other components of the Terms of Settlement are equal to the minimum, and if it is shown that together with aid from Church sources other than the Committee’s funds, the stipend is equal to or in excess of the sustentation qualifying stipend but still less than minimum stipend, provided, the Committee having satisfied itself that a sufficient grant is available from its funds to raise the stipend to the minimum stipend by making a sustentation grant to the Charge or Appointment Parish;

d) the proposed stipend is less than the sustentation qualifying stipend and if it is shown that the Charge or Appointment Parish is facing sudden and extreme financial hardship beyond its control, provided, the Committee having satisfied itself that a sufficient grant is available from its funds to raise the stipend to the minimum stipend, by making a hardship sustentation grant to the Charge or Appointment Parish as a special case and shall report the circumstances surrounding this extra allowance to the following General Assembly or Commission of the General Assembly, whichever occurs sooner;

e) in the case of a recommendation made to it by the Presbytery under Regulation 11 for Part Time Ministry, and the Committee has satisfied itself that the terms as submitted are adequate in the circumstances. Such approval shall be for a period not exceeding twelve months unless renewed upon further application by the Charge and recommendation by the Presbytery.

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Declaration of Terms

13. The Committee, after examination of the Annual Parish Report and approving the Terms of Settlement shall declare the terms of settlement and inform the Presbytery of its decision, which shall be final. In the case of differences of opinion with the Presbytery or the Charge, the Committee shall report the facts to the General Assembly or the Commission thereof, whichever occurs sooner.

Non Fulfilment of Terms

14. It shall be the equal responsibility of the minister and the treasurer of the Board of Management to report promptly to the Presbytery any failure of which they become aware to pay stipend and make available non-cash benefits at least monthly, and in any other respect, to implement the terms of settlement as declared by the Committee.

Should the Presbytery be unable speedily to rectify the matter and judge it inexpedient at that stage to assist in the removal of the Minister to another sphere of labour or to dissolve the pastoral tie, it shall promptly inform the Committee. The Committee shall thereupon take all steps which it judges necessary to correct the situation and may formally intimate to the Presbytery that as the terms of settlement are not being fulfilled the further action required by the rules and regulations of the General Assembly should be taken.

On receipt from the Committee of a notice to that effect, the Presbytery may take such further action under Rule 4:108, as it deems fit and shall ensure that the pastoral tie is not prolonged beyond six months of the date of the notice from the Committee, unless it sees cause in the meantime to grant the prayer of a petition from the Minister to remain in the Charge, or unless the Committee is satisfied that the declared terms of settlement have in the meantime been implemented or the Charge or Appointment Parish has been made a Part Time Ministry Parish in which case an Annual Parish Report with revised Terms of Settlement must be completed and approved.

Barrier to Settlement

15. Under no circumstances shall a Presbytery proceed with a settlement on terms which have not been approved by the Committee within the current financial year. The approval of the Committee of the terms of settlement shall not prevent the Presbytery from exercising its inherent power to decide against proceeding with the settlement for its own reasons even though they may arise out of the proposed terms of settlement as approved by the Committee.

Additional Review

16. The Committee may at any time require relevant information in respect of any Parish.

Sustentation Grants

17. The Committee may make grants to Parishes provided that funds are available, according to its assessment of the Terms as determined under Regulation 12.

All grants to sustain a Charge or Appointment Parish shall be paid to the Charge or Appointment Parish for a Minister; or in event of his death, his estate.

The Committee may examine applications at any time, making grants if funds are available. Applications are to be lodged using either the audited Annual Parish Report or at other times an unaudited Annual Parish Report form and shall be submitted to the Committee via Presbytery.

Grants to meet Special Needs

18. The Committee may make a grant to a Minister who received the minimum remuneration and has special needs.

Such grants shall be made direct to the Minister, or in the event of his death, direct to his next of kin, after the necessary certificates have been received from the treasurer of the Parish.

Grants, Travel Assistance

19. The Committee may make grants to a parish where the minister’s travel is in excess of 18,000 km per year. The grant shall be calculated as an amount per kilometre of travel on church business, using the rate declared by the General Assembly or Commission thereof, for this purpose.
Grants Reduction of

20. The Committee may decide at any time to reduce or discontinue a grant in respect to a particular Charge or Appointment Parish, but shall not reduce or discontinue the payment of such a grant until six months after giving notice to that effect to the Presbytery of the bounds and the treasurer of the Board of Management. The Presbytery, on receipt of that notice shall take all necessary action in accordance with the procedure prescribed for Presbyteries in Rule 4:108, and shall ensure that the pastoral tie is not prolonged beyond six months of the date of the notice from the Committee, unless it sees fit in the meantime to grant the prayer of a petition from the Minister to remain in the Charge, or unless the Committee has in the meantime received through the Presbytery an undertaking by the Charge to make from its own resources such an increase in the terms of settlement as the Committee deems satisfactory.

Assembly Appointees

21. The remuneration of Ministers appointed by the Assembly whose appointment is solely for the Church’s own work, shall be at least the minimum stipend and shall be determined by the Assembly together with such non-cash benefits as the Assembly shall also determine provided the minister’s duties comply with the Fringe Benefit Taxation Laws.

Part time Ministries

22. The Committee may approve terms of settlement for part-time ministries on the following conditions. (See regulation 11 and 12):
   a) the Presbytery will assure that the objects of the ministry and the welfare of the parish are being properly served;
   b) the minister will not suffer hardship;
   c) the Presbytery will express the working time of the Minister as a number of days out of five or as a percentage of full time, and will include adequate time for the Minister’s preparations.

   Such arrangements may only be approved for one year and must be reviewed and approved annually by presbytery and the committee.
   The Parish must submit the appropriate Annual Parish Report annually to Presbytery for approval by the Committee.

Long Service Leave (23-33)

Pastoral Ministry

23. There shall be an annual assessment to be known as the Long Service Leave Levy to be paid by every Parish whether there is a settled minister, a Home Missionary or a vacancy.

   The Levy shall be paid by any General Assembly Committee that is responsible for the employment of any Church Worker who is entitled to receive Long Service Leave under these Regulations.

   The Levy shall be determined by the Assembly or Commission of Assembly on a reasonable basis to ensure that the Long Service Leave Fund retains sufficient monies to meet all its commitments.

   The determination may include that no levy is required for a particular year.

Eligibility

24. Persons eligible for long service leave under these Regulations shall include:
   a) ordained ministers;
   b) exited students appointed to a Parish;
   c) home missionaries assigned to a Parish;
   d) missionaries on overseas or home service;
   e) church workers, however titled acting in a pastoral and/or teaching role, unless otherwise specified in their Terms of Settlement;
      i) in the course of their ministry in the Church in Australia, or with the GAA APWM Committee or the Presbyterian Inland Mission, providing that at the time of their being eligible for leave they are serving the Church in Victoria.
      ii) Ministers or missionaries located outside Victoria when their leave becomes due shall be deemed to be serving in Victoria if they were last commissioned or appointed by a Victorian Parish, Committee or other body of the Church.
iii) References in Regulations 25-32 to “Minister” shall be read to include all eligible persons identified above and references to “Parish” and “Presbytery” shall be read to include the equivalent employing body of the Church.

Calculation of Leave
25. Leave accrues in respect of a minister whether or not the Parish or Committee pays the levy into the Long Service Leave Fund.
   a) Long service leave accrues at the rate of 13 weeks per 10 years of full time service.
   b) Part-time service is to be calculated on a pro-rata basis according to the Terms of the appointment, and recorded as a full-time equivalent value.

As the basis of calculation for long service leave is altered and the benefits are increased, these calculations and benefits shall apply to service accruing and to all payments made from January 1\textsuperscript{st} next after the Assembly approves these Regulations.

Leave Due and Taken
26. Long service leave may first be taken after an initial ten years of service. Thereafter, long service leave may be taken after each five years of service.

No effect on Annual Leave
27. Long service leave shall not affect normal annual leave, and shall be taken as soon as practicable after it is due, unless otherwise approved by the Committee, after consultation with the Presbytery and Minister.

Leave before Retirement
28. Long service leave must be taken before retirement. A minister who intends permanently to retire becomes eligible to take any accrued long service leave on a proportional basis during his last year.

Death of Minister
29. On the death of a minister, the amount accrued towards his long service leave shall be paid to his estate.

Terms of Settlement
30. During the long service leave of a minister the parish or committee is responsible to pay in full his Terms of Settlement as declared by the Committee.

Grant from the Committee
31. The fund shall reimburse the Parish or equivalent employer of the Minister for the period of long service leave at the rate of the declared minimum remuneration as at 1 July of the year in which the minister’s leave commences.

Resignation of Minister
32. A minister who resigns from the Church other than through sickness, and who has served at least ten years under clauses 24 and 25 of these regulations, may be paid, at the discretion of the Committee the proportional entitlement of any long service leave owing.

Reciprocal Arrangements
33. The Committee is empowered to enter into reciprocal arrangements with other State Committees to enable leave to be granted in respect of service in any part of Australia.

Grant, Special Ministerial Leave
34. The Committee may make grants to Parishes and/or Ministers where the circumstances indicate that taking Special Leave may reasonably be expected to assist the Minister to avoid “burn-out” or early resignation during the first ten years of service in the Church – that is, prior to eligibility for long service leave.

Ministers should apply for Special Leave in the same manner as for long service leave via Presbytery (Rule 4:66), and Presbyteries (or equivalent Committees etc of the Church) are to forward requests for grants to the Committee for prompt resolution.
Supply Preaching Fees
35. Supply Preaching Fees shall mean payments made for preaching in the absence of the Minister of the parish and which the General Assembly or Commission thereof shall declare from time to time. The Committee shall review the Supply Preaching Fee on a regular basis, bring recommendations to the General Assembly or Commission thereof, and inform parishes of any changes to the amount.

Discretionary Powers of Committee
36. Notwithstanding the provisions of these Regulations, the Committee shall have discretionary powers to deal with exceptional cases not provided for therein.
18. **METRO Committee**

**Title**

1. There shall be a committee of the General Assembly entitled The METRO Committee. (METRO stands for: the Ministry, Equipping, Training and Recruiting Organisation).

**Membership**

2. The committee shall consist of:
   a) PCV Training Officer (normally the convener)
   b) 6 other members.

**Purpose**

3. The purpose of this committee shall be:
   a) to assist and encourage the church to carry out its stated goal (Commission of Assembly, March 2005, min. 9.1), namely: “Our specific goal, both individually and as a denomination, is to be engaged in making disciples of the Lord Jesus, to direct all our efforts to preaching repentance to God and faith in Jesus, and to nurturing those who believe the gospel”;
   b) on the basis of biblical injunctions such as Matthew 28:18-20 and 2 Timothy 2:2, together with the models for ministry as outlined in Ephesians 4:11,12 and Colossians 1:27-29, to provide the church with encouragement and assistance in multiplying disciples of Christ who can be used to revitalise, nurture and plant churches;
   c) to establish METRO in The Presbyterian Church of Victoria as part of an emerging national initiative which promotes a model of ministry that is best learnt through one to one traineeships;
   d) to recruit, train and equip gospel workers for ministry in the local church context;
   e) to create public awareness of METRO throughout the wider church, particularly within the denomination.

**Duties**

4. Subject to all the rules and regulation of the church, the duties of the committee shall be to ensure that the stated purposes are fulfilled to the glory of God and edification of the church.
19. Ministry Development Committee

Title
1. There shall be a committee of the General Assembly entitled the Ministry Development Committee.

Membership
2. The committee shall consist of a Convener plus six other persons.

Purpose
3. In conjunction with the presbyteries the committee shall promote the health of congregations, both parishes and home mission stations, within The Presbyterian Church of Victoria.

Duties
4. The committee shall be responsible to the General Assembly for the work of building, revitalising and promoting healthy churches (an activity formerly carried on by a Committee of the General Assembly known as the Home Mission Committee) in the state of Victoria. Such work is to be in conjunction with the Presbytery which has the primary responsibility for the health of congregations within its bounds. This work shall include, but not be limited to:
   a) provision of assistance to maintain the health and vitality of existing congregations which from time to time may include:
      i) church consultancy where requested by parishes and also where financial assistance is being sought for long and short term maintenance of ministry;
      ii) helping congregations re-engage with their task of evangelising their communities through leadership motivation and goal-setting, congregational training and demographic studies;
      iii) the recruiting, training and provision of intentional interim-moderators;
   b) provision of support to home missionaries and home mission stations including recruitment, training, placement, supervision and oversight of home missionaries;
   c) support of the existing ministerial workforce including ministers’ retreats and continuing education and the ministers’ family camp;
   d) the administration of financial support to existing parishes where such support falls within the sphere of the committee’s responsibilities.
   e) authorisation, allocation and administrative support of district interim moderators and intentional interim ministers (see Code Rules 4A.6.1 and 4A.6.2).

Employed Officer
5. The committee shall, when occasion warrants, bring to the General Assembly the name of a suitably gifted person for appointment as the Director, MDC, formerly known as the Home Mission Director. The Director, MDC, will work under the committee, in home mission and other areas of the committee’s work, according to such job description as shall be approved from time to time by the General Assembly.

Applications from Congregations for Home Missionary appointments
6. Parishes or stations seeking the services of a home missionary shall apply to the committee only with the approval of the Presbytery of the bounds.

Candidates for the Ministry who are seeking Home Mission service
7. a) Candidates for the ministry, before making application to the committee for home mission service, shall first obtain the approval of the Theological Education Committee.
   b) Private students doing home mission work shall perform their duties to the satisfaction of the committee, which shall have power to dispense with the services of any student who does not prove satisfactory, provided that consultation is held with the Theological Education Committee and the appropriate presbytery before a final decision is made.
Progressive Home Mission Station

8. A progressive home mission station under the authority of the Assembly that can pay the stipend approved by the Assembly, and manse, or adequate manse allowance and working expenses approved by the committee in consultation with the Maintenance of Ministry Committee, shall be entitled to apply for the services of an exit student or a licentiate for 12 months within which period he is eligible for a call from the congregation to which he ministers. If a licentiate receives a call during this period from any other congregation he shall not deal with it except with the consent of the committee.

Home Missionary Applications for Service

9. An applicant for home mission service must:
   a) complete all Ministry Development Committee application forms;
   b) ordinarily be a member of the Presbyterian Church of Australia for 12 months before application;
   c) request his minister to send a letter of recommendation directly to the committee before the application is fully processed;
   d) request his Session to send a letter of recommendation directly to the committee before the application is fully processed;
   e) provide three additional current referees;
   f) request his presbytery to provide the committee with their assessment regarding the applicant’s suitability for ministry, experience and preaching ability;
   g) provide a current police check;
   h) have a registered doctor assess his suitability for employment in a stressful environment (on the form provided by the committee);
   i) attend a preliminary interview, and if successful a second interview with his wife (where applicable);
   j) prove that he is a permanent resident in or a citizen of Australia, or that he holds a working visa allowing him to be in Australia.

Home Missionary Terms of Employment

10. Home Missionaries who are not candidates for the ministry shall:
   a) at their first appointment be on probation for 12 months and their position reviewed not later than 9 months after the date of their appointment with regular reviews three months before reappointment;
   b) during this first and subsequent years be required to follow a course of study if directed by the committee;
   c) be appointed on the terms of three months notice being required by either party of the termination of appointment; or the home missionary shall be paid up to three months stipend in lieu of notice to bring his stipend up to the end of December, or by individual negotiations; termination due to disciplinary action can be immediate with thirty days severance pay.

Home Missionaries – Appointment

11. a) The committee shall appoint and remove home missionaries, but recommendations of presbytery on appointment or removal shall receive special consideration;
   b) Home Missionaries shall be appointed for a period of 12 months. The time of service in one station or position shall be determined by the Committee, but the request or recommendation of the Presbytery shall receive special consideration.

Book Grants and Other Expenses

12. The committee may make suitable grants for books, travelling or other expenses to home missionaries engaged in prescribed courses of study.

Home Missionaries - Stipend

13. Home missionaries are paid 85% of the stipend of an ordained minister of The Presbyterian Church of Victoria, and receive the same level of Non Cash Benefits as a minister.
Removal Expenses
14. The committee shall pay from its funds such removal expenses of home missionaries as are approved prior to the transition. Removal expenses of exit students appointed to parishes of full charge status shall be borne by the parish.

Supervision of Home Missionary
15. Home missionaries in the course of their duty shall be under the supervision of the Presbytery within whose bounds they are working. Additionally, the Director, MDC, will visit all home missionaries on a regular basis to provide on-site, one-to-one training and advice.

Home Mission Grants
16. To the limits that funds are available, the committee may make grants from its funds to:
   a) supplement the local income of a home mission station or appointment parish that is unable, after a systematic and sacrificing effort is made, to provide for a home missionary;
   b) make possible the payment of the minimum stipend approved by the Maintenance of the Ministry Committee when a new charge is being formed on condition that the congregation becomes self-supporting as soon as possible;
   c) compensate, for a period of one year, congregations that have suffered financial loss owing to re-arrangements of congregations for the purpose of forming a new charge.
   d) support church plants sponsored by the committee:
      i) when the church plant becomes a fully sanctioned charge, it will be required to allocate a specified amount of money on an annual basis into a committee-operated church plant fund; the specified amount will be negotiated between the parish, presbytery and the committee, and will be reviewed annually;
   e) support second ministry workers in congregations;
   f) support ministry apprentices;
   g) support evangelism;
   h) support tertiary chaplains or other ministry workers;
   i) support project charges.

Grants – Time Limit
17. a) Subsidies can be approved and paid to a congregation for up to ten years. Beyond that point, the Presbytery will receive the application as it did in the past; and
   i) send it to the committee for information, and
   ii) bring the matter before the General Assembly for evaluation.
   b) The only exception to the time limits on funding in (a) above and 18(d) below are special grants that may be considered to country churches (sanctioned, appointment and home mission stations) which have been severely affected by drought (not internal problems or apathy) and have the clear probability of again becoming self-sufficient. To receive such funding churches must have vibrant weekly prayer meetings, discipleship and evangelistic ministries. Such funding is meant to be temporary and funds may be raised through appeals to the wider church rather than the committee funds ordinarily used for subsidies.

Conditions of Grants
18. a) Grants to parishes or stations are made annually, and may be reapplied for each year (subject to rule 17).
   b) All applications for grants shall be made on the prescribed forms endorsed by the minister and Board of Management. They are then forwarded to the committee through the Presbytery of the bounds, and with its approval. Annual due dates are to be observed.
   c) The committee shall regularly review all grants renewed beyond one year with a view to ensuring that congregations become financially independent of the committee as early as possible.
   d) Congregations in a state of decline shall not be made dependent upon grants to maintain full status or as a home mission station for a period exceeding one year.
   e) Existing congregations which become ‘aid receiving’ will only be eligible for aid if they engage in a revitalization program. If positive growth is not realized within two years, aid will be withdrawn.
f) Grants may be made from committee funds, as available within the terms of the various trusts, for the purposes of purchasing church or manse properties for new work, or aiding the extension of new work, for the fostering of mission and youth work or evangelism related to church extension, and for the provision of training or materials of a specialized kind for church extension and chaplain work as prescribed in the regulations.

g) Loans may be made to new or growing congregations for purposes related to church extension, upon terms to be arranged by the committee.

h) Every parish or station in receipt of loans or grants of any kind from committee funds shall furnish to the committee at the end of each financial year, or on request, a certified copy of the balance sheet duly audited.

Payments – Supply Preachers

19. a) The treasurers of vacant charges shall pay the supply preachers (lay, licentiates or ministers) within one week (unless otherwise negotiated), for the supply of their pulpits according to the scale approved from time to time by the Assembly. Travelling expenses to and from the vacancy shall be met and hospitality or suitable board and lodging provided, if required. The travelling expenses between two preaching places in the same charge shall also be met by the charge. Travelling expenses shall be paid at the same rate stipulated for ministers by the General Assembly.

b) Irregularities on the part of local treasurers in regard to the making of such payments, shall at once be reported to the Director, MDC, and he shall thereupon communicate with the respective presbyteries, who shall at their first meeting thereafter be required to take active steps to have the irregularities rectified.

Notification by Interim Moderator

20. The interim moderators of vacant congregations shall notify to the committee the results from congregational meetings held in connection with the filling of a vacancy if the decisions taken affect the interests of the committee or its home missionaries.

District Interim Moderators

21. a) District Interim Moderators shall:
   i) be ministers of the Church with proven pastoral experience;
   ii) have the capacity to oversee a number of vacant charges and home mission stations as interim moderator/moderator;

b) The Committee shall
   i) advertise for suitably qualified persons;
   ii) allocate to particular districts determined by the Committee persons as district interim moderators;
   iii) receive requests from presbyteries for names for appointment as interim moderators and moderators to parishes within their bounds;
   iv) consult with applicant presbyteries concerning the proposed appointment, including such matters as the capacity of the parish to bear the cost of such an appointment;
   v) after satisfactory consultation, provide a name for appointment by the Presbytery;
   vi) collect and coordinate the detailed time requirements for a district interim moderator for each parish within its sphere of responsibility;
   vii) provide all resources for the appointee, including a manse (if necessary), remuneration and incidental expenses incurred in his role as interim moderator/moderator of the parish/s to which he is appointed;
   viii) allocate and invoice the participating parishes in proportion to the time the district interim moderator spends and the expenses he incurs in this ministry to each of them individually;
   ix) grant financial relief upon request to any parish before or during the period of the district interim moderator’s appointment, subject to the normal requirements and constraints on the granting of financial assistance to parishes from the Committee’s funds.
Intentional Interim Ministers

22. a) Intentional Interim Ministers shall be:
   i) ministers of the Presbyterian Church of Australia, preferably with at least 5 years’ experience in parish ministry;
   ii) able to demonstrate proven skills in serving what may be a parish under stress;
   iii) experienced and trained in conflict resolution or be prepared to undertake training in this area;
   iv) able to accept living in temporary accommodation and to cope with short-term appointments;
   v) able to accept that the position of intentional interim minister is occasional when need arises, and is not necessarily an ongoing appointment.

b) The Committee shall
   i) be pro-active in the seeking and training of suitable applicants for intentional interim ministry positions;
   ii) consult with presbyteries considering the appointment of an intentional interim minister regarding the availability of suitably qualified men;
   iii) receive applications to help fund an intentional interim minister from its own funds, and grant such requests where a parish is unable to meet the terms of settlement and where the Committee’s funds permit.
20. **Moderator's Committee**

**Title**
1. There shall be a committee of the General Assembly entitled the Moderator's Committee.

**Membership**
2. The committee shall consist of:
   a) a convener who shall be a minister and two elders appointed by the Assembly;
   b) the moderator for the time being;
   c) the Moderator-Designate.

**Duties**
3. The committee shall:
   a) arrange the itineraries of the Moderator;
   b) have general oversight of arrangements for visits of the Moderator, and safeguard him from undue demand and strain;
   c) give to the Moderator, on request, advice on matters that necessitate action, and assist the Moderator in the arrangement of services of civic or national importance.

**Declaration**
4. a) The Moderator of the General Assembly shall not attend multi-faith gatherings in his official capacity, nor take part in such.
   b) The Moderator may, in conjunction with the Senior Minister of Scots’ Church Melbourne organize, arrange, publicise and conduct services of public worship to be held in Scots’ Church at times of national crisis or celebration, inviting leaders of other Christian denominations, whose beliefs are in conformity with those of The Presbyterian Church of Victoria to attend and participate as deemed necessary.
21. Records Committee

Title
1. There shall be a committee of the General Assembly entitled the Records Committee.

Membership
2. The committee shall consist of six members of Assembly (including a convener) appointed by the Assembly, of whom at least three shall be ministers.

Duties
3. The committee shall:
   a) on behalf of the Assembly call annually for records of all presbyteries to be deposited at the office of the Clerk two weeks prior to the meetings of the General Assembly for scrutiny by the committee;
   b) on behalf of the Assembly and on a regular basis call for and scrutinise the records of Assembly committees, boards and councils responsible directly to the Assembly;
   c) report to the Assembly on the state of the church records with any necessary recommendations;
   d) furnish to clerks and conveners a statement on the records submitted, indicating any omissions, irregularities and recommendations inscribed on the records themselves;
   e) ensure that comments on material matters inscribed in the records inspected appear also in the records of the committee on Records.
22. Selection Committee

Membership

1. The Selection Committee shall be composed of a convener and six other members of the Assembly, elected by the Assembly annually, two of whom shall be from non-metropolitan presbyteries. The Committee on Code and General Administration shall submit seven nominations (naming a convener) which shall be published in the White Book.

Duties

2. a) Unless otherwise expressly provided in the rules or regulations of the Assembly the Selection Committee shall nominate to the Assembly the members and conveners of all Assembly committees (which term herein includes boards and councils). These nominations shall be published in the White Book. Other nominations to committees and convenerships may be made by members of the Assembly, provided that notice of such other nominations has been given in writing to the convener of the Selection Committee not later than noon on Tuesday of the Assembly. When any other such nominations have been received, appointment shall be determined by a ballot conducted by the Ballot Committee at 12.15 p.m. on the Wednesday of the Assembly.

b) Nominations by the Selection Committee to committees of the church shall be made as far as possible after consultation with the committees concerned.

c) The Selection Committee (with provision for additional members when advisable) may be directed by the Assembly to nominate special committees, ad hoc committees and commissions.

d) In the case of nominations of new members of any committee, the consent of the nominee should, if possible, be obtained by the Selection Committee.

e) The Selection Committee shall, after consultation with the committee concerned, fill any casual vacancy in any Assembly committee, special committee, ad hoc committee or commission or the convenership thereof and such appointment shall remain effective up to the next meeting of the Assembly.

f) No minister, except those holding office 'ex officio', shall be on more than four committees other than ad hoc committees.

g) When a ballot becomes necessary the names of the retiring members of the committee concerned shall be marked with an asterisk, and a brief statement of the qualifications of all the nominees and their church affiliation shall be prepared by the Clerk and circulated to members.

h) When nominations are required for the position of Moderator-General of the GAA, the Selection Committee is authorised to call on presbyteries to make nominations for the position with replies to be in the hands of the Convener by 31 July of that year. The Selection Committee shall then submit names of nominees to the General Assembly for ballot.
23. Social Services Committee

Title and Membership
1. There shall be a committee of the General Assembly entitled The Social Services Committee (otherwise also known as the Social Services Department) which shall consist of a convener and nine other members, all nominated by the Selection Committee and appointed by the Assembly.

Meetings
2. The committee shall meet monthly with the exception of January.

Duties
3. The committee shall be responsible to the Assembly for the planning, development, administration and oversight of all social service activities sanctioned by the Assembly, and for termination of any such activity when considered by the committee to be necessary or appropriate after consultation with the Presbyterian Trusts Corporation.

Ineligibility of Membership
4. No employee or resident with respect to any institution or activity under the oversight of the committee shall be eligible for membership of the committee.

Congregations and Social Service Activities
5. Any congregation of The Presbyterian Church of Victoria proposing to improve or acquire ownership of real property for the carrying on of a project or activity of a social service nature shall first apply for and obtain the approval or consent of the Presbytery of the bounds and of The Presbyterian Church of Victoria Trusts Corporation and the approval of the Social Services Committee, before proceeding. The committee shall report to the Assembly giving reasons for its approval or disapproval, and in the case of an approval stating the terms and conditions of such approval.
24. State News Committee

Title
1. There shall be a committee known as the State News Committee, known hereafter as the committee.

Membership
2. The committee shall consist of four members - two ministers and two elders - any three of which will form a quorum for policy-making purposes or, any two for editorial purposes.

Purpose
3. The committee shall produce a quarterly publication containing general interest news items, articles and viewpoints from individuals, congregations, committees and courts within The Presbyterian Church of Victoria, from the wider denomination and beyond, that are deemed by the committee to be of interest to, or pertinent to, the denomination’s mission. The committee may itself contribute material to the publication as, and when, it deems appropriate.

Co-opted Assistance
4. a) The committee may co-opt or enter into arrangements with any other individuals, parties or companies to assist in the production of the publication.
   b) Co-opted individuals or representatives may be invited to attend meetings in an advisory capacity but shall have no voting rights.

Editorial oversight
5. Editorial oversight of the publication rests with the committee or with any other party nominated by the committee for that purpose. Where such responsibility is devolved to an individual, that person shall be appointed to work under terms and conditions specified by the committee and to a job description mutually negotiated for the position. That person shall be called the editor.
   a) An editor (should one be appointed) shall attend committee meetings but shall have no voting rights.
   b) Notwithstanding the appointment of an editor, ultimate responsibility for the content, presentation and publication remains with the committee.

Website
6. The committee may, at its discretion, establish a website to enhance its purpose.

Advertising
7. Advertising may be included at the discretion of the committee (or, in its place, the editor) and at whatever rates the committee deems appropriate. As matter for periodic review, the committee shall decide to what extent advertising should contribute to offsetting the production costs of the publication.

Equipment
8. The committee may purchase any equipment (including computer software) it deems is necessary to assist in the production of the publication to be used by whomever it deems is appropriate to assist in the production of the publication.
25. Theological Education Committee

Title
1. There shall be a committee of the General Assembly entitled the Theological Education Committee.

Membership
2. The committee shall consist of:
   a) ten members, including a convener, appointed by the Assembly;
   b) the Principal of the Theological College;
   c) another member of the Theological College faculty.

Duties
3. The duties of the committee shall be:
   a) to provide and promote the best quality theological education at both undergraduate and postgraduate levels;
   b) to be responsible for the direction of all candidates for the ministry at all stages of their training;
   c) to manage the business affairs of the Theological College;
   d) to determine and administer bursary assistance to candidates;
   e) to report for the decision of the Assembly upon all matters relating to the appointment and retirement of the principal, professors and other full-time lecturers in the Theological College;
   f) to provide resources for, and supervise, the work of the Assembly Training Officer.

Visitation of Moderator to Theological College
4. a) During his term of office the moderator of The Presbyterian Church of Victoria shall conduct a formal visitation of the Theological College.
   b) The visitation shall take place on a suitable date to be arranged by the committee in consultation with the faculty and the moderator may request not more than two members of the committee to take part in the visitation.
   c) In the course of the visitation the moderator shall convey a message from the Assembly and the church, and conference shall be held with the faculty and with the students on any matters requiring special consideration. Prior to such conference the faculty and the students shall be invited to notify the moderator of any such matters, and he may prepare questions to be submitted to them.
   d) A report of this visitation shall be submitted by the moderator to the following Assembly.

Acceptance and Oversight of Candidates for the Ministry
5. a) Those contemplating the work of the ministry should notify their own minister and apply to the clerk of their presbytery, who shall guide them in their application. They shall also confer with the Principal at the Theological College.
   b) In considering the acceptance of applicants for the ministry, the Presbytery shall bear in mind the seriousness of the decision it is called on to make and its bearing on the welfare of the whole church, and shall exercise every care in the matter of his application. When a person applies to be accepted as a student for the ministry the Presbytery shall examine him in the terms of the following instructions:
      i) it shall instruct the applicant to appear in person before a duly convened meeting of the Presbytery’s students’ committee, or other committee especially appointed for the purpose, his own minister being associated with the committee if he is not a member.
      ii) By this means and by any other means it chooses to adopt the Presbytery shall satisfy itself as to the following points:
1) the applicant’s Christian character and conviction and his sense of divine call;
2) his satisfactory length of membership in and service to the Presbyterian Church of Australia;
3) his ability in preaching and public speaking;
4) his capacity for making acceptable contacts with people;
5) his plans for financing himself during the course, especially in the case of a married man;
6) his general health, including a medical report from an approved medical examiner;
7) a satisfactory police record check.

c) If, after examination, the application is approved, the Presbytery shall notify the Theological Education Committee, communicating full particulars of its enquiries, together with all relevant documents. The Theological Education Committee shall interview and test the applicant for his fitness in all respects for the office of the ministry and report its recommendation to the applicant’s presbytery. The Presbytery shall not proceed to admit an applicant as a candidate without the concurrence of the Theological Education Committee.

d) On receiving the report of the Theological Education Committee the Presbytery shall come to a decision about the applicant, and if it judges him to be a satisfactory applicant, and only if the Theological Education Committee concurs, shall admit him as a candidate, initially on probation for the first year. A presbytery shall not finally confirm a student’s candidacy until:
i) a period of probation, normally for one year, has been satisfactorily fulfilled;
ii) a report has been received from the Theological Education Committee concerning his progress in his studies;
iii) in cases where either the Presbytery or the Theological Education Committee thinks it necessary, there shall be a personal interview by the committee or its representatives and the Presbytery.

e) The presbytery shall require each candidate under its oversight to present each year a certificate from the faculty that his year’s work has been sustained. It shall also require the candidate to appear in person at least once a year before presbytery or its student committee.

Appointment of Professors and Lecturers

6. a) Professors

i) There shall be a nominating committee consisting of the members of the Theological Education Committee and one representative from each presbytery, of which the members of the Theological Education Committee shall be the executive.

ii) The executive shall take steps to call for applications by advertisement.

iii) The nominating committee shall consider the applications with a view to bringing a recommendation to the General Assembly to which all shortlisted applications shall be submitted.

iv) The General Assembly need not proceed immediately to make an appointment from one of the applicants. If it considers it expedient, it may further invite someone who has not applied to submit a formal application for the position.

v) The General Assembly may, if it considers it expedient, proceed to election by ballot.

vi) The appointment of a professor shall be for an initial period of seven years, with subsequent appointments of seven years. Before the appointment expires the Theological Education Committee shall interview the professor and review his work. Following a satisfactory review and with the concurrence of the lecturer the committee shall recommend to the General Assembly a further period of service. The retirement date shall be at the end of the year in which the appointee has his 65th birthday.

vii) This review (mentioned in clause (vi) above) shall normally take the form of personal interview(s) with the professor, consultation with faculty members, especially the Principal, review of any of his publications, and visitation in class to sample the professor’s teaching gifts.
b) Full-time Lecturers
i) There shall be a nominating committee consisting of the members of the Theological Education Committee.
ii) The nominating committee shall take steps to call for applications by advertisement.
iii) The nominating committee shall consider the applications with a view to bringing a recommendation to the General Assembly to which all shortlisted applications shall be submitted.
iv) The General Assembly need not proceed to make an appointment from one of the applicants. If it considers it expedient, it may invite someone who has not applied to submit a formal application for the position.
v) The General Assembly may, if it considers it expedient, proceed to election by ballot.
vi) The appointment of a lecturer shall be for an initial period of seven years, with subsequent appointments of seven years. Before the appointment expires the Theological Education Committee shall interview the lecturer and review his work. Following a satisfactory review and with the concurrence of the lecturer the committee shall recommend to the General Assembly that the lecturer be appointed until retirement.

vii) This review (mentioned in clause (vi) above) shall normally take the form of personal interview(s) with the lecturer, consultation with faculty members, especially the Principal, review of any of his publications, and visitation in class to sample the lecturer’s teaching gifts.

c) Part-time Lecturers
The faculty, through the Principal, and after consultation with the Theological Education Committee, shall appoint such part-time staff as shall be required.

Principal of Theological College
7.

a) The Assembly shall appoint a Principal of the Theological College on recommendation of the committee after consultation with the faculty.
b) The Principal shall be a member of the teaching staff of the Theological College.
c) The Principal shall be appointed for a ten year term and his period as a professor/lecturer shall be extended to coincide with this ten year period up to the age limit specified in clauses 6 (a) (vi) and 6 (b) (vi) above.
d) The Principal shall have authority to preside over all meetings of the Theological College, and shall be responsible for the co-ordination of the work within the college. He shall represent the college to the church and, as far as possible, he shall place the needs and claims of the college before the church as a whole.
e) The Assembly may appoint a Vice-Principal of the Theological College, on the recommendation of the committee, after consultation with the faculty, who shall act as deputy to the Principal.

Professional Development Leave of Lecturers
8.

a) Where professional development leave forms part of the terms of appointment of a professor or lecturer the committee shall be responsible for the administration.
b) All matters relative to salary and expenses shall be determined at the discretion of the Theological Education Committee in the light of the circumstances governing each particular case.

Long Service of Lecturers
9. The conditions and terms of long service leave shall be the same as for other ministers of The Presbyterian Church of Victoria only that long service leave shall be taken in such a way that it does not interfere with the conduct of classes or courses of study.

Faculty of Theological College
10. a) The faculty of the Theological College shall consist of the full-time teaching staff.
b) The faculty shall be responsible for the work of the classes, the supervision and direction of studies, the spiritual tenor of college life, the academic rigour of the course, the maintenance of discipline, and the care of the library within the Theological College.
c) The faculty shall be responsible for ensuring that the regulations and decisions of the College Committee of the General Assembly of Australia are fulfilled.

d) The faculty shall report regularly through the Principal to the committee, and annually to the Assembly by means of an addendum to the Theological Education Committee report.

**Diaconal Committee**

**Membership**

11. The membership of the committee shall consist of the members of the Theological Education Committee.

**Duties**

12. To have general management of the business and financial affairs of the committee.

**Meetings**

13. The committee will meet under the auspices of the Theological Education Committee and as often as that committee meets.

**Sub-Committee**

14. The committee will appoint a sub-committee of its members as may be desirable from time to time.

**Aims**

15. a) To encourage, support and finance training in diaconal ministries through the Presbyterian Theological College.

b) To ensure that the course of training is sufficiently broad in its curriculum for effective diaconal ministries today.

c) To publicise such courses of training among the churches.

d) To finance the purchase of books and journals for the Presbyterian Theological College library suited to courses in diaconal training.

e) To make available for the churches media resources related to diaconal ministries suitable for local use.

f) To encourage and equip local congregations to provide their own selection procedures and training courses for diaconal service.

g) To encourage suitably qualified women within our churches to consider specialised diaconal ministry, on a part-time basis as, for example, in chaplaincy, social work, or counselling.

h) To encourage local congregations to operate their diaconal training and ministries under the guidelines of the Rules and Procedure of The Presbyterian Church of Victoria (3:54, 3.55, 3.56).
Committee not operating, but duties carried out by the Clerk of Assembly ...

*Church Records Management and Archives Committee*

**Title**
1. There shall be a committee of the General Assembly entitled the Church Records Management and Archives Committee.

**Membership**
2. The committee shall consist of three members appointed by the Assembly and the Church Archivist ex officio.

**Duties**
3. The committee shall arrange for the acquisition and care of church records from all organisations and courts of The Presbyterian Church of Victoria and individuals who may have material relating to The Presbyterian Church of Victoria.

4. The committee will be responsible for the running of the Church Archives and the appointment and supervision of archive staff.

5. The committee will be responsible for inquiries from within the church and from the general public relating to records and material contained in the Church Archives.
a selection of useful supplementary regulations and General Assembly decisions
1. **PCV Vision Statement**  

[Oct 1997]

As part of the redeemed people of God, having been brought out of darkness into God’s light through faith in Jesus Christ, The Presbyterian Church of Victoria seeks to glorify and enjoy God — as Father, Son and Holy Spirit — serving, loving and obeying him, in the light of his revealed Word, the Bible.

The Presbyterian Church of Victoria holds the Bible to be the inspired and inerrant revelation of God, a book fully trustworthy to guide the church in all matters of faith and practice. Embracing this particular view of inspiration of Scripture means that our work and witness has distinctive guiding values, these being expressed in what is known as:

- reformed doctrines and church practice
- the confessional position of the Westminster Confession of Faith (1647)

We seek to serve and obey God by:

- worshiping God in Spirit and truth;
- edifying God’s people, by teaching God’s Word, in order that they become mature in Christ, living a holy life;
- evangelising the lost through proclaiming and living the gospel;
- engaging in social witness, demonstrating God’s love and righteousness in both word and deed.

By being faithful in these things it is our passionate prayer that, by God’s grace:

- lives will be changed according to the pattern of Christ’s life;
- there will be growth and maturity in existing churches;
- the unsaved will come to faith in Christ;
- new churches will be planted;
- and in all this, churches will have an effect in changing society’s values for good.

In pursuing this mission we seek to:

- depend at all times on God’s leading;
- be aware of the culture in which we minister;
- be prepared to take bold steps to fulfil this mission in the State of Victoria, throughout Australia and toward all parts of the world.

**Summary Vision Statement**

By God’s grace we exist to glorify and enjoy God through worship, teaching God’s Word, evangelism and social interaction, always in the light of the inspired Scriptures and relying on God’s presence, power and wisdom.
2. Protocol for PCV email network

1. The PCV email network list is open to anyone, anywhere in the world, upon request. Users should remember this when submitting material. Sensitive information is to be strictly avoided.

2. The operator is to ensure that the email distribution list is kept strictly private.

3. When a user joins the list, he or she will be sent a copy of these guidelines by email.

4. Users can unsubscribe at any time by sending an email to the operator with the word “unsubscribe” in the body of the email, or by replying to a ‘list’ email and typing the words “delete from list” in the subject heading.

5. The purpose of the list is to distribute information of general interest to members and friends of The Presbyterian Church of Victoria, including news from congregations, presbyteries and assembly committees concerning ordinations, inductions, special meetings and events etc.

6. Persons submitting items of a personal nature (for example, prayer requests for other persons) must have obtained the prior approval of any persons named (or, if they are unable to give that consent, of their next of kin), and advise the operator that this approval has been obtained when submitting such items for distribution.

7. When posting a submission, users should include a summary description in the “subject” heading; for example, “PCV Ministry Conference, 8-10 April” or “Statement by the Barnabas Fund concerning Pakistan”.

8. Users are requested to avoid posts that are likely to be controversial. The network is for dissemination of information, not for debate.

9. No copyrighted material may be posted without the consent of the original author or website. Material in the public domain must include a link to the original site with attribution to the original author.

10. All items must be approved by the operator, who has the final say in what is posted. If the operator is in doubt concerning the legitimacy of material submitted, or of the wisdom of publishing it, he will consult with the Clerk of the Assembly.

11. To make it as easy as possible for other users to read emails, users should send messages as plain, unformatted text wherever possible. If files are attached, they should be in a widely readable format, such as Adobe PDF, and kept as small as possible. Users must ensure that such attachments do not contain viruses.
3. **Overseas Visitors' Fund**

**Aim**

1. This fund is designed to bring overseas visitors to assist General Assembly committees and presbyteries to further their work by providing additional skills and experience. Preference in allocation will be given to visits that are for a prolonged period.

**Committee Membership**

2. The committee is composed of the members of the Board of Investment and Finance, together with the conveners of the Christian Education and Nurture Committee, the Theological Education Committee, the Ministry Development Committee and the Church Planting Committee. The Chairman of the Board of Investment and Finance is the convener.

**Application Procedure**

3. a) The Committee will determine when the next grant can be given.
   b) Notification will be given to committees and presbyteries and applications invited. Applications must provide evidence the proposed speaker will provide a unique contribution to The Presbyterian Church of Victoria not otherwise available in Australia. The objectives of the visit should be clearly stated, and consideration given to maximising the visit by cooperation with other state and federal bodies of the Presbyterian Church of Australia, or other ministry bodies.
   c) As arrangements for overseas visitors need to be made well in advance, applications will be invited by a date that allows ample time for all planning for the visit to be put into effect.
   d) Grants may be for the full cost of the visit (including air fares), or be supplementary to local financial provision for such a visit.

**Reporting**

4. After an overseas visitor has completed his/her specific tasks, the recipient of the grant should provide a short report to this committee on the benefits of the visit.

**Financial Arrangements**

5. All arrangements for the payment of the amount of the grant should be discussed with, and approved by, the General Manager.
4. **Relations with Other Religions**  [Oct 2009]

1. **Personal Relations**  
   We are willing to meet with representatives of other religions in a friendly, openhearted and generous spirit, in accordance with the example of our Lord.

2. **Dialogue**  
   a) We encourage an active academic interest in the history, teachings and practices of other religions to achieve mutual understanding.  
   b) We encourage informal meetings with representatives of other faiths to achieve mutual understanding and friendship.  
   c) We oppose organisational union with other religions and any actions that could foster syncretism in worship, doctrine or mission.

3. **Worship**  
   a) We recognise the democratic and pluralist nature of Australian society, and the long-standing principle of religious freedom.  
   b) We affirm that the integrity of the worship of different faiths, including our own, must be respected and therefore we believe that interfaith gatherings which meet specifically for worship are ambiguous and inappropriate; and accordingly our Moderator and/or other church leaders are not to attend such gatherings in their official capacity (c.f. BB 2001 Minute 47 (6-8)).  
   c) We recognise that, when a public event is convened on the premises of a particular religious community, the protocols of that community should be respected.

4. **Evangelism**  
   a) We affirm our biblical responsibility to share the Christian Gospel with people of other religions and of no religion, in culturally sensitive and non-coercive ways.  
   b) We acknowledge the right of representatives of other religions to share their faith with others in culturally sensitive and non-coercive ways.  
   c) We encourage all churches and Christians to witness to Christ's love by word and deed in accordance with our belief that salvation is found in Him alone.  
   d) We reaffirm the previous enactment of the General Assembly (BB 2001 Minute 47 (5)), namely, that the absolute teaching of the Word of God is that the only way to God the Father is by Jesus Christ (John 14:6); that Jesus Christ is our only Lord and Saviour (Philippians 2:10-11); that Jesus Christ is uniquely the only begotten son of God, supreme in salvation and redemption (Colossians 1:15-19) and that Jesus Christ is the only mediator between God and human beings (1 Timothy 2:5).

5. **Social Issues**  
   a) We commend, where appropriate, joint action with representatives of other religions regarding public issues where there is agreement on the needed outcomes and no departure from Christian doctrine is involved (Clause 4(d) above).  
   b) We respect the right of religious communities to establish and maintain suitably accredited faith-based schools and other educational institutions.  
   c) We respect the right of religious communities to place suitably accredited faith-based chaplains in schools, work places and public institutions.
5. **Equality Statement**  [Oct 2012]

We believe:

1. That God has created human beings so that each person is unique with a personality and gifts different to that of any other person.

2. That although human beings are unequal in such qualities as giftedness and intelligence, God nevertheless loves everyone and treats them justly; as the Scripture says, he ‘shows no partiality’ (Acts 10:34) and he ‘judges impartially according to each one’s deeds’ (1 Peter 1:17b).

3. That because the content of the moral law ultimately originates in God, it remains the same and cannot be altered by the passage of time, by a majority vote of citizens, by legislation introduced by governments, by concessions granted to special interest groups or by any other means.

4. That although there is only one moral law, people have different views about what constitutes ethical behaviour and therefore tolerance, that is, the ability to live in peace with people whose views may be considered objectionable, is essential.

5. That therefore freedom of religion, speech and conscience are essential if people with diverse views are to be free to find life’s purpose.

6. That therefore the state should not adopt, incorporate into legislation or impose on all its citizens any laws that undermine or take precedence over these fundamental human rights of freedom of religion, speech and conscience.

7. That although it is necessary for the state to prevent citizens from doing physical harm to each other, it should not pass laws that enable litigation over hurt feelings, except in so far as it is possible under the laws of libel.
6. **Nomination Procedure for Moderator-Designate**

**Nomination**
1. Following the annual meeting of the General Assembly the Clerk of Assembly will invite the presbyteries to make two nominations from those who are eligible for membership of the General Assembly. Only the presbyteries shall be entitled to submit nominations.

**Consent**
2. In making their nominations the Presbytery will obtain the consent of the persons to be nominated.

**Notification**
3. The Clerk of Assembly will notify the Commission of Assembly of the persons nominated and prepare an appropriate ballot paper.

**Election of Moderator-Designate**
4. The election shall occur at the Commission of Assembly by preferential ballot and the successful candidate will be named as Moderator-Designate of the next General Assembly.

**Nomination inoperative**
5. Should the person elected as the Moderator of the next General Assembly for any reason be unable to assume office the current Moderator shall invite the person second in the ballot to accept the position as Moderator of the next General Assembly.

**Expenses for Moderator**
6. The Moderator shall receive an honorarium of 10% of minimum remuneration and the Trusts Corporation / Board of Investment and Finance shall make suitable financial arrangements to meet the Moderator’s expenses during his term of office. It is to be understood that the Moderator may be accompanied by his wife on his official visits.

**Robes of Moderator**
7. The Moderator’s robes of office shall be provided without personal cost to himself. Accordingly, if the Moderator-Designate is the minister of a charge, an opportunity shall be given to his congregation to help with the provision of these robes, but, if necessary, the Trusts Corporation / Board of Investment and Finance shall meet the expenses.
7. Property Development Fund – regulations

Title
1. There shall be a fund called the Property Development Fund.

Fund administration
2. The fund shall be administered by the Church Planting Committee (CPC) and these regulations shall be read in conjunction with the Church Planting Committee’s regulations. The Committee should seek advice from those with experience in property development and advice and direction from local presbyteries as it plans the expenditure of monies in this fund.

Purpose
3. The purpose of the Fund shall be, in consultation with the Presbytery of the bounds, to provide money for:
   a) the purchase of new congregational meeting places and manses by new congregations as defined in the code, for example, rule 2.10;
   b) the purchase of property in areas of population growth in anticipation of the establishment of a congregation in that area;
   c) the extension of existing properties which are, in the Committee’s opinion, deemed inadequate to meet the needs of impending population growth in that area;
   d) the purchase or erection of buildings essential for church planting;
   e) the collection of demographic data relevant to the Committee’s operation or the commissioning and funding of demographic studies where such material is not available from other Presbyterian agencies;
   f) the funding of professional services required to purchase new land.

Conditions governing the purchase of property or buildings
4. In accordance with the Committee’s purpose, funds can be disbursed for the purchase of property, buildings or erection of buildings - either by its own initiative or in response to a request from an eligible congregation and/or Presbytery.
   a) Conditions for the purchasing of land shall normally include:
      i) the area has been designated a growth area by the appropriate civic planning bodies;
      ii) the committee anticipates planting a congregation in that area;
      iii) a Presbytery has recognised a cogent argument for expansion in or into that area;
      iv) an existing congregation is considered by the Committee and its presbytery to be in such a strategic location that an expansion of its property is prudent.
   b) Conditions for an existing congregation to receive payments from the Fund shall normally include:
      i) The nature of the congregation:
         1) The congregation has been established as a church plant by Church Planting Committee, Presbytery or another congregation.
         2) The congregation, in the opinion of the Committee, has a history of growth that indicates that it will be a viable continuing congregation.
         3) There is, in the opinion of the Committee, stability of ministry.
         4) The congregation is, in the opinion of the Committee, committed to evangelism and church planting and is willing to commit to returning 5% of the congregation’s income from regular giving back to the Fund for a period of no less than 20 years.
      ii) The nature of congregational finances: The congregation has insufficient resources of its own to buy property, expand existing property or to build necessary facilities and is using as much of its own finances as practicable.
      iii) The nature of the buildings: The congregation can show that such a building is necessary to facilitate the continuation of its ministry to further its growth.
iv) Approval of Presbytery: The congregation has the support of the Presbytery of the bounds in its request.

Ownership of property

5. In the matter of ownership of property:

a) i) Any property purchased by the Church Planting Committee without a church plant attached to it shall remain the property of the Church Planting Committee until sold or otherwise disposed of, or until the condition of clause (ii) below applies.

ii) Any property purchased by the Church Planting Committee with a church plant attached to it remains the property of the Committee until the church plant demonstrates viability as a full charge in the opinion of the Committee. When this point is reached the property shall become the property of the congregation. If, in the opinion of the Committee the church plant fails before reaching viability the Committee may hold on to the property for a future church plant or sell the property to replenish the Property Development Fund.

iii) Any property purchased or building purchased or erected by the Church Planting Committee to expand existing church properties shall be the property of that existing congregation.

b) i) Whenever the Church Planting Committee shall procure an advance from the Property Development Fund it shall specify to a congregation which is to be assisted by that advance and the Presbytery of the bounds:
   1) how much of the advance is a grant or a loan;
   2) the details of any conditions, and after agreement by all parties involved, a written record of such conditions.

ii) Where a new congregation has been established by the Church Planting Committee and payments are advanced from the Property Development Fund to assist in the establishment of this congregation, the new congregation shall be accorded the same rights, powers and privileges that a congregation normally has in respect of its financial affairs when:
   1) the new congregation has an elected Board of Management; and
   2) the new congregation has in the opinion of the Church Planting Committee a viable Session; and
   3) the Church Planting Committee has resolved that the new congregation is discharged of any obligation in respect to the payment or payments from the Property Development Fund, except if there are other agreed conditions made in connection to the payments.

Resourcing of the Fund

6. The Fund may be resourced from:

a) An allocation of 10% of the General Mission Program (or such percentage as may be determined by the General Assembly).

b) Gifts and Bequests.

c) Beneficiaries of the fund returning 5% of their income from regular giving as their commitment to future church planting for a period of no less than 20 years.

d) Support from any other congregation of The Presbyterian Church of Victoria with available funds and a heart for the growth of the denomination.

e) Presbyteries willing to transfer funds from the sale of properties of congregations which have ceased to exist.
a selection of useful

General Assembly

job descriptions
1. **Church Planter Evangelist**

The appointee, among other things, shall:

a) be an ordained Presbyterian minister, and in good standing with his presbytery;

b) have experience in planting churches;

c) have a demonstrated capacity to explain the gospel to Australians and be able to call for a response to that gospel;

d) be a prayerful man;

e) if married, have a supportive family;

f) have a proven capacity to develop and supervise team ministry;

g) have a proven capacity to supervise, nurture and train SFE students from the Presbyterian Theological College.

The appointee will be expected to engage in the following primary tasks:

a) to work in the area selected by the Church Planting Committee and under the supervision of this committee;

b) to preach the gospel and gather those from whom the Lord calls to himself through that preaching into congregations of believers;

c) to provide initial pastoral support for those congregations by himself or through suitably qualified members of his team, including a consultative role in appointing the initial Session;

d) to determine, along with the committee, new areas for church plants;

e) to recruit, along with the committee, assistant church planters and to assemble a team to work with him in church plants, consulting with the PTC SFE coordinator and the PCV Training Officer for the selection of suitable students to work on the church planting team;

f) while having a seat on the Presbytery of the bounds in which he is working he will not accept any jobs in his presbytery; nor will he be a member of any assembly committee; nor have any teaching role at the PTC (though this latter can be reviewed after 3 years at the request of the TEC and then only in the field directly related to church planting).
2. Clerk of Assembly

Role of the Clerk:

a) The Clerk is the chief administrative officer of the Assembly;
b) The Clerk is the convener of the Code and General Administration Committee;
c) The Clerk seeks the peace and good government of the denomination;
d) The Clerk liaises with the General Assembly of Australia and other state Assemblies;
e) In carrying out 1-4 above the Clerk, where appropriate, exercises a pastoral responsibility towards the ministers and members of the denomination.

Specific Duties of the Clerk

1. As the chief administrative officer of the Assembly, the Clerk shall:
   a) keep an accurate roll of Assembly;
   b) receive, examine, record and report to the Assembly all documents, papers or communications addressed to it;
   c) prepare the White Book;
   d) attend all sederunts of the Assembly;
   e) keep a correct record of all proceedings of the Assembly;
   f) prepare the minutes after each Session, for publication;
   g) notify the assumption of office by the Moderator to the Governor, State and Civic authorities, and such other public authorities as may be required;
   h) be Clerk of the Commission of Assembly and the Committee of the Whole;
   i) make such statutory declarations and affidavits as may from time to time be required by law;
   j) keep in safe custody all books, records and documents of the Assembly, excepting those for the custody of which the Assembly makes other provision, and to produce the same or furnish certified copies of or extracts from the same when legally required to do so;
   k) see that the decisions of the Assembly are notified to presbyteries, committees and congregations concerned;
   l) correspond with and supply information to all who require official information concerning the business of the Assembly;
   m) make available to the press, radio and television, information concerning the Church;
   n) facilitate the flow of information through The Presbyterian Church of Victoria email network;
   o) be responsible for The Presbyterian Church of Victoria archives (but the funding of them is to be by General Assembly decision on the recommendation of the BIF);
   p) Inform the Registrar of Births, Marriages and Deaths of those to be registered under the Marriage Act as marriage celebrants and any changes to their status.

2. As Convener of the Code and General Administration Committee, the Clerk:
   a) shall ensure the work of the committee is fulfilled according to its regulations;
   b) shall in terms of Rule 6.5 f provide advice to parties who wish to bring business to the court;
   c) is the first point of contact by Presbytery Clerks, committee conveners, and others for interpretation and application of the Church Rules as set out in Rule 5:12.

3. The Clerk (along with the Deputy Clerk), in the first instance, provides assistance and guidance for members of the church, and for the church’s courts and committees, in all matters of the rules, practice and procedure of the church. (see PCV Code Rule 5.12)

4. In liaising with General Assembly of Australia and other state Assemblies, the Clerk shall seek:
   a) the good government of the Presbyterian Church of Australia;
   b) the advancement of the kingdom of God throughout the nation.
3. **Director, Ministry Development Committee**

The Director, MDC, will assist the committee in the discharge of its duties by:

1. Providing assistance to existing congregations through:
   - a) church consultancy, e.g. identifying areas of growth, advising about training and providing training where appropriate, helping to resolve causes of congregational malaise;
   - b) developing and supervising a program of intentional interim moderators; and
   - c) providing courses and training in church vitalisation.

2. Providing oversight of the home mission program, including:
   - a) recruiting and training of home missionaries;
   - b) visitation of Home Mission Stations;
   - c) pastoral support and guidance of home missionaries;
   - d) providing continuing education opportunities for home missionaries.

3. Supervising the Ministry Development Committee office and the administration of grants, and taking part in the development of policy and procedure in relation to grants.

4. Supporting the existing ministerial workforce through arranging retreats and offering support and opportunities for continuing education.

5. Being available, at the direction of the MDC, to teach at the Presbyterian Theological College as requested.
4. **District Interim Moderator**

1. **Preamble**
   The ministry of District Interim Moderator is to address the inconsistent level of ordained ministry within vacant charges and Home Mission Stations, especially those in remote country areas that have been vacant or without a minister for a considerable period of time. This will not only bring a more consistent ministry to vacant charges and home mission stations, it will also allow the ministers in the Presbytery more time to concentrate on their own parishes once relieved of interim moderator, or home mission station moderator duties.

   The Ministry Development Committee will advertise for and appoint a minister to be the District Interim Moderator for a particular district.

   The Ministry Development Committee will then be responsible for providing the resources, including manse if need be, for the appointee along with remuneration and incidental expenses incurred in his role of interim moderator/moderator for the vacant charges/home mission stations.

   Presbyteries will have the same authority over and responsibility for District Interim Moderators with respect to their duties as Interim Moderators of charges and Moderators of Home Mission Stations that it presently has for interim moderators of vacant parishes and moderators of Home Mission Stations.

   District Interim Moderators will be provided by the Ministry Development Committee for appointment by presbyteries to vacant parishes and home mission stations after due consideration of requests by presbyteries for the provision of a suitable person.

   The Ministry Development Committee will collect and coordinate the detailed time requirements for a District Interim Moderator for each parish/Home Mission Station within their sphere of responsibility.

   The Committee will then allocate and invoice the participating parishes/Home Mission Stations in proportion to the time the District Interim Moderator spends and the expenses he incurs in his ministry to each of them individually. If the receiving church is unable to pay their portion of the assessment they may apply to the Ministry Development Committee for financial relief. For Charges/Home Mission Stations with known pre-existing needs for funding to participate in the District Interim Moderator program, they will be required to apply for subsidies under the present procedure.

2. **Qualifications**

   a) Applicants are to be ministers ordained in the Presbyterian Church of Australia who can administer essential church oversight as mentioned in the duties of the District Interim Moderator to a number of charges and home mission stations as interim moderator/moderator.

   b) Applicants should have proven experience as a parish pastor and be available for extensive travel and overnight stays away from home.

3. **Duties**

   a) The District Interim Moderator will be responsible to moderate vacant parishes within a district for the time, or part thereof, that the parish is vacant, or to moderate a Home Mission Station for the time approved by the Presbytery.

   b) The District Interim Moderator will be responsible to the Presbytery of jurisdiction over the vacant charge or Home Mission Station as a ministerial assessor presbyter, unless he is already a member of that presbytery.

   c) He will make regular reports to the Presbytery as required by Rules 4A: 31 and Rule 4: 95 of the Code.

   d) The District Interim Moderator will perform all duties in the parish or Home Mission Station as required of an Interim Moderator including those mentioned in Rules 2.52, 3.8, 6: 4A: 7, and for Home Mission Stations, 4:95. However, his oversight may only be temporary as a charge under his leadership seeks a replacement minister to fill the vacancy and a Home Mission Station hopes to become self-sustaining and therefore able to call a minister.
Because his oversight is of several parishes, the District Interim Moderator's prime task in each case is to perform the administrative and allied duties, moderate meetings of Session and chair Board meetings where the latter is necessary, lead in the Lord's Supper and attend to urgent pastoral matters.

His general duties will include overseeing all preaching rosters, remaining in frequent telephone contact with elders to assure that he is aware of particular needs within the congregation.

Although he will lead in the celebration of the Lord's Supper when time permits, the parishes he moderates must not view him as a regular or frequent supply preacher. He will, as time permits, train the leadership of the congregation.

He will be an active participant in helping each congregation under his oversight that has the right to call, to understand what qualities they are looking for and need in a minister, and oversee the selection and call process.

The District Interim Moderator will also report regularly to the Ministry Development Committee through its Director with respect to the administration, support and financing of his office. The committee will also work with him in a consultative capacity when requested.
5. Intentional Interim Minister

1. Preamble
The function of an Intentional Interim Minister (IIM) is to provide a specialised ministry for a parish through a time of vacancy. This is a time which is presently catered for by the traditional Interim Moderator who is appointed by the Presbytery to oversee a vacant parish. As the appointed Interim Moderator usually has a full-time parish of his own and may also be an Interim Moderator of other charges and/or moderator of one or more home mission stations, he may not be able to provide more than limited supervision of the worship, leadership and pastoral care.

Occasionally a vacancy proves to be a healthy option rather than expeditiously calling a new minister. A vacancy provides an opportunity for people to personally grow into new areas of leadership where these opportunities may not have existed before. If a church is healthy, if they have visionary biblically based leadership and can maintain and grow a vision of ministry during a vacancy, an IIM is not necessary.

However, when a congregation moves from one minister to another it is often a time for reflection on the chapter of its history just concluded and a prayerful seeking for future direction of ministry. This may be hindered by unresolved issues, conflicts or difficulties which have arisen during the previous ministry. The role of the Intentional Interim Minister is to intentionally deal with these before the selection process for a new pastor is commenced. Secondarily, it is to bring a fresh vision of ministry and a strategy to accomplish this vision. Often a church, without external encouragement and tutorage cannot re-assess, change and move forward without assistance. At the least, this new vision and encouragement can enhance the speed and efficacy of the revitalisation.

2. Qualifications
Intentional Interim Ministers shall be:
   a) Ministers of the Presbyterian Church of Australia, preferably with at least 5 years’ experience in parish ministry;
   b) Able to demonstrate proven skills in serving what may be a parish under stress;
   c) Experienced and trained in conflict resolution or be prepared to undertake training in this area;
   d) Able to accept living in temporary accommodation and to cope with short term appointments;
   e) Able to accept that the position of Intentional Interim Minister is occasional when need arises, and is not necessarily an ongoing appointment.

3. Duties
   a) The Intentional Interim Minister will be responsible to the Presbytery that appointed him, having the same rights and responsibilities as expressed in Rules 3:8 and 4A:7 as applying to interim moderators;
   b) On appointment the Intentional Interim Minister will lead the congregation in exploring the history, decision-making, denominational relationships, and core identity of the parish before initiating the procedure for filling the vacancy as required of an interim moderator under Rule 4A:9(c);
   c) Progress is reportable to the Ministry Development Committee through the Presbytery;
   d) After satisfactorily working through all the issues mentioned in the above paragraph, and having reported this to the Presbytery, the IIM then may encourage the parish to resume the normal procedures for filling the vacancy set out in the Rules of chapter 4A.

4. Conditions of Employment
   a) The salary package will ordinarily be 120% of the minimum remuneration for parish ministers as declared from time to time by the Assembly (unless otherwise negotiated), which will be paid by the parish in which the Intentional Interim Minister serves;
   b) The Intentional Interim Minister will not be available for a call to any church he serves until a period of three years has passed after his departure, except with the consent of the Presbytery and the Ministry Development Committee;
c) The Intentional Interim Minister will be a member of the Presbytery in which the parish is located if he meets one or more of the qualifications of Rule 4.3, with the same responsibilities and privileges as a called or appointed minister;

d) The Intentional Interim Minister’s remuneration and other costs (such as removal expenses, manse energy allowance etc.) and conditions of employment will be the responsibility of the Board of Management of the Parish to which he is appointed (as for a called or appointed minister);

e) The Intentional Interim Minister will serve exclusively in the one parish for a period of up to two years. (Only in the most extraordinary circumstances will an appointment exceed a second year). Ninety (90) days’ notice from either minister or parish to the Presbytery is required for termination of the appointment by the Presbytery in consultation with the Ministry Development Committee.
6. Principal, Presbyterian Theological College

1. Position Summary
The Presbyterian Theological College [PTC], the ministry training college of The Presbyterian Church of Victoria, is seeking a new principal. The PTC is a reformed and evangelical institution which has a vital role in developing, disseminating and supporting faithful gospel ministry in Melbourne, regional Victoria and beyond in the coming years. The Assembly, through the Theological Education Committee [TEC], the body entrusted with the oversight of the College by the Victorian Assembly, is looking for a faithful Christian, academically able and with experience in pastoral ministry, who can give direction to the development of the college, be a model of integrity and faithful Bible teaching to the students, support and encourage the work of his colleagues, and encourage the work of the gospel in parishes throughout the State. The Assembly believes that the College is in a unique position to have a significant role in promoting the work of the gospel in the State of Victoria both within and beyond the bounds of the denomination and is looking for a person of energy and determination who can see the opportunities and lead the College in making its contribution through the training of faithful gospel ministers.

2. Responsibilities
   i) The principal is responsible for the day-to-day work of the College, co-ordinating the delivery of high quality courses to prepare men and women for gospel ministry in the Presbyterian Church of Victoria and beyond. As such the Principal must
      ▪ Give academic, educational and pastoral leadership to the Faculty, encouraging them in the fulfilment of their own teaching, pastoral and research responsibilities.
      ▪ Oversee the administration of the college.
      ▪ Set an example in life and ministry to the students and be responsible for their pastoral support while they study.
      ▪ Maintain the well being of the college community.
      ▪ Be involved in and represent the College’s interests in the life of The Presbyterian Church of Victoria.
   
   These tasks will involve teaching in his own discipline, presiding at faculty meetings, participation in Australian College of Theology meetings, interviewing new students and meeting with continuing students, participation in Presbytery and Assembly, having a seat on the TEC, supervision of office staff, meeting with relevant student bodies, and having awareness of the financial management of the College.
   
   ii) The principal is responsible for giving direction to the development of the College.
   
   The principal will need to engage in:
      ▪ Considering the need for innovation in the delivery of the College’s courses.
      ▪ Anticipating regulatory requirements.
      ▪ Giving guidance to the TEC in relation to the resources needed to maintain and develop the College property.
      ▪ Consideration of further opportunities for gospel ministry and anticipated needs for gospel ministers in the PCV and wider Victorian community.
   
   iii) The principal is responsible for promoting the college in the denomination and beyond.
   
   As such the principal will be involved, where invited, in preaching in Presbyterian congregations throughout the state, in speaking to university groups, and taking part in appropriate interdenominational meetings.

3. Attributes
   ▪ Able to meet the qualifications of an elder as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
   ▪ Prayerful.
   ▪ Fully committed to the Bible as the Word of God written.
4. Selection Criteria - Qualifications Essential

- A capacity to communicate a clear vision and translate his vision into a program of implementation.
- Ability to relate to people of diverse cultural backgrounds.

- Qualified in one of the major theological disciplines at Research Masters level or above.
- A minister in full standing with the Presbyterian church of Australia or willing to satisfy the requirements of the Rules of the General Assembly of Australia relative to the reception of ministers from other churches.
- Pastoral experience

5. Achievements and Capabilities

- Demonstrated ability to lead teaching and learning in his discipline, with experience in curriculum design and assessment.
- Educational qualifications or experience with an awareness of different modes of delivery of courses.
- Demonstrated innovation and creativity in the fields of communication or education.
- Understanding of the Australian Higher Educational context, especially of the expectations of the Australian College of Theology.
- A doctorate in his field.
- An ability to sustain a public platform ministry.
- Involvement in discipling and training others in ministry skills.
- Demonstrated capacity to work in and with a team.
- Administrative experience with an ability to coordinate day to day operations of an educational institution.
- Experience in the activities of Presbytery and Assembly.
7. Lecturer O.T. Studies, Presbyterian Theological College

Lecturer in Old Testament Studies

1. **Position Summary**
The Presbyterian Theological College (PTC), the ministry training college of The Presbyterian Church of Victoria, is seeking a lecturer in Old Testament Studies. The PTC is a reformed and evangelical institution which has a vital role in developing, disseminating and supporting faithful gospel ministry in Melbourne, regional Victoria and beyond. The Assembly, through the Theological Education Committee (TEC), the body entrusted with the oversight of the College by the Victorian Assembly, is looking for a faithful Christian, academically able in the disciplines of Hebrew and Old Testament studies and with experience in pastoral ministry, who can help students understand the Old Testament in its context, locate its teaching in the flow of biblical theology to fulfilment in Christ, and preach it today as God’s Word. A lecturer at the PTC will also have a role as a theological resource to his brothers in parish ministry.

2. **Responsibilities**
The lecturer in Old Testament will be responsible, under the Principal of the PTC, for delivery of lectures in the area of Old Testament studies and Hebrew language, teaching principally the Old Testament courses of the Australian College of Theology.

A lecturer must
- Set an example in life and ministry to the students.
- Contribute to the well-being of the college community.
- Be involved in and represent the College’s interests in the life of The Presbyterian Church of Victoria.
- Undertake administrative tasks delegated by the Principal.
- Stay abreast of educational developments and be willing to be innovative in the delivery of his courses and in their assessment.

These tasks will involve attendance at faculty meetings, participation in Australian College of Theology meetings in his area, and participation in Presbytery and Assembly.

3. **Attributes**
- Able to meet the qualifications of an elder as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- Prayerful.
- Fully committed to the Bible as the Word of God.
- A capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.

4. **Qualifications**
**Essential**
- Qualified in Old Testament at Research Masters level or above.
- A minister in full standing with the Presbyterian church of Australia or willing to satisfy the requirements of the rules of the General Assembly of Australia relative to the reception of ministers from other churches.
- Pastoral experience.
- A wholehearted commitment to the Westminster Confession of Faith as a systematic exposition of the teaching of Scripture.
Achievements and Capabilities

- Demonstrated ability to teach in his discipline, ideally with some experience in curriculum design and assessment.
- Educational experience with an awareness of different modes of delivery of courses.
- Understanding of the Australian Higher Educational context, especially of the expectations of the Australian College of Theology.
- Involvement in discipling and training others in ministry skills.
- Demonstrated capacity to work in a team.
- Experience in the activities of Presbytery and Assembly.
- Administrative experience with an ability to share in the administrative work of a tertiary institution.
8. CENC Youth Ministries Director [May, 2011]

1. Preamble:
In a desire to fulfil the intent of the Allan Bequest as revealed in Section 6, and recognising the different era we are in compared to the wording of the Allan Bequest, the CENC Youth Ministries Director will work to develop a “native ministry” in the youth ministries of the PCV.

2. Position Purpose:
To assist, encourage and equip those in the ministry and religious education youth within the PCV in the discharge of their duties.

3. General Responsibilities:
The general responsibilities are outlined here in three broad categories:
   a) Encouraging the development of youth work in local congregations through:
      (i) Participating in regional training events for youth leaders and parents of teenagers;
      (ii) Speaking at regional youth camps and events; and
      (iii) Developing new initiatives at the direction of the PYV Council. This may include accepting invitations to work with particular congregations.
      (iv) Developing a planned teaching curriculum for all PYV events in line with the expectations and results of sections 8.2 and 14.2-10 of the Allan Bequest.
   b) Seek to maintain the quantity, while improving the quality, of state level youth ministry by:
      (i) Overseeing the strategic direction of PYV’s camping ministry
      (ii) Addressing the pastoral needs of key PYV leaders.
      (iii) Participating with Youth-METRO in teaching and training leaders for ministry, including SURGE conferences.
   c) Recruiting and developing PYV leaders by:
      (i) Speaking with prospective new leaders about opportunities for training and ministry;
      (ii) Coordinating pre-camp training;
      (iii) Speaking with local church leaders in relation to the involvement of their youth in leadership; and
      (iv) Working with camp conveners to recruit leaders to fill required job descriptions.

4. Working Relationships:
   a) CENC reports to the General Assembly.
   b) CENC representatives together with up to 10 elected Councillors make up the PYV Council, of which the CENC representatives report to the CENC.
   c) The Youth Ministries Director is ultimately answerable to the CENC, but makes monthly reports to PYV Council for normal operations. One of the CENC representatives on PYV Council is particularly set aside to pastorally care for the Youth Ministries Director between meetings. If the Youth Ministries Director is dissatisfied with a PYV decision, he may appeal to his CENC representative who may take up the matter with the PYV Council or the CENC.
   d) The Youth Ministries Director will initially be reviewed at the end of a 6-month probationary period and give semi-annual reports to an Review Panel consisting of delegates from both CENC and PYV Council. This Review Panel should first handle any complaint against the youth Ministries Director.
   e) The Operations Manager works in cooperation with the Youth Ministries Director.
   f) Camp and event conveners report to the Operations manager.
   g) Camp and event leaders report to conveners.
9. HCCC Pastoral Care Support Worker for Ministry Wives
[Oct 2007]

Job Description
Pastoral Care Support Worker for Ministry Wives
Objective: To provide pastoral care and support services to the wives of ministers and Home Missionaries (hereafter referred to as ministry wives) within the Presbyterian Church of Victoria.

Employer: The Health and Community Chaplaincy Committee (HCCC)

Terms and Conditions: The position will be advertised as a full time appointment but may be made available as two part time positions depending on the availability of suitable applicants.

Applicants should be a member in good standing of the Presbyterian Church of Victoria with a basic understanding of Presbyterian polity and practice. To avoid conflicts of interest, it is desirable that the appointee would not be the wife of a currently serving minister or home missionary within the PCV.

Accountability and Reporting
The Pastoral Support Worker (PSW) will be responsible to the Convener of the HCCC and will report in person twice annually to the Committee regarding the development of the role during the year.

The PSW will be subject to an annual performance review by a sub-committee appointed by the Convener, which may include representatives from the wider church.

Any matters relating to wider church accountability for the PSW eg from Presbyteries or committees will be received by the Convener of the HCCC and directed to/discussed with the PSW.

Position Pre-requisites
Relevant qualifications in theology, pastoral care and/or counselling.
Documentary evidence of effective ministry among women.
Ability to build and maintain relationships amongst individuals and diverse groups within the Presbyterian church.
Demonstrated Christian maturity and a clear understanding of the need for sensitivity, discretion and the protection of privacy for ministry spouses at all times, ministering to their needs.
The ability to interpret and appropriately respond to the needs of diverse parties within both the pastoral relationship, the ministry family and wider ministry relationships (eg church and presbytery).
Friendly, caring, empathetic and approachable.
Well organised and able to work independently.
Free to travel as required into country regions in Victoria (occasional overnight stays) and across Melbourne. Own car is desirable. An accommodation and travel allowance will be provided.
Competence and experience in organising seminars and functions.
Basic understanding of computerised data-bases, mail merge and email.
Good spiritual, physical and mental health and stamina.
The ability to establish and maintain appropriate boundaries in relationships with ministry wives.

Mandatory Competencies (Key Performance Indicators)
Applicants will be assessed, appointed and regularly reviewed on the basis of mandatory competency in six key areas.

Personal and Spiritual Suitability
Christian maturity and experience.
Commitment to biblical truth and practice in line with the Westminster Confession of Faith.
Suitable gifts and temperament – demonstrated gifts of prayerfulness, communication, discretion, and sensitivity.
Concern for and empathy with ministry wives and an understanding of the specific physical, spiritual and emotional issues related to ministry life.
Physical and mental health and stamina.
Ability to set and maintain appropriate boundaries in pastoral care relationships.
A healthy commitment to self-care.
Willingness to undertake regular supervision with appropriately qualified professional.

Specialist Knowledge
Basic understanding of Presbyterian Polity and practice, or willingness to learn.
Experience in Christian ministry and an understanding of ministry lifestyle and pressures.
Theological/Pastoral care qualifications relevant to pastoral support.
Experience in ministering to the sick and grieving.
Up to date knowledge of developments in and availability of appropriate resources for Christian counselling, marriage and family therapy.

Technical Skills and Application
Counselling skills relevant to sensitive and active listening
The ability to negotiate and establish pastoral relationships rather than therapeutic counselling relationships with ministry wives.
Telephone, letter writing and other personal contact skills
Skills in event planning, organisation and delivery.
Resourcefulness for others – able to determine what resources and support links are available and access/develop them on behalf of ministry wives.
Networking skills

Record Keeping and Administration
Able to develop, access and maintain up to date records of contact details for ministry wives and families.
Able to develop and manage an annual calendar of events, visitations, including General Assembly, Ministers Family Camp for visitation and support purposes and profile raising.
Preparations for mail-outs, flyers, newsletters etc
Twice annual reports to the HCCC and regular reporting to the Convener.

Team Work and Communication
The development of a strong working relationship with the Convener of HCCC and committee members and job-share partners if relevant.
Commitment to maintaining healthy communication and relationships with wider church bodies including Presbyteries and PCV committees.
The development of a network of ‘Volunteer Helpers’ – designated current and past serving ministers wives who may be able to assist with the delivery of support services at a Presbytery level.

Ongoing personal and professional development
Willingness to undertake regular professional supervision (paid for and authorised by HCCC)
Attendance as a participant at pastoral care and other professionally relevant conferences and seminars (at HCCC’s expense and subject to Convener’s approval)
Regular attendance at worship and a commitment to an active church life and Christian fellowship within the Presbyterian Church.
10. PCV Training Officer  [Oct 2010]

Job Description and terms of employment

A. Qualifications:
The Training Officer of the Presbyterian Church of Victoria shall be a person who is:
   a. Theologically qualified.
   b. In full agreement with the standards of the Presbyterian Church of Australia.
   c. Committed to working within the structures and procedures of the Presbyterian Church of Victoria.
   d. Experienced in mentoring others within local church and/or university environment.
   e. Familiar with the training principles of MTS.
   f. Self-motivated and well organised.
   g. Willing to travel to various parts of the state (as required).
   h. Experienced in developing and implementing training programs.

B. The Training Officer shall be responsible to:
   a. Work under the supervision of the Theological Education Committee.
   b. Be directly responsible to the Principal of the Presbyterian Theological College.

C. The Training Officer shall be responsible for:
   1. Training disciple makers:
      a. Develop training programs for local church leaders.
      b. Provide disciple training for local congregations.
   2. Challenge to ministry:
      Challenge potential ministry candidates to consider going to the ministry.
   3. Ministry Traineeships:
      a. Continue to develop METRO.
      b. Identify and train ministry candidates before college.
      c. Train people not involved in METRO before entering college.
   4. Theological College:
      a. Train ministry candidates to be trainers.
      b. Be available to oversee and develop the S.F.E. program at the Principal’s request.
   5. Training Pastors:
      a. Mentor by mutual agreement ministry candidates for the first two years after college.
      b. Mentor ministers by mutual agreement as trainers in their local church context.
      c. Assist ministers who are working with trainees.
      d. Seek to liaise with the other Committees of the PCV engaged in training to discuss areas of mutual cooperation.

D. Terms of employment: (cf GAV 2007 Blue Book, minute 66.9-10)
   a. 1.05 times minister’s minimum remuneration package.
   b. Payment of additional NCB for work-related travel exceeding 6000 km at the Assembly rate.
   c. Manse provided or manse allowance.
   d. Telephone rental plus all calls.
   e. Manse energy.
   f. Superannuation at the ministerial rate.
   g. Five weeks annual leave.
   h. One week study leave.
   i. Removal costs.
   j. Work Cover and minister’s Disability Insurance.
k. Long service leave according to provisions for Ministers under Maintenance of Ministry Committee Regulation 24.
l. Any other provision the Assembly may determine from time to time.
m. The position is a full-time appointment.

n. The appointment is for an initial period of 3 years terminable by 6 months’ notice on either side.
o. Following a satisfactory professional review the appointment shall be for a further 7 years with major reviews after 3 and 5 years terminable by 6 months’ notice on either side.
Job Title: Chaplaincy and Pastoral Care Coordinator Health and Community Chaplaincy Committee PCV

Reporting to: The Convener, HCCC and Committee

Tasks:

1. PCV/HCCC employees
   a) Oversight, administration and communications with workers and their supervisors. Regular prayer time for workplace and employee needs.
   b) Negotiation and updating of job descriptions/employment details/workplace agreements, reappointment procedures
   c) Relationship management and conflict resolution with institutional senior executives and line managers

2. Oversight of Voluntary Visiting Chaplains
   a) Oversight, administration, information and resourcing for PCV volunteer visiting hospital chaplains.
   b) Oversight, administration, information and resourcing for PCV police and fire chaplains, prison chaplains, PCV linked public school chaplains and sports chaplains.

3. Annual PCV HCCC Good Friday Appeal and Chaplaincy Awareness Month
   a) Administration of annual Good Friday Appeal – advertising, information and mail out/communications.
   b) Administration of PCV Chaplaincy Awareness month – coordination of profile raising activities and communications.

4. Liaison with External Chaplaincy Providers
   a) Tertiary Chaplains (AFES) - Executive of Tertiary Chaplains Sub-Committee, oversight, administration, communications.
   b) ACCESS ministries (Public schools chaplaincy/training and CRE).
   c) NALAG (National Association of Loss and Grief) –chaplaincy training.
   d) Victoria Police and Converge International (Police and Fire Chaplaincy).
   e) ASPEA/Clinical Pastoral Education (CPE) – training providers for hospital chaplaincy.
   f) Sports Chaplaincy Australia – Sports Chaplaincy.
   g) Prison Fellowship – Prison Chaplaincy.

5. Health Care Chaplaincy Council of Victoria (HCCVI)
   a) PCV Representative on State Peak body for Health Care Chaplaincy (attendance at meetings/executive involvement and interdenominational project work).
   b) Relationship management and networking with heads of chaplaincy in other denominations.

6. Training and Development of Chaplains
   a) Remaining up to date with chaplaincy accreditation procedures in all fields.
   b) Distribution of relevant training information to chaplains in a timely manner.
   c) Liaison with PTC faculty/TEC regarding course development for educational and health chaplaincy training through the PCV from 2010 and beyond.
   d) Recruitment enquiries, talks to relevant groups, communications, advertising and distribution of information regarding training and employment opportunities.
7. Pastoral Care of PCV Ministry families
   a) Oversight of pastoral care activities for ministry families:
      Pastoral Support Worker
      Annual Ministry Family Camp
      Pastors Renewal Retreats
      Distribution of relevant information and resources.
   b) Distribution of counselling information and professional development opportunities
      related to pastoral care for PCV ministers.

8. Emergency/Disaster Response Chaplaincy
   a) PCV Representative on Victorian Council of Churches Emergency/Disaster Response
      Chaplaincy working Group.
   b) Co-ordination/distribution of relevant information to PCV ministers.
   c) Scheduling/rostering of PCV trained chaplains for emergency response duties in the
      event of a declared Victorian state emergency.

9. Committee Tasks
   a) Regular reporting/liaison with HCCC Convener and secretary – agenda and meeting
      preparation as necessary (including correspondence, records and PCV office liaison).
   b) Authorisation of regular expenses (to a pre-determined limit as per HCCC).
   c) Committee communications – information/consultation and prayer requests.
   d) Budget preparations/consultations with HCCC Convener and committee General
      Management and Board of Investment and Finance as necessary.
   e) Attend HCCC meetings and report as requested on the committee’s ongoing
      chaplaincy work.

10. Qualifications/Experience/Personal Qualities:
    a) Qualifications in both business and theological studies would be well regarded.
       Studies in Clinical Pastoral Education (CPE) would be considered valuable.
    b) Excellent communication skills and ability to form and manage relationships both
       denominationally and externally across a range of fields.
    c) Ability to work inter-denominationally and maintain a balance which reflects both
       Presbyterian particularity and integrity and also a willingness to engage with clergy
       and chaplains of other denominations.
    d) An understanding of the “multi faith” orientation of Victorian Hospital Chaplaincy.
    e) Strong interest in training and development of chaplaincy workers.
    f) Organised, flexible and excellent administration skills.
    g) Owns and accepts the Westminster Confession of Faith, as amended by the General
       Assembly, read in the light of the Declaratory Statement contained in the Basis of Union
       adopted by the Presbyterian Church of Australia on 24th of July, 1901, as an exhibition of
       the sense in which he/she understands the Holy Scriptures and is a confession of his/her
       faith.
flow diagrams
for
common congregational procedures
Flowchart of church procedures - Erection & Alteration of Buildings

Any contract is to be signed by the Trustees, either the Trusts Corporation or local trustees.

Note: This flowchart is intended only to give an overview of the church’s procedures.

Publication date
December 2012
Flowchart of church procedures - Lease of Church Property to a Third Party

The lease is to be signed by the Trustees, either the Trusts Corporation or local trustees.

Note: This flowchart is intended only to give an overview of the church's procedures.

Publication date December 2012
Flowchart of church procedures - Removal or Demolition of any Building

Any contract for demolition or removal is to be signed by the Trustees, either the Trusts Corporation or local trustees.

Note: This flowchart is intended only to give an overview of the church's procedures.

Publication date
December 2012
Flowchart of church procedures - Sale of Property *

* This applies to a congregation selling property
  - for selling of deceased congregational property, see BIF regs 10(c) and 10(d)

Note: This flowchart is intended only to give an overview of the church's procedures.
Flowchart of church procedures - Purchase of Property

Note: This flowchart is intended only to give an overview of the church’s procedures.

Publication date: December 2012
flow diagram

application procedure:

Candidate for the Ministry
Outlining the process of application for Candidacy

**Session/Minister**
- Interview
- Guides & encourages applicant

**Candidates' Committee** (Presbytery)
- Receives application papers
- Receives session and minister's recommendations
- Interviews applicant

**Presbytery**
- Hears its committee's report
- May interview the applicant
- If approved, the application is transmitted to the TEC

**GAA College Committee**
- TEC reports to the GAA College Committee for grading

**Presbytery (1 year later)**
- Following TEC report
- Accepts as a candidate

**Presbytery**
- Maintains pastoral oversight
- Calls candidate for interview at least once per year.

**Presbytery**
- Near end of successful completion of course of training
- Prepares trials for licence

**TEC**
- Receives all papers from Presbytery
- Conducts its own interview
- Reports back to Presbytery with recommendation

**Faculty**
- Regular reports concerning progress of candidate sent to Presbytery and TEC.
PCV

Model Trust Deeds
MODEL TRUST DEED FOR CHURCH SITE

To all whom these presents shall come all of

Send Greeting—Whereas under and by virtue of the particularly mentioned or referred to in the First Schedule hereunder written the piece or parcel of land and hereditaments particularly described in the Second Schedule hereunder written, and the fee simple and inheritance thereof in possession are now vested in the said as joint tenants And whereas the said hereditaments do not belong to the said beneficially but have been acquired by and become invested in them as Trustees only for the purposes hereinafter mentioned, and they are desirous of declaring by this deed the trusts ends intents and purposes upon and for which they acquired and shall henceforth stand seised and possessed of the said land and hereditaments and all buildings now and hereafter to be erected upon the same or any part thereof. Now therefore know ye and these presents witness that the said do and each of them doth hereby declare that they and the survivors and survivor of them and the heirs of such survivor their or his assigns (all and every of whom are hereinafter referred to as the said Trustees or Trustee) shall hold and stand seised of all the hereditaments described in the said Second Schedule upon trust for the religious denomination mentioned in the Act 22 Vie. No. 82* (*Printed in Blue Book of 1883, page 106.) and known as and called "The Presbyterian Church of Victoria" (hereinafter styled the said Church) and to permit and suffer the said land and hereditaments to be used for such purposes and by such person or persons as the General Assembly of the said Church (hereinafter called the Assembly) may from time to time direct (of which direction the certificate in writing under the hand of the Moderator for the time being of the Assembly shall be sufficient evidence), and until such direction to permit and suffer the same to be used as a site for a church for the public worship of God by such persons as are now or at any time or times hereafter may be recognised by the Assembly as a Congregation of the said Church and who hold and shall continue to adhere to the standards of religious belief and of ecclesiastical government of the said Church and to permit and suffer the Minister for the time being of the said Congregation together with the Elders and other office-bearers thereof to have free and uninterrupted enjoyment of the said land and hereditaments not only for the purposes of public worship as aforesaid but for such objects in connection with the affairs of the said Congregation as the Presbytery of the said Church for the time being entrusted by the Assembly with the superintendence of the said Congregation (hereinafter called such Presbytery as aforesaid) may approve of direct or appoint and to enter on the said land and hereditaments or a sufficient part or parts thereof to erect and build such church and other necessary buildings and from time to time alter pull down remove renew enlarge and repair the same as shall at any time or from time to time hereafter be directed by the vote of at least two-third parts in number of such of the members and adherents for the time being as shall be personally
present at a public meeting thereof called and held pursuant to notice in that behalf duly given in accordance with and conformity to the rules and regulations of the said Church for the time being affecting the convening and holding of meetings of members and adherents in similar cases. And it is hereby declared that the said Trustees or Trustee shall have no power or authority to appoint, dismiss or in anywise interfere with the appointment or dismissal of the Minister or any Office-bearers of the said Congregation nor in anywise meddle or interfere with such Minister or Office-bearers in the discharge of their official duties and that a certificate under the hand of the Moderator for the time being as aforesaid shall be conclusive evidence of the person for the time being claiming to minister as aforesaid being in fact such Minister. And further that the said Trustees or Trustee shall be bound to obey and give effect to the orders rules decisions and appointments made and to be made by the Assembly and of any such Presbytery as aforesaid and of the Office-bearers thereof relating to or concerning the admission or removal of the Minister and Office-bearers of the said Congregation and the rights and privileges belonging to him them or any of them in virtue of his or their office and concerning every other matter or thing whereon the Assembly or such Presbytery as aforesaid may or shall be by these presents or the constitution of the said Church declared to have authority and shall furnish to the Assembly and to such Presbytery as aforesaid such returns reports and other information as may be required. And further that the said Trustees or Trustee shall by a mortgage or mortgages of or other security or securities over all or any part or parts of the said hereditaments raise such sums or sum of money for the completion extension or reparation of the said buildings or the improvement of the said hereditaments or for any other purposes of the said Congregation and on such terms in all respects as shall with the consent of the Assembly be directed by any such vote as aforesaid and shall make any such mortgage or other security either with or without a power of sale of the mortgaged hereditaments and with all usual and incidental covenants clauses and agreements and execute all necessary and proper assurances for effecting any such mortgage or other security provided always that the said Trustees or Trustee shall not be obliged to execute any covenant rendering them or him personally responsible to repay the amount mentioned in any such mortgage And further that the said Trustees or Trustee shall absolutely make sale and dispose of the said hereditaments or any part or parts thereof and the fee simple and inheritance thereof when and on such terms and in such manner and subject to such conditions as to the title or otherwise as shall with the consent aforesaid be directed by any such vote as aforesaid and convey the hereditaments sold to the purchaser or purchasers thereof and shall pay the moneys received by virtue of any such mortgage or sale as aforesaid to the Treasurer for the time being of the Assembly (whose receipt shall be a sufficient discharge to the said Trustees or Trustee) who shall in the first place deduct thereout all costs and expenses attending such mortgage or sale and then payoff and discharge any encumbrance or encumbrances for the time being affecting the
said hereditaments or any part or parts thereof and then pay the balance to the said Congregation or otherwise as may be directed by the Assembly to be applied and disposed of in or towards the purposes for which such mortgage or sale shall have been authorised And further that the said Trustees or Trustee shall from time to time demise or let such part or parts of the said hereditaments as shall not for the time being be actually required for the purpose of public worship or other Congregational purposes for such term or terms, at such rent or rents, upon such conditions, and subject to such covenants as shall be approved under the Rules of the Church and shall have been directed by any such vote as aforesaid but the reversion in the hereditaments demised or let shall continue subject to the powers of mortgaging and selling respectively herein contained Provided that the clear rents arising from any such demise or letting shall be collected by the Treasurer for the time being of the said Congregation and be paid and applied for such purposes as shall have been directed by any such vote as aforesaid and approved by such Presbytery as aforesaid And it is hereby further declared and agreed that any receipt which shall be given by the said Trustees or Trustee for any money payable for or in respect of any mortgage sale or lease of or other dealings with the said hereditaments or any part or parts thereof shall effectually discharge the person or persons paying the same from being answerable or accountable for the non-application or misapplication or from being obliged or concerned to see to the application of the money in such receipt acknowledged or expressed to have been received And that every covenant and agreement that shall be entered into and every mortgage conveyance or lease which shall be executed by the said Trustees or Trustee pursuant to the trusts hereinbefore declared shall be as good and effectual both at law and in equity as if every member and adherent of the said Congregation had joined therein or assented thereto and shall be binding and conclusive on all persons claiming any benefit or interest under or by virtue of these presents And that it shall not be incumbent on any mortgagee purchaser lessee or tenant of the said hereditaments or any part or parts thereof to inquire into the necessity or propriety of any such mortgage sale demise or letting or whether the same is authorised by these presents or into the due nomination election or appointment of any Trustees or Trustee under these presents and that a solemn statutory declaration by the persons or person purporting and claiming to mortgage sell lease or let as the Trustees or Trustee for the time being of these presents shall be conclusive evidence in favour of any mortgagee purchaser lessee or tenant of such person or persons being such Trustees or Trustee And further that the said Trustees or Trustee shall have no power or authority to collect the revenues or to manage or interfere with the management of the temporal affairs of the said Congregation. And further that three Trustees shall be held to be an actual quorum at any meeting duly convened and if any of the said Trustees shall die or desire to resign his trust or shall cease to be a member or adherent of the said Congregation or shall have removed his residence to a distance of one hundred miles from the said place of worship for at least,
twelve consecutive months or shall refuse to exercise and execute any of the powers and authorities
hereby reposed in him when so required as aforesaid or shall disobey or neglect or refuse to carry
out any order instruction or decision of the Assembly or of such Presbytery as aforesaid or shall by
the Assembly be declared to have been guilty of conduct unbecoming a Trustee then and in any of
the said cases it shall be lawful for and incumbent on such Presbytery as aforesaid by resolution
reciting the facts to declare a vacancy in the Trusteeship in respect of such Trustee who shall
immediately thereupon *ipso facto* cease to be a Trustee and shall be deprived of all powers and
privileges vested in him of which resolution the certificate of the Moderator for the time being of
such Presbytery as aforesaid shall be conclusive evidence and that as often as the number of
Trustees shall be reduced by any of the ways or causes aforesaid to less than three it shall be lawful
for and incumbent on the said Congregation at a meeting duly convened for that purpose to proceed
to the appointment of one person being a member of the said Church or Congregation for every such
vacancy in the office of Trustee and that when and so often as such presbytery as aforesaid shall
have ratified such appointment the said hereditaments shall thereupon with all convenient speed be
conveyed and assured by the surviving and acting Trustees or Trustee (together as the case may be
with the Trustee or Trustees as to whom such vacancy or vacancies shall have been declared) so and
in such manner as that the same shall be effectually vested in the surviving and acting Trustees or
Trustee and in the new Trustees or Trustee jointly upon the same trusts and conditions and for the
same purposes as have hereinbefore been provided and declared. Provided always, and
notwithstanding anything hereinbefore contained, it is hereby further agreed and declared that,
should any Congregation at any time cease to exist (and such cesser of existence shall be deemed to
have occurred if no Presbyterian Church service is held by a Minister or Elder or Home Missionary
of the said Church, on the said land and hereditaments, for a continuous period of twelve months,
and of which cesser the certificate in writing of the Moderator for the time being of the Assembly
shall be sufficient evidence), the Assembly shall be at liberty to direct the Trustees or Trustee to sell,
mortgage, lease, exchange, or otherwise deal with or dispose of the said land and hereditaments, and
the buildings and erections thereon, or any part thereof, in any manner and upon such conditions (if
any) as the Assembly may from time to time direct.

In witness whereof the said have hereunto set their bands and seals the day of A.D., 19...... .

The First Schedule hereinbefore referred to
The Second Schedule hereinbefore referred to
MODEL TRUST DEED FOR MANSE SITE

Same as for Church site except that the following Trusts are substituted for the corresponding clause in deed for Church site. Upon Trust for the religious denomination mentioned in the Act 22 Vic. No. 82* (*Printed in Blue Book of 1883, page 100.) and known as and called “The Presbyterian Church of Victoria" (hereinafter styled the said Church) and to permit and suffer the said land and hereditaments to be used for a site for a Manse or Minister's dwelling to be occupied solely by such person or persons in succession as shall from time to time be inducted by the said Church into the office of and shall continue to be recognised by the General Assembly of the said Church (hereinafter called the Assembly) as the officiating Minister for the time being in connection with the Congregation at ............... in the Colony of Victoria which now is or at any time or times hereafter may be recognised by the Assembly as a Congregation of the said Church and holding and continuing to adhere to the standards of religious belief and of ecclesiastical government of the said Church and to permit and suffer the Minister for the time being of the said Congregation to have free and uninterrupted enjoyment of the said land and hereditaments for the purposes aforesaid and also to permit and suffer such Minister together with the Elders and other Office bearers of the said Congregation to have free and uninterrupted enjoyment of the said land and hereditaments for such other objects in connection with the affairs of the said Congregation as the Presbytery of the said Church for the time being entrusted by the Assembly with the superintendence of the said Congregation (hereinafter called such Presbytery as aforesaid) may approve of direct or appoint and to enter on the said land and hereditaments or a sufficient part or parts thereof to erect and build such Manse and other necessary buildings and from time to time alter pull down remove renew enlarge and repair the same as shall at any time or from time to time hereafter be directed by the vote of at least two-third parts in number of such of the Members and Adherents for the time being as shall be personally present at a public meeting thereof called and held pursuant to notice in that behalf duly given in accordance with and conformity to the rules and regulations of the said Church for the time being affecting the convening and holding of meetings of Members and Adherents in similar cases.
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Explanations and Directions

relating to the

Presbyterian Trusts Act 1890
Part I

EXPLANATIONS AND DIRECTIONS

RELATING TO THE

PRESBYTERIAN TRUSTS ACT 1890.

A.-Main Objects of the Act.

The main objects of the "Presbyterian Trusts Act 1890" were threefold.

I. To establish a permanent corporate body -to hold all property belonging to the Church generally and also all congregational property which congregations might desire to vest in the Corporation.

II. To establish a Register of Trustees of Congregations where the property is not vested in the Corporation, so as to simplify matters when trustees are changed, and also to bring the trusts of such properties into some uniformity.

III. To facilitate and render less expensive the conveyance and transfer of Church Property.

B.-The Corporation.

1. By virtue of section 6 of the Act all properties belonging to the Church, except those of existing settled congregations are vested in and are now held by the Corporation.

2. Power is given to the majority of the members and adherents of any congregation, with the consent of the General Assembly and of a majority of the trustees, to vest its property in the Corporation. (See sections 7, 8 and 10).

3. Further, in all cases where there are no trustees, and where there is no one authorised to elect new trustees, or if the persons authorised do not elect within one month after being called on to do so by the Moderator of the General Assembly, under section 9, the property will vest in the Corporation.
C.-Congregational Trustees.

1. In all cases where the property is not vested in the Corporation trustees are to be elected and removed in accordance with the Rules of the Assembly. (See pages 12-15).

2. These are so full that no explanation is necessary.

3. Trustees are nominated by the congregation, and appointed by the Presbytery.*

4. The attention of Clerks of Session and Ministers is, however, specially drawn to Rule 19. (See page 15). Great trouble has been occasioned in the past by deaths and resignations of trustees not being properly notified, and it will be quite impossible to keep the Register of Trustees correct unless full and immediate intimation is given of all changes of trustees. The Register of Trustees is established for the benefit of congregations, so as to save the expense and trouble of getting conveyances of their properties on every change of trustees. It is therefore absolutely necessary that all should co-operate in making it a correct record.

5. The Moderator is responsible for the Register, but without accurate information being given to him he cannot keep it in proper order.

D.-Property.

The Act is applicable to all Church property; and section (2) defines property to mean property both Real and Personal.

1. Real Property includes:

   (a) All land granted, promised, or reserved by the Crown for any of the purposes of the Presbyterian Church of Victoria, or any of the bodies mentioned in the Union Act, No. 82, as amended by Act No. 321.

   (b) All land acquired by purchase or gift.

   (c) All land belonging to the Presbyterian Church of Victoria, or to any of its congregations or mission stations, or mission districts or otherwise.

* Forms relating to the Nomination and Appointment of Trustees may be obtained from the Office of the General Assembly.
2. Personal Property includes:

Money held in Trust
(a) For the Church generally.
(b) For any congregation.
(c) For any special purpose in connection with the Church.
(d) For the benefit or use of the members thereof as such.
(e) For any person or persons holding for the time being office therein.

3. No land whatever under any circumstance can be transferred, conveyed, mortgaged, exchanged or leased without the special permission of the General Assembly (see section 20).

E.-Trusts of Properties.

1. Many properties of the Church were held without any declaration of the exact trusts on which they were held. The Act (section 18) therefore provides that all such properties shall be held on the trusts of the Model Trust Deeds, or one of them. It follows, therefore, that all the properties of the Church are now subject to the Model Trust Deeds, or one of them, except in cases where there are express trusts.

2. Some of these express trusts are, however, very imperfectly expressed, or, owing to change of circumstances, have become unsuitable. Section 19 provides a mode of bringing these properties also under the trusts of the Model Trust Deeds or one of them.

3. It is provided in section 20:-(1) That no dealing with Church property, either by way of transfer, conveyance, mortgage, exchange or lease, shall have any effect without the written consent of the Moderator. (2) That a deed signed by a majority of the trustees shall be as effectual as if all had signed, and that an attorney, under power of a trustee, may sign for him; and rule II (page 12) enacts that the consent of the Moderator to any transfer, conveyance, mortgage, exchange, or lease, shall not be given unless a law agent of the Church first approve thereof.
F.-Presbyteries.

1. It is the duty of Presbyteries to appoint new trustees of Congregational properties.

2. Also before and after appointment to see that the trustees sign the required declarations.

3. To forward the declaration signed after appointment to the General Office of the Church, Assembly Hall.

4. If a congregation call upon a trustee to resign, the call must be approved and confirmed by the Presbytery before it is effectual.

5. Clerks of Presbytery are specially to note that notice of the appointment of every new trustee, and of the removal of any trustee must be sent to the Moderator of the General Assembly within a week after such appointment or removal.

6. This is essential to the accuracy of the Register of Trustees.

7. The attention of Presbyteries is also drawn to the resolutions of Assembly requiring them to keep Registers of Properties (See page 18).

G.-Moderator.

It is the duty of the Moderator to see that the Register of Trustees is accurately kept, and to sign all entries therein, also to give certificates when required showing who are the trustees of any property (see sections 21 and 22 of the Act); also to give his consent in writing to dealings with church properties, provided

(a) The dealing is in accordance with the trusts on which the property is held.

(b) The dealing has the assent of the General Assembly.

(c) A law agent has approved of the deed or other document.
M.D.C.

Minimum

Manse Standards
PRESBYTERIAN CHURCH OF VICTORIA
Architectural Committee

MINIMUM MANSE STANDARDS
AS APPROVED BY THE 1986 GENERAL ASSEMBLY

It should be recognised that a manse is required to provide two functions:-
   a. a private residence for the minister and his family.
   b. facilities for the minister’s study, preparation, counselling and
      administrative work.

SITUATION
If the manse is adjoining the church buildings, it is to be separated for privacy of the
family and to have a private outdoor living area.

If the manse is on a separate site, it should preferably be within 0.5 kilometres of the
church property.

REQUIREMENTS
(1) STUDY: To be attached to the house with access from the front entrance,
but must be separate from the living area. Access to it must not be through or past
private living area of the house. The entry must be able to function as a waiting
room. Size not less than 15.5m² to enable its use for small meetings. Should have
a northern or eastern aspect and be equipped with not less than 14m of bookshelf
and a telephone. Should be near the private toilet, or have a separate toilet and
basin located nearby.

(2) ACCOMMODATION
   1. Lounge Room, Dining Room
      These may be combined when a separate family area is provided. It must
      be possible for the lounge area to be used for a meeting without restricting
      use of the rest of the house by the minister’s family. They must be able to
      utilise a separate living area and have free access to kitchen, bathroom,
      toilet and bedrooms.

   2. Kitchen, Family Room
      The kitchen should be open to the family room and also be capable of
      serving through to the lounge/dining room. To be not less than 14m² with
      5m of bench space plus adequate cupboard or pantry storage. Oven with
      griller and four element cook top to be provided. Space for a microwave
      oven to be allowed and floor area for a refrigerator, upright freezer and a
      dishwasher to be provided.

   3. Bedrooms
      Three or preferably four, all capable of accommodating two beds and a
      students’ desk. Each to have a built-in wardrobe not less than 550mm in
      depth.
         • No.1 – not less than 13sq.m, with 2m of wardrobe
         • No.2 – not less than 12sq.m, with 1.2m of wardrobe
         • No.3 – not less than 12sq.m, with 1.2m of wardrobe
• No.4 – not less than 11sq.m, with 1.2m of wardrobe

4. *Bathroom*
   With bath, shower separate from the bath, and vanity with basin.

5. *Laundry*
   With sufficient space for a washing machine, trough, dryer and ironing bench.

6. *Hot Water Service*
   To be connected to all internal water points.

7. *Linen, Storage Cupboard*
   With a minimum width of 1200mm and 450mm depth to be provided.

8. *Storage Area*
   For garden equipment, tools, work bench and box storage of not less than 4.5sq.m. may be part of or adjacent to garage.

9. *Garage or Carport*
   Preferably double but must have provision for one. Must have off street parking for two vehicles.

10. *Heating*
    If not provided to all rooms an efficient and economical provision must be made for lounge, dining, family room and study with general power outlets to allow for heating in other rooms.

11. *Insulation*
    Must be provided to metal roofed buildings by 50mm thick insulation blanket on double sided foil. Tile and brick veneer buildings preferably have ceiling and stud wall insulation with 75mm thick batts.

12. *Floor Coverings*
    Serviceable carpet to be provided in lounge, study, bedrooms and hallways; and dining and family room if not already provided with suitable vinyl type material. Wet areas such as kitchen, bathroom, laundry, toilet (and family room and dining room if not carpeted) to be provided with serviceable, attractive vinyl type material if not tiled.

13. *Windows*
    To be provided with curtains and/or blinds.

14. *Orientation*
    Except where special local conditions indicate otherwise, orientate living and sleeping areas to north and east and design in accordance with passive solar design criteria.