Code Book

of the

Presbyterian Church of Victoria



Rules of the church

Forms and certificates

Model Trust Deeds

Committee regulations

Supplementary regulations

General Assembly decisions

General Assembly job descriptions

Flow diagrams

Code and General Administration Committee
General Assembly of the PCV
October 2026 Edition
PCV - a not for profit organisation
Date of Establishment: 7 April 1859

This edition of the rules and regulations
of the Presbyterian Church of Victoria
contains all Assembly approved amendments
up to and including the 2026 General Assembly.

‘All for the glory of God’
… from 1 Corinthians 10:31

Presbyterian Church of Victoria Vision Statement

BB 1997 min 50.1

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.

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.

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.

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Chapter 1 - The Church

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1.1 The church

The Presbyterian Church of Victoria, which is a constituent part of the Presbyterian Church of Australia, is part of the universal church, 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 British colony of Victoria, namely: the synod deriving from the Church of Scotland directly and others deriving from the Free Church of Scotland and the United Presbyterian Church.

1.2 Supreme standard

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

1.3 Subordinate standard

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

1.4 Other standards

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.

1.5 The Presbyterian Church of Australia

The Presbyterian Church of Australia is a national church formed on 24 July 1901 by agreement entered into by the Presbyterian Churches of Victoria, New South Wales, Queensland, South Australia, Tasmania and Western Australia. When the Presbyterian Church of Australia was formed it was given powers legislative, administrative and judicial which are supreme in relation to specified matters but otherwise coordinate with the State Assemblies' powers.

NOTE: The above highlighted rule has interim authority.

1.6 Powers, duties and jurisdiction

As a constituent part of the Presbyterian Church of Australia, the Presbyterian Church of Victoria continues to exist and operate under its own constitution but, under the Deed of Union, it has transferred to the Presbyterian Church of Australia supreme powers in the matters specified in the Articles of Agreement. Otherwise it 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.

NOTE: The above highlighted rule has interim authority.

NOTE: The powers in which the General Assembly of Australia are supreme are the doctrine of the Church; the worship of the Church; the discipline of the Church; the training of students for service in the Church (including training for the ministry, deaconess training and other training areas as determined by the GAA); the admission of candidates to the ministry; the reception of ministers from other Churches; readmission to the ministry of previous ministers of the Church; overseas mission; home mission, particularly in inland or other sparsely settled areas, at the request of or in conjunction with a State Assembly; relations with the national bodies of other churches in Australia, overseas churches; the publication of a national journal; Christian education; and chaplains to the defence force.

1.7 Government and courts

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, the General Assembly and the General Assembly of Australia.

1.8 Congregations

In accordance with the law and practice of the church its people are organised in congregations.

1.9 Authority of courts of the church

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).

1.10 Law of the church

1.10.1 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, namely those referred to in rules 1.2, 1.3, 1.4, 1.5;
b) legislative enactments;
c) declarations, directions and resolutions of church courts;
d) customary law.

1.10.2 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.

1.11 Rules, regulations and their interpretation

1.11.1 **A rule** is a legislative enactment of the General Assembly which creates binding obligations upon members of the church and which has been duly declared and enacted as such by the General Assembly under Barrier Act procedure and can only be amended or repealed under it.

1.11.2 All paragraphs of chapters 1 to 7 are declared to be 'rules' of the church and may be referred to as such.

1.11.3 **A regulation** is a legislative enactment by the General Assembly to facilitate the administrative operation of the General Assembly or its committees.

1.11.4 If a rule and a regulation are inconsistent with each other the rule prevails to the extent of the inconsistency.

1.11.5 If two rules are inconsistent, the more recently enacted rule prevails to the extent of the inconsistency.

1.11.6 If two regulations are inconsistent, the more recently enacted regulation prevails to the extent of the inconsistency.

1.11.7 In these rules, a construction that would promote the purpose or object underlying the particular rule (whether or not that purpose or object is expressly stated in the rule) shall be preferred to a construction that would not promote that purpose or object. This shall not, however, apply if the meaning of the rule is clear, but only if its interpretation is fairly open to more than one meaning.

1.11.8 Headings to chapters and rules form part of these rules.

1.11.9 A note after a particular rule cannot be used in determining the interpretation of the rule but is inserted to assist the understanding of the reader or to draw the attention of the reader to additional relevant information.

1.11.10 In these rules and regulations, unless the contrary intention appears:

a) words in the singular include the plural; and
b) words in the plural include the singular.

1.11.11 In these rules and regulations, unless the contrary intention appears, land includes buildings and other structures permanently affixed to land, land covered with water, and any estate, interest, easement, servitude, privilege or right in or over land.

1.11.12 In these rules and regulations where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have, unless the contrary intention appears, corresponding meanings.

1.11.13 Where in these rules and regulations, unless a contrary intention appears:

a) a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall not be included in the period;
b) a period of time is expressed to end on, or to be reckoned to, a particular day, that day shall be included in the period;
c) if the time limited for the doing of any act or thing expires or falls on a Saturday, Sunday or public holiday, the time so limited shall extend to, and the act or thing may be done on, the day next following that is not one of those days (however, this shall not apply if the rule specifically states that an act is to be done on a Sunday);
d) if the time limited for the doing of any act or thing expires or falls on a date from 24 December to 15 January inclusive, the time so limited shall be extended to, and the act or thing may be done on, 16 January unless 16 January is a Saturday or Sunday in which case the extension is to the day next following it that is not one of those days.

1.11.14 Where in these rules and regulations the word 'may' is used in conferring a power, that word shall be construed as meaning that the power so conferred may be exercised, or not, at discretion.

1.11.15 Where in these rules and regulations the word 'shall' is used in conferring a power, that word shall be construed as meaning that the power so conferred must be exercised.

1.11.16 Where, by these rules and regulations a form is prescribed for use, that form shall be used with any necessary variation or modification.

1.11.17 If the General Assembly abolishes or renames a committee referred to in these rules the provisions in these rules applicable to that committee shall also apply to any new or renamed committee carrying on similar functions to the former committee.

1.11.18 In these rules and in the regulations of General Assembly committees unless the context otherwise dictates:

a) 'the church' means the Presbyterian Church of Victoria;
b) 'General Assembly' or 'Assembly' means the General Assembly of the Presbyterian Church of Victoria;
c) reference to a committee by name is to that committee of the General Assembly;
d) 'committee' includes boards and councils;

e) 'GAA' or 'General Assembly of Australia' means the Presbyterian Church of Australia or its General Assembly;
f) 'Code of Discipline' means the Code of Discipline of the Presbyterian Church of Australia;
g) the words 'of the bounds' are assumed after the word 'presbytery';
h) 'court of first instance' means the lowest court competent to deal with the particular business;
i) 'board' means 'board of management' and includes 'federal board of management', particularly where the expression 'any board' is used;
j) 'communicant' means a communicant member of a congregation;
k) 'document' includes a disc and information processed by or stored in a computer;
l) a statement that the decision or judgment of a court is final means that it is unappealable and also cannot be subject of a petition or reference or brought into question in any way whatsoever;
m) a 'casting vote' is one which 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.

1.12 Title and logo

1.12.1 The official title of the church is 'the Presbyterian Church of Victoria'.

1.12.2 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.

1.12.3 The General Assembly of Australia logo should be used only on official documents of the General Assembly of Australia.

1.12.4 The alternative General Assembly of Australia logo (as adopted by the General Assembly of Australia 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

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Section One - Constitution and Membership

2.1 Congregation, charge, parish and mission field

2.1.1 A **congregation** is a company of people, including children, organised and formed by a presbytery for Christian worship, instruction, fellowship, work and witness.

2.1.2 A **charge** is a sphere of pastoral duty fulfilled by a person authorised by a presbytery and centred on one or more congregations.

2.1.3 A **parish** is the geographic area designated by a presbytery and associated with one or more congregations of a pastoral or appointment charge.

2.1.4 A **mission field** is the geographic area designated by a presbytery and associated with one or more home mission charges or church plant charges.

2.2 Types of congregations

The types of congregations are:

a) one congregation organised within a parish or mission field under one session; or
b) a linked congregation, being one of multiple congregations within a parish or mission field linked by a presbytery under one session; or
c) a special interest congregation.

NOTE: Section Eight of Chapter 4 deals with formation of congregations.

2.3 Declaration of a charge

A charge is created by a presbytery declaration immediately following:

a) the declaration of the formation of a congregation; or
b) the linking of congregations to form a linked charge; or
c) the severing of this link to form separate congregations.

2.4 Status of a charge

A charge has the status of:

a) a **Pastoral Charge**: a charge normally fulfilled by one or more ministers called by its congregation or congregations and inducted into it by the presbytery; or
b) an **Appointment Charge:** a charge normally fulfilled by a minister or licentiate appointed to it by the presbytery; or
c) a **Home Mission Charge**: a charge normally fulfilled by a minister, licentiate or a person accredited by the Ministry Development Committee according to its regulations as a home missionary appointed to it by the presbytery; or
d) a **Church Plant Charge**: a charge normally fulfilled by a minister or licentiate accredited by the Church Planting Committee according to its regulations as a church planter appointed to it by the presbytery.

NOTE: The full criteria which presbytery uses to determine the status of a charge are set out in rule 4.61.

2.5 Financial status of a charge

A charge is self-sustaining if it can meet the requirements for the settlement of a minister by call and induction without a grant from the funds of the General Assembly. Otherwise it is aid-receiving.

2.6 Session

A session is established by the presbytery to exercise oversight over every aspect of the life of a congregation or of linked congregations.

2.7 Boards

2.7.1 The material affairs:

a) of a congregation are cared for by its board, provided that:
   i) by agreement the material affairs of a linked congregation may be cared for by its federal board;
   ii) in the case of a congregation being dissolved, during the period of time between the cessation of services and final dissolution its material affairs may be cared for by the board of another congregation appointed by the presbytery for this purpose;

b) of common concern to linked congregations are cared for by their federal board.

2.7.2 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, a board is required to administer the financial affairs and care for the property of the congregation.

2.7.3 Subject to rule 2.7.2 a board is directly responsible to and obeys all competent directions of the congregation.

2.8 Communicant member

2.8.1 A communicant member of a congregation (generally referred to in these rules as a 'communicant') enjoys the privileges of sharing in the Lord's Supper and of wider fellowship with other believers throughout the Presbyterian Church of Australia.

2.8.2 A communicant, unless under a process of discipline, aged at least 16 years, has the right to:

a) vote and take full part in the business of any meeting of the congregation;
b) add his or her name to a call on a separate sheet provided for this purpose;
c) nominate and vote in an eldership or board election;
d) approach the appropriate court by petition;
e) be appointed as an office-bearer of a congregational organisation.

2.8.3 A communicant aged at least 18 years is eligible to be elected to a board.

2.9 Adherent

2.9.1 An adherent is a person whose name appears on the Roll of Adherents.

2.9.2 An adherent is not ordinarily extended the privilege of the Lord's Supper by the session.

2.9.3 An adherent, unless under a process of discipline, aged at least 16 years, has the right to:

a) vote and take full part in the business of any meeting of the congregation;
b) sign his or her concurrence to a call;
c) nominate and vote in a board election;
d) approach the appropriate court by petition;
e) be appointed as an office-bearer of a congregational organisation.

2.9.4 An adherent cannot nominate or vote in an eldership election.

2.9.5 An adherent aged at least 18 years is eligible to be elected to a board.

2.10 Duties of communicants and adherents

A communicant or adherent of a congregation is under a duty to:

a) give faithful attendance to its public worship;
b) give the minister due respect, encouragement and obedience in the Lord;
c) submit to the session as over him or her in the Lord;
d) maintain an earnest desire to live a Christian life consistent with his or her profession of faith;
e) take a lively interest in the welfare of the wider work of the church;
f) contribute heartily, both financially and in other ways, as the Lord shall enable him or her, for the maintenance of the Christian ministry and the furtherance of the gospel at home and abroad.

2.11 Congregational roll

2.11.1 At any particular time a person cannot be a communicant or adherent of more than one congregation.

2.11.2 A person cannot be a communicant or adherent of a congregation and a member of another branch of the Christian church or a member of another religious faith.

2.11.3 Each inducted or appointed minister and each appointed home missionary or church planter must be on the roll of communicants of a congregation they are serving. In the case of a linked charge, or of a minister not inducted into or appointed to a charge, the minister must choose which congregational roll he desires to be on.

Section Two … Meetings

2.12 Convening

Only a court can convene a congregational meeting. It does this by public announcement, stating the nature and purpose of the meeting, at the time of ordinary public worship at least (unless these rules provide otherwise) seven days before the date of the meeting.

2.12A Meeting by technological means

A congregation may meet by the members communicating with each other by any technological means by which they are able simultaneously to hear each other, participate in discussion and vote. In these circumstances, the members need not be physically present in the same place.

2.13 Chairman

The minister presides at congregational meetings, unless for adequate reason he appoints a deputy, or unless a court superior to a session appoints one of its members to preside. If a charge has more than one minister the senior minister presides unless the ministers agree otherwise.

NOTE: 'Senior minister' is defined in rule 4.76.1

2.13A Quorum

2.13A.1 The quorum of a meeting of a congregation, including communicants and adherents, is one-tenth of the number on the roll of communicants of the congregation, but not less than five.

2.13A.2 To constitute a quorum for a joint meeting of linked congregations, including communicants and adherents, there must be present from each of the congregations one-tenth of the number on its roll of communicants, but not less than three from each of the congregations.

NOTE: The inability of a congregation (other than a newly formed congregation) or of linked congregations to constitute a congregational meeting within four months of its being required to meet by rule or regulation must be reported to the presbytery in accordance with rule 4.69.2.

2.13B Approval of budgets, terms of settlement etc.

2.13B.1 Every congregation (except in the case of linked congregations) prior to the commencement of the charge's financial year must:

a) approve:
   i) the proposed terms of settlement for its next financial year of any minister, licentiate or home missionary inducted into or appointed to the charge; and/or
   ii) the proposed terms and conditions for its next financial year of any assistant to the minister and/or other church worker appointed to a remunerated pastoral and/or teaching role in the charge; or
   iii) in the case of a vacancy in a pastoral charge, the proposed terms of settlement for its next financial year for the filling of the vacancy; and
b) adopt an acceptable congregational budget for its next financial year.

2.13B.2 A congregation may as an alternative to rule 2.13B.1 grant its board authority to:

a) deal with the matters specified in this rule, provided that where such approval is granted the board must report its actions to the next annual meeting of the congregation; and
b) adopt a provisional budget for the charge's next financial year until the adoption of the congregational budget at the annual congregational meeting.

2.13B.3 If a charge's financial year is other than 1 July – 30 June the congregation must grant the board authority in terms of rule 2.13B.2 so that the board can make timely adjustments to changed stipend and other payments from 1 July.

2.13B.4 The congregations of a linked charge meeting jointly prior to the commencement of the charge's financial year must:

a) approve:
   i) the proposed terms of settlement for its next financial year of any minister, licentiate or home missionary inducted into or appointed to the charge; and/or
   ii) the proposed terms and conditions for its next financial year of any assistant to the minister and/or other church worker appointed to a remunerated pastoral and/or teaching role in the charge; or
   iii) in the case of a vacancy in a pastoral charge, the proposed terms of settlement for its next financial year for the filling of the vacancy;
b) adopt an acceptable federal board budget for the charge's next financial year.

2.13B.5 The congregations of a linked charge meeting jointly may as an alternative to rule 2.13B.4 grant their federal board authority to:

a) deal with the matters specified in this rule, provided that where such approval is granted the board must report its actions to the next annual joint meeting of the congregations; and
b) adopt a provisional budget for the charge's next financial year until the adoption of the congregational budget at the annual joint congregational meeting.

2.13B.6 If a linked charge's financial year is other than 1 July – 30 June the congregations meeting jointly must grant their federal board authority in terms of rule 2.13B.5 so that the board can make timely adjustments to changed stipend and other payments from 1 July.

2.14 Annual congregational meetings

2.14.1 Every congregation must meet within four months of its annual reporting period to:

a) approve the annual report of its board;
b) adopt the annual audited financial statement of accounts submitted by its board;
c) where the congregation has granted its board authority to act under rule 2.13B.2 or 2.13B.3:
   i) receive the board's report required by rule 2.13B.2(a); and
   ii) adopt an acceptable budget for the current financial year;
d) appoint congregational auditors for the coming year (see rule 2.16);
e) determine the number of persons to be elected from and by the communicants and adherents of the congregation, termed 'managers', or in special circumstances determine for a limited time to delegate this right of determination to the session; and
f) consider any other matter referred to it by the session.

2.14.2 A written review by the session of the life and work of the congregation may be presented to this meeting. Reports of congregational organisations, with or without financial statements, may also be presented in whole or in part to this meeting as the session sees fit. But, unless the session has resolved to seek the mind of the congregation on any particular matter, no such review or report is received or adopted or formally dealt with by this meeting.

2.14.3 This meeting may resolve to refer to the session for consideration any complaints or recommendations concerning the report or financial statement of a congregational organisation.

2.14.4 The congregations of a linked charge must meet jointly within four months of the federal board's annual reporting period to:

a) approve the annual report of the federal board;
b) adopt the annual audited financial statement of accounts submitted by the federal board;
c) where the congregations have granted their federal board authority to act under rule 2.13B.5 or rule 2.13B.6:
   i) receive the board's report required by rule 2.13B.5(a).
   ii) adopt an acceptable budget for the current financial year;
d) appoint federal board auditors for the coming year; and
e) consider any other matter referred to it by the session.

NOTE: A board must report on the congregation's property and its activities during the preceding year (see rule 2.45).

2.15 Annual submission of financial documents to presbytery

Every charge must submit annually financial to the presbytery.

a) its audited financial statements;
b) the terms of settlement for the charge's next financial year of any minister, licentiate or home missionary inducted into or appointed to the charge and/or the proposed terms and conditions

for the charge's next financial year of any assistant to the minister and/or other church worker appointed to a remunerated pastoral and/or teaching role in the charge as congregation or congregations or the board or federal board; and

c) the budget or budgets adopted.

2.16 Auditors

2.16.1 A congregation (other than a linked congregation) must (ordinarily at its annual meeting) annually appoint two auditors (or one auditor if that person is a qualified accountant) of the accounts prepared by its board.

2.16.2 Linked congregations must (ordinarily at their annual joint meeting) annually appoint two auditors (or one auditor if that person is a qualified accountant) of the accounts prepared by their federal board.

2.16.3 A member of a board shall not audit the accounts of the board of which he or she is a member, and a member of a federal board shall not audit the accounts of the federal board, of which he or she is a member, but a member of a federal board may audit the accounts of the board of a linked congregation of which he or she is not a member.

2.17 Minutes

2.17.1 The session clerk, or someone acting on his or her behalf with the authority of the session, must record the minutes of congregational meetings in a minute book.

2.17.2 In a linked charge, one congregational minute book must be kept for meetings of each linked congregation and another for joint meetings of the congregations of the charge.

2.17.3 Minutes remain in the custody of the session clerk but are available to the secretary and the treasurer of a board for reference for the purposes of their office.

2.17.4 If a session decides to supply to a board extract minutes concerning matters which are the responsibility of the board, the session clerk does so to the secretary of the board.

2.18 Dissatisfaction with decisions

2.18.1 A communicant or adherent, who voted against a decision of a congregational meeting and entered dissent at that time, may petition the presbytery to review it.

2.18.2 The original of the petition must be received by the presbytery clerk at least ten days before any presbytery meeting to which the petition is to be presented.

2.18.3 A copy of the petition must be received by the minister and/or session clerk at least ten days before any presbytery meeting to which the petition is to be presented.

2.18.4 The session clerk must provide any petitioner with relevant extract minutes of the meeting on request.

Section Three … Property

2.19 Trustees

2.19.1 Congregational property is held by either the Presbyterian Church of Victoria Trusts Corporation or by trustees under specific terms of trust and subject to the provisions of the *Presbyterian Trusts Act 1890* and of rules made by the General Assembly under that Act (refer to Appendix 3, Explanations and Directions Presbyterian Trusts Act 1890). The appointment of the Presbyterian Church of Victoria Trusts Corporation is preferred.

2.19.2 The session clerk must expeditiously notify any change of trustee by submitting to the office of the General Assembly, through the presbytery, a Notification of Appointment of Trustees form.

2.20 Board responsibility

The board must:

a) ensure that the property of the congregation is kept in good condition and repair, and raise funds for this;

b) appoint a property committee which must inspect the property before and after winter each year and report to it on its condition;

c) obtain the advice of the Church Architect, on such contractual terms as they agree, when:

i) there is any serious defect in any building; or

ii) a new building is to be erected or purchased; or

iii) an existing building is to be substantially altered.

However, plans and/or specifications of proposed works are not required to be prepared by the Church Architect.

d) when:
   i) a new building is to be erected; or
   ii) proposed alterations to an existing building require the issue of a building permit prior to the commencement of work;

   obtain from the Building and Property Committee:
   iii) in principle approval of the proposed works at the concept stage; and
   iv) final approval of the completed plans and specifications of the proposed works; and
   v) approval of any variations to the approved plans and specifications proposed during the course of the works;

e) when purchasing an existing building for the use of the congregation, obtain:
   i) a pre-purchase condition inspection report from a qualified inspector; and
   ii) other reports as required by the committee in any particular case; and
   iii) the prior approval of the Building and Property Committee of the proposed purchase;

f) not without congregational approval spend on repairs in any one of its annual reporting periods more than 10% of the preceding annual reporting period's ordinary congregational revenue;

g) obtain approval, at a congregational meeting called for that purpose, by a majority of at least two-thirds of the communicants and adherents personally present (as required by the Model Trust Deeds) to:
   i) sell, purchase, lease, mortgage, or otherwise incur debt which is to be secured on, property;
   ii) erect, demolish, remove or structurally alter or add to any building.

h) fix and collect any charges for use of congregational buildings, where the session has approved this use.

NOTE: The ordinary revenue of a congregation is the income referred to in rule 2.44.2(a) and (b).

2.21 Approval for property matters

2.21.1 The erection, demolition, removal, alteration or addition to a congregational building which must be approved by the Building and Property Committee is subject to prior approval by the presbytery and any other prescribed authority.

2.21.2 The sale, lease, purchase or mortgage of congregational property is subject to approval by the presbytery, the Law Agent, and any other prescribed authority.

2.22 Keys to congregational buildings

2.22.1 The minister, home missionary or church planter and the local trustees (if any) are entitled to keys of all congregational buildings.

2.22.2 Members of the session appointed by it are entitled to keys to congregational buildings.

2.22.3 Managers appointed by the board are entitled to keys to congregational buildings.

2.22.4 The board may issue keys to congregational buildings to other persons allowed to use the buildings.

2.23 Use of congregational buildings

All congregational buildings:

a) are at the disposal of the minister for the purposes of his office; and

b) may, subject to consultation with session except in an emergency, be granted by the minister for use for any other purpose of a religious character; and

c) are otherwise at the disposal of the session, but any use other than for public worship is subject to the proper work of the congregation not being impaired and the law and standards of the church not being compromised.

However, the options referred to in (b) and (c) are subject to approval by the board when any substantial financial outlay or secular interest of the congregation is involved.

2.24 Title documents

If not held by a secured creditor, title documents to land should be lodged with the office of the General Assembly for safe-keeping.

Section Four … Organisations

2.25 Definition

A congregational organisation is any club, society or group recognised by the session for a specified activity within the life of the congregation.

2.26 Session approval

The formation and continuance of any congregational organisation, and the existence, operation and amendment of the constitution of any congregational organisation are subject to the approval of the session.

2.27 Office-bearers

2.27.1 The minister is president or senior president, as the case may be, of all congregational organisations.

2.27.2 The office-bearers of every congregational organisation must be communicants or adherents of the congregation, except where session judges that this would be unnecessarily restrictive for the stated purpose of an organisation.

2.28 Activities

2.28.1 Session has oversight of every congregational organisation and no activity is permissible which, in its opinion, might hinder the effective Christian witness of the church, or may be seen as inconsistent with Christian conduct, the law of the church, or the civil law.

2.28.2 Every congregational organisation must submit a report on its activities to an annual meeting of its members and provide a copy to the session clerk.

2.29 Property

The assets of a congregational organisation:

a) are part of the property of the congregation, but are administered by the particular organisation subject to its constitution and the law of the church;

b) on the organisation dissolving or becoming defunct, are held by the board until the session, after consulting the congregation, directs their disposal as it sees fit.

2.30 Finances

Every congregational organisation must, if it holds funds in its own name or raises funds regularly:

a) use a separate bank account in its name and ensure that no money raised by or for it is paid into a private bank account;

b) keep regular accounts of income and expenditure;

c) obtain the permission of the board before raising money by any special effort or appeal in the congregation;

d) annually submit to the session a financial statement of its accounts for the annual reporting period of the congregation audited by a competent person who is not a member of the organisation.

2.31 Meetings

When any business meeting of a congregational organisation occurs:

a) minutes must be entered in the organisation's minute book and, when confirmed, signed and each page being numbered and initialled by the chairman;

b) the minister must be duly notified of the meeting;

c) unless the session has decided otherwise the minister has the right to preside but may appoint a deputy, failing which either the senior officer of the organisation present presides or the meeting appoints a communicant of the congregation as chairman.

Section Five … Boards of Management

2.32 Formation

2.32.1 The session with oversight of a newly formed congregation must declare the formation of a board and conduct an election of managers, declaring by formal motion half of those with whom it is satisfied elected for two years and half elected for one year.

2.32.2 The session with oversight of newly linked congregations must declare the formation of a federal board and determine its membership.

2.33 Membership

The board of a congregation or linked congregation consists of:

a) any of its ministers; and

b) elders who are both members of that congregation and of its session; and

c) managers up to the number determined by the congregation, or, if this determination is delegated to the session, determined by it.

In view of the special provisions of The Scots' Church Trust Deed dated 23 June 1891, as amended, the trustees from time to time appointed**,** in accordance with its provisions, shall, by virtue of the office held, be members of the Board of Management of The Scots' Church, Melbourne.

2.34 Federal board

2.34.1 A federal board consists of:

a) the boards of the linked congregations meeting jointly; or

b) i) any ministers of the linked congregations; and

ii) elders who are both members of one of the linked congregations and of the session; and

iii) managers appointed by the session, with each linked congregation being represented in proportion to the total number of its communicants and adherents when compared with the total number of communicants and adherents of all congregations.

2.34.2 The rules in this section apply to a federal board unless otherwise stated or the context otherwise dictates.

2.35 Managers' term of office

2.35.1 Managers are elected for a term of two years in an election conducted by session. Half of their number retire annually in rotation but are eligible for re-election.

2.35.2 A manager may resign to the session. A meeting of the board at which a quorum of the session is present is entitled to fill this vacancy for the remainder of the resigned manager's term.

2.35.3 A manager who is absent from three consecutive regular meetings of the board without leave granted or apology received, may be declared by the session to have forfeited his or her seat.

2.35.4 A manager's term ceases if he or she is removed from the roll of communicants or adherents, is suspended from privileges by disciplinary process of a church court, or removed from the board by the operation of Rule 2.35A.3(b).

NOTE: the highlighted rules above have interim authority.

2.35A

2.35A.1 Every person serving on a board as a manager must hold a current Working With Children Check.

2.35A.2 Upon becoming aware that a manager does not hold a current Working With Children Check due to a failure to renew the Working With Children Check, the session must immediately suspend the person from the board until the person renews the Working With Children Check.

2.35A.3 Upon becoming aware that a manager has had his or her Working With Children Check refused or excluded, the session must immediately suspend that person from the board pending the exhaustion of that person's appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court.

a) If such refusal or exclusion is set aside the session must on becoming aware of this not lift the suspension until the person has been cleared for service by the Safe Church Screening process, which process the session must initiate immediately.

b) If such refusal or exclusion is not set aside then upon the exhaustion of such appeal rights or if the person fails to be cleared for service by the Safe Church Screening process the session must remove that person from the board.

2.35A.4 A manager who has had his or her Working With Children Check reinstated after a refusal or exclusion, which was not subsequently set aside, will be eligible for election to any board only after being cleared for service through the Safe Church Screening processes.

NOTE: the highlighted rules above have interim authority

2.36 Office-bearers

2.36.1 A board must annually elect a secretary and treasurer from its members.

2.36.2 The secretary keeps the minutes of board proceedings, takes charge of its documents and does such other secretarial work as is appropriate to the office.

2.36.3 If the secretary receives extracts of minutes relating to the board from the session or a congregational meeting, the secretary submits these to the board for inclusion in its minutes.

2.36.4 The treasurer receives, distributes and accounts for all money under the care of the board as it directs and, when required, produces for inspection all accounts together with all relevant documents.

2.37 Temporary arrangements for newly formed congregations

If a newly formed congregation has no or few communicants the session may, subject to presbytery approval, temporarily depart from rules 2.33 – 2.36 to meet particular needs.

2.38 Meetings

2.38.1 A board regularly meets on a fixed day at regular intervals, at least quarterly unless excused by the presbytery for any special reason.

2.38.2 The minister (or his duly authorised deputy) as chairman, after consultation with at least a quorum of the board, may, provided the meeting is not unduly postponed, alter the date of a regular meeting of the board.

2.38.3 The minister may also convene a special meeting of the board:

a) if of the 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 board.

2.38.4 The minister (or his duly authorised deputy), as chairman, after consultation with at least a quorum of the board may cancel or, provided the meeting is not unduly postponed, alter the date of a special meeting of the board.

2.38.5 Notice of any meeting of the board is given either by public announcement at the time of ordinary public worship or by written or oral notice to each member of the board sufficiently before the meeting.

2.38.6 A board may meet by the members communicating with each other by any technological means by which they are able simultaneously to hear each other, participate in discussion and vote. In these circumstances, the members need not be physically present in the same place.

2.38.7 Provided that every member has access to email, a board may, without meeting, approve a proposed resolution by email if the proposed resolution is, with the approval of the chairman, emailed by the secretary in time for each member to make a considered decision and email response.

2.38.8 Any notification provided for in rule 2.38.7 must specify:

a) the proposed resolution;

b) a response time of not less than four days and that upon the expiration of that period the matter will be determined in accordance with the responses received;

c) that no response shall be considered if it has not been sent to all members; and

d) that any member of the board can, up to the voting deadline, veto the use of this procedure to determine this particular matter, thereby requiring that the matter be considered at the next meeting of the board.

2.38.9 The secretary must ensure that:

a) all the members of the board are promptly advised of the result of the voting;

b) both the process followed and the result of the voting are correctly minuted; and

c) the minutes of the process are placed before the next meeting of the board for confirmation.

2.39 Meeting procedure

2.39.1 The minister of a charge or moderator of a vacant charge has the right to preside as chairman at all meetings of any boards, and normally does so, but may authorise to preside in his absence:

a) another minister of the Presbyterian Church of Australia; 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
d) a member of that board.

In default of the foregoing, a board may appoint one of its members to preside as chairman.

2.39.2 A member of the board who chairs the meeting has both a deliberative and a casting vote. Otherwise its chairman has only a casting vote.

2.39.3 A quorum of a board meeting is four members, two of whom are managers.

2.39.4 The meetings of a board 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, who may allow members to speak more than once to the same question. However, the chairman will apply 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 announcement of intention to do so;
b) if the board so decides.

2.39.5 A board meets in private unless it resolves otherwise. A matter declared by it to be confidential must not be divulged by a member without its permission.

2.40 Minutes

The minutes of every board meeting are entered in its minute book. At every meeting, the confirmation of the minutes of the previous meeting, which must contain the names of those present, is ordinarily the first business after the opening. When confirmed, the minutes are signed and each page numbered and initialled by the chairman.

2.41 Rescission of a resolution

A resolution of a board may be rescinded after a member gives notice of motion to that effect at a previous meeting of the board.

2.42 Dissatisfaction with decisions

A member who has voted against a resolution of a board, and at the time entered dissent, may bring the matter under review by a petition to the presbytery using the same procedure as that against a decision of a congregational meeting (see rule 2.18).

2.43 Handling of funds

2.43.1 A board gathers the financial contributions of the congregation, takes charge of them and of any other money received by, or for the use of, or on behalf of, the congregation, and distributes them for the purposes for which they were contributed, at all times only using bank accounts held in the name of the congregation.

2.43.2 All such monies must be banked promptly without deduction of any kind, and all payments must be made by cheque or by electronic funds transfer.

2.43.3 A book must be kept to record church offerings and entries must be certified each Sunday by two managers on duty, or by one manager and one other communicant or adherent of the congregation authorised by the board.

2.44 Financial records

2.44.1 A board must keep proper and adequate records of account and other necessary financial records.

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

a) collections by plate or by other systematic means for ordinary congregational purposes;
b) other regular sources of congregational revenue, such as rents of property, or interest on endowments;
c) special donations, sales, gifts and proceeds of special efforts;
d) the amount contributed by the congregation to the schemes of the church including the General Mission Program;
e) the amount contributed to charitable and other objects outside the church; and
f) every payment made from congregational funds.

2.45 Annual reporting by a congregational board

2.45.1 Except where there is a federal board or where the congregation has granted its board authority to act under rule 2.13B.2 or rule 2.13B3, every congregational board must annually prepare, approve and submit to a congregational meeting to be held prior to the commencement of the charge's financial year:

a) the terms of settlement it proposes for the charge's next financial year for any inducted or appointed minister, licentiate or home missionary in the form approved by the General Assembly; and/or

b) the terms and conditions for the charge's next financial year for any appointed assistant to the minister or any other church worker appointed to a remunerated pastoral and/or teaching role; or

c) in the case of a vacancy in a pastoral charge, the proposed terms of settlement for the charge's next financial year for the filling of the vacancy;

d) a proposed budget for the charge's next financial year.

2.45.2 Every congregational board must annually prepare, approve and submit to the annual congregational meeting:

a) a report on the congregation's property and the board's activities during the preceding year;

b) a financial statement of its accounts, which is audited; and

c) where the congregation has granted its board authority to act under rule 2.13B.2 or rule 2.13B.3:

i) the report required by rule 2.13.2B(a); and

ii) a proposed budget for the congregation's current financial year.

2.45A Annual reporting by a federal board

2.45A.1 Except where the congregations of a linked charge have granted their federal board authority to act under rule 2.13B.4 or rule 2.13B.6, every federal board must annually prepare, approve and submit to a joint congregational meeting to be held prior to the commencement of the charge's financial year:

a) the terms of settlement it proposes for the charge's next financial year for any inducted or appointed minister, or licentiate or home missionary in the form approved by the General Assembly; and/or

b) the terms and conditions it proposes for the charge's next financial year for any appointed assistant to the minister or any other church worker appointed to a remunerated pastoral and/or teaching role; or

c) in the case of a vacancy in a pastoral charge, the proposed terms of settlement for the charge's next financial year for the filling of the vacancy; and

d) a proposed budget for the charge's next financial year

2.45A.2 Every federal board must annually prepare, approve and submit to the annual joint meeting of the congregations of the charge:

a) a report on any congregational property used as a manse and the board's activities during the preceding year;

b) a financial statement of its accounts, which is audited;

c) where the congregations have granted the board authority to act under rule 2.13B.5 or rule 2.13B.6:

i) the report required by rule 2.13B.5(a); and

ii) a proposed budget for the charge's current financial year.

2.46 Annual audit

2.46.1 The annual 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 verified.

2.46.2 A board must supply the auditors with:

a) an annual Statement of Receipts and Payments of the board; and

b) a statement of funds showing the amount:

i) of the credit or debit balance;

ii) of any investment;

iii) outstanding under any mortgage; and

iv) of any other form of loan to or by the board and every congregational organisation; or

c) a balance sheet, in regular form, showing the whole assets and liabilities of the congregation and its organisations.

2.46.3 The auditors must:

a) check in whose custody the receipt books are and check with the cash book the receipts issued, which must be numbered consecutively;
b) examine the book kept to record church offerings and compare it with the cash book;
c) examine all bank statements (and pass books) and reconcile the balance with that shown in the cash book;
d) 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;
e) see that all money received during the period is applied only to the purposes for which it was contributed;
f) certify that the accounts have been audited and either that they have been found correct or that they have not been found correct and, if the latter, indicate the nature of the defects and recommend necessary corrections, either in the accounts under review or in future accounts as the case may require.

NOTE: The annual audit is not an audit (or review) as defined by the *Corporations Act 2001*.

2.47 Special collections

A board must:

a) carry out the directions of the courts of the church for collections ordered;
b) determine what other special collections or subscriptions may be made from the congregation for its own organisations or for other bodies;
c) ensure that no money is raised by any organisation or any individual for any purpose connected with the congregation without its approval or, if it does not grant approval, without the approval of a congregational meeting.

2.48 Payments

2.48.1 The stipend of any minister, licentiate or home missionary is the first charge on the ordinary revenue of the congregation.

2.48.2 The board must:

a) ensure that the stipend as contained in the Terms of Settlement and approved in accordance with rule 4.81 (and rule 4.71 for part-time ministry), is paid at least monthly;
b) fix any remuneration of congregational officers and promptly pay it;
c) ensure that all regular General Assembly rates, presbytery rates, superannuation contributions, budget collections and other payments due from the congregation are promptly remitted to the proper authority.

NOTE: The highlighted rule above has interim authority.

2.49 Inability or failure to implement terms of settlement

The minister and the treasurer of the board shall report promptly to the presbytery any known inability or failure to pay stipend or to make available non-cash benefits at least monthly, or to implement the terms of settlement as declared by the Maintenance of the Ministry Committee.

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Section One … Membership, Jurisdiction and Powers

3.1 Membership

A session ordinarily consists of the minister of a charge and two or more elders.

3.2 Jurisdiction and powers

3.2.1 Subject to the relevant civil law and to the law of the church and the jurisdiction and lawful directions of its higher courts, a session has jurisdiction and powers of government, discipline and oversight extending to every aspect of the life of any congregation of the charge.

3.2.2 If a situation arises which is not covered by the civil law, the law of the church, the jurisdiction and direction of its higher courts, or these rules, a session may act as it considers best to protect or promote the welfare of the church, or of its congregation or congregations.

3.3 Minister

3.3.1 The minister of any congregation of a pastoral or appointment charge is the moderator of session. However, unless otherwise determined by the presbytery or agreed between them, collegiate ministers preside alternately and the non-presiding minister sits as an ordinary member.

3.3.2 A minister is not under the disciplinary jurisdiction of a session but is otherwise under its pastoral care.

3.3.3 Subject to rule 3.3.4 a session must not receive or discuss complaints against the minister, who is responsible to the presbytery for the discharge of his duties. The correct procedure for complaint against a minister is by petition to the presbytery.

3.3.4 Notwithstanding rule 3.3.3, a session may, provided the minister consents to this course and the complaint does not raise a case or matter of discipline, on the footing of friendship receive and discuss a complaint against a minister in an attempt to resolve it amicably.

3.4 Interim moderator

3.4.1 The presbytery must appoint an interim moderator or intentional interim minister if a pastoral or appointment charge is vacant and also for certain other reasons (see rules 4.52, 4.54, 4.63.1(b), 4.76.6(b), 4.106).

3.4.2 Except as otherwise stated in these rules, an interim moderator, or an intentional interim minister, has the powers and performs the functions of moderator.

3.5 District interim moderator

A district interim moderator is a minister of the Presbyterian Church of Australia authorised and provided by the Ministry Development Committee for appointment by presbyteries as an interim moderator or moderator.

3.6 Elders

3.6.1 Elders are communicants of the church who have been elected to a session.

3.6.2 An elder is ordained to the eldership for life. An elder holds this status until he resigns, or he is deposed from office, or the law of the church otherwise deprives him of this status.

3.6.3 An elder remains a member of the session which has inducted him while a communicant of a congregation under the jurisdiction of that session, or until he resigns, or is deposed, or he is removed by the operation of rule 3.6A.3(b) or the law of the church otherwise deprives him of his status as an elder.

3.6.4 If an elder transfers his membership to a congregation of a charge under the jurisdiction of another session he does not become a member of that session unless inducted to office in it.

3.6.5 An elder rules and serves for all the congregations of a charge and not only for a particular congregation.

3.6.6 An elder's name may be removed from its roll by the session if it decides 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 inadvisable.

Notice of motion to this effect must be given in writing to all members of the court at least ten clear days before the meeting.

3.6A

3.6A.1 Every elder who is a member of a session must hold a current Working With Children Check.

3.6A.2 Upon becoming aware that an elder does not hold a current Working With Children Check due to a failure to renew the Working With Children Check, the session must immediately suspend him from the session until he renews the Working With Children Check.

3.6A.3 Upon becoming aware that an elder has had his Working With Children Check refused or excluded, the session must immediately suspend him from the session pending the exhaustion of his appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court.

a) If such refusal or exclusion is set aside the session must on becoming aware of this not lift the suspension until the person has been cleared for service by the Safe Church Screening process, which process the session must initiate immediately.

b) If such refusal or exclusion is not set aside then upon the exhaustion of such appeal rights or if the person fails to be cleared for service by the Safe Church Screening process the session must remove him from the session.

3.6A.4 An elder who has had his or her Working With Children Check reinstated after a refusal or exclusion, which was not subsequently set aside, will be eligible for election to any session only after being cleared for service through the Safe Church Screening processes.

NOTE: The above highlighted rule has interim authority.

3.7 Clerk

3.7.1 A session must appoint a clerk, who is usually but not necessarily one of its members.

3.7.2 In addition to the duties applicable to clerks of all courts the session clerk is under a duty to:

a) keep accurate minutes of meetings of the congregation;

b) provide for the safe keeping of the marriage register of the congregation.

Section Two … Meetings

3.8 Convening

Notification of the time of a session meeting must be either by public announcement at the time of ordinary public worship or by personal notice in sufficient time to each member. Further, the moderator must convene a meeting within ten days after receipt of a written requisition from two session members.

NOTE: Convening of a session meeting is dealt with in rule 6.7.

3.9 Procedure

3.9.1 Session meets in private unless it determines otherwise.

3.9.2 A quorum of session is the moderator and two elders.

3.9.3 A session meeting is normally chaired by the moderator, or by a minister authorised by him or by a higher court. If, however, the business is urgent and the foregoing chairmanship is impracticable, the moderator may appoint an elder to chair the meeting and must report this to the next meeting of the presbytery.

3.9.4 The proceedings of a session are governed by such of the general rules of procedure for use in courts of the church as apply to it and by such other directions, rules and regulations as the General Assembly may specifically give or prescribe. Otherwise, a session may exercise a discretionary power of procedure, but must ensure that substantial justice is done to all persons concerned.

Section Three … Election of Elders

3.10 New elders

3.10.1 A session may resolve to conduct an election for new elders, and if so it must also:

a) fix the maximum number of new elders required for the congregation or for each linked congregation in the charge;

b) fix the date for voting to cease which must be a Sunday;

c) fix the date on which notice of the election is to be given, which shall be at least two Sundays before the date fixed for voting to cease;

d) fix the date for voting to commence, which must be a period of not less than eight days, including two Sundays, before voting is to cease;

e) resolve whether the ballot is to be conducted with or without prior nomination of candidates;

f) if the ballot is to be conducted without prior nomination:

i) resolve whether the ballot papers must be signed or whether unsigned ballot papers are to be used; and

ii) if unsigned ballot papers are to be used, appoint an electoral officer or officers;

g) if the ballot is to be conducted with nominations, fix the date by which any nomination is to be submitted to the session clerk, which date shall be at least eight days from when notice of the election is given, which period shall include two Sundays;

h) give notice to any congregation that ordination and/or induction to the eldership is subject to diligent completion of an eldership training course by the person elected.

3.10.2 After these resolutions, and before any further step, the minister must expound in each congregation in his charge the biblical teaching on the office of eldership.

NOTE: The 2023 General Assembly of Australia declared (BB 2023 min 30.6.9(b)) that the Presbyterian Church of Australia:

a) holds that elders occupy a pastoral office to which belongs the spiritual oversight of the Church. Under the Chief Shepherd, the Lord Jesus Christ, elders shepherd and serve the church by sharing in its government, teaching the word of God, praying with and for God's people, and modelling life in Christ, according to their gifts;

b) holds that teaching is, and always has been, a vital part of an elder's duties and that all elders must be competent to teach according to their gifts;

c) observes a functional distinction between ministers of the word and sacraments, and elders.

3.11 Persons eligible for election as elders

The persons eligible for election as elders are:

a) male communicants of the congregation, aged at least 21 years, whose membership exceeds one year; however, this membership period may be waived by the session if the person has previously been ordained as an elder and given satisfactory service in a session;

b) a minister not inducted into a pastoral charge who is a member of the congregation but not a ministerial member of presbytery.

NOTE: Rule 9.19 of the Code of Discipline provides that a minister or other officer of the church deposed from office or suspended indefinitely is not eligible for election to the office of elder.
The 2013 General Assembly of Australia declared (BB 2013 min 83) 'that the understanding and practice of infant baptism is so integral to the history, the purity of worship and the structure of covenant theology in the Westminster Confession of Faith that no potential office bearer should sign the formula if the Church's stance on infant baptism is not accepted. Furthermore, those who have signed it but hold exclusively to credobaptistic views should remain silent on their views or resign.

3.12 Ballot and constituency

3.12.1 An eldership election is conducted by ballot and is performed by the electorate voting as a single constituency even in a linked charge.

3.12.2 A voter may vote for any number of eligible persons up to but not exceeding the number of elders to be elected.

3.13 Preliminary steps to election

At least one week before the date fixed for voting to commence, a list of those eligible to vote in the election, and of those eligible for election, must be displayed at all meeting places in any congregation of the charge or otherwise be made available to their communicants.

3.14 Procedure for ballot without nominations

3.14.1 If the ballot is to be conducted with unsigned ballot papers:

a) the electoral officer must ensure that only those eligible to vote receive ballot papers authenticated by the session by the time when voting is to commence. This ballot paper must include:
   i) a note to the effect that voters may vote for any eligible persons up to the number required;
   ii) such other instructions as may be considered necessary; and

b) a voter must write on that ballot paper the name or names of the persons voted for and lodge the paper with the electoral officer or session clerk by the time when voting is to cease.

3.14.2 If the ballot is to be conducted with signed ballot papers:

a) a notice must be publicly given to the congregation before voting commences containing:
   i) a note to the effect that voters may vote for any eligible persons up to the number required;
   ii) such other instructions as may be considered necessary including that the ballot paper must be signed; and

b) a voter must write on the ballot paper the name or names of the persons voted for, sign it, and lodge the paper as in 3.14.1(b).

3.15 Procedure for ballot with nominations

If the ballot is to be conducted with nominations:

a) any nomination must either be signed by at least one communicant of the congregation aged at least 16 years or be a nomination by session;

b) the session must, by the time when voting is to commence, make publicly available at all meeting places of any congregation of the charge ballot papers containing:
   i) a list of eligible nominees arranged in alphabetical order;
   ii) an instruction that voters may vote for up to the number required;
   iii) such other instructions as may be considered necessary, including that the ballot paper must be signed;

c) the ballot paper must be signed.

3.16 Counting of votes and judgment of session

A session must count the votes in an eldership election and in deciding who is 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 eligible for election;

b) is qualified by godly character and appropriate gifts of leadership as specified in scriptural teaching such as 1 Timothy 3:1-7 and Titus 1:5-9;

c) has a firm grasp of gospel truth and a working knowledge of the scriptures;

d) understands and is able to answer the questions prescribed by the General Assembly of Australia affirmatively;
e) has received the number of votes session considers sufficient;
f) has before or after the counting of votes:
   i) diligently completed an eldership training course which includes instruction in the eldership vows (see Appendix 1, Forms and Certificates, 16);
   ii) a current Working With Children Check ('WWCC');
   iii) completed the PCV Safe Church requirements for elders.

Insofar as it is so satisfied it records this by resolution.

3.17 Declaration of election

After the resolution referred to in the previous rule, the session must:
a) by formal motion declare elected those with whom it is satisfied as stated in the previous rule up to the maximum previously fixed; and
b) publicly announce the names of the elders-elect in alphabetical order.

Section Four … Ordination and Induction of Elders

3.18 Preliminaries to service of ordination and induction

3.18.1 Session must issue in the prescribed form (see Appendix 1, Forms and Certificates, 7) an edict for the ordination and induction of any unordained elder-elect or for the induction of any ordained elder-elect.

3.18.2 This edict must be read publicly at ordinary public worship of all congregations in the charge at least eight days before the date of the proposed service.

3.18.3 If relevant objections in the terms of the edict are received, the moderator must call a meeting of the session to decide its response.

3.18.4 At this meeting or at an adjournment of it:
a) any person offering objections must justify them;
b) session must then hear from each elder-elect against whom an objection has been received, and from any other persons who may be able to assist it in its deliberations;
c) session may then:
   i) resolve to proceed with the ordination or induction only on the grounds that the objections offered are not substantiated and/or are judged to be frivolous; or
   ii) resolve to postpone any ordination or induction to allow it to investigate further the objections offered; or
   iii) sustain any relevant and serious objection, in which case it may revoke its declaration of that person as an elder-elect.

3.19 Service of ordination and induction

3.19.1 On the day appointed for the service the session must convene and:
a) call for the return of the edict with confirmation that it has been duly read to any congregation;
b) call for a report from the clerk.

Session shall then resolve to proceed with the service if the clerk reports either that no objections in terms of the edict have been received or that any such objections have been dealt with by the session to its satisfaction. The session meeting shall then adjourn until after the service.

3.19.2 The service of ordination and induction or of induction only must include:
a) a narration of the steps leading up to this occasion;
b) the affirmative answering by the congregation and the elders-elect of the questions prescribed by the General Assembly of Australia (see Appendix 1, Forms and Certificates, 15);
c) the ordination by prayer of any unordained elders-elect and the induction of all the elders-elect. If an elder-elect has previously been ordained in a Presbyterian Church, whether in Australia or elsewhere, he is inducted on affirmatively answering the questions prescribed by the General Assembly of Australia;
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 1, Forms and Certificates, 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 must resume, the names of the newly inducted elders must by formal motion be added to the roll of the session, and the meeting, after transacting any other necessary business, must be closed with prayer.

3.20 Report to presbytery

The names and dates of induction of the new elders must be reported to the presbytery.

Section Five … Public Worship

3.21 Minister's responsibility

In the conduct of services of public worship:

a) the minister acts under the direction of the presbytery, of which for these purposes he is the executive, and to which he alone is responsible;

b) any other person leading any part of the service and any church officer participating in the service are under the direction of the minister. Accordingly, subject to any determination of a higher court, the minister of a charge is sole determinant of who preaches or conducts public worship in it;

c) the minister is responsible to the presbytery for how any person other than an ordained minister, licentiate, or candidate for the ministry of the Presbyterian Church of Australia preaches or conducts public worship within his charge.

3.22 Role of the session

With the concurrence of the minister of the charge, session:

a) fixes the times of regular public worship and of any special services of public worship it considers necessary;

b) determines, after consulting all congregations under its jurisdiction, which books and items of praise are to be used in their public worship, and ensures a sufficient supply of them;

c) ensures enough church music is available for the worship;

d) ensures that everything necessary for the conduct of public worship is available, subject to the board agreeing to purchase the same.

3.23 Baptism

3.23.1 The session shall encourage believing parents to have their children baptised without unnecessary delay.

3.23.2 A session arranges for the sacrament of baptism to be administered to:

a) the children of parents one or both of whom are communicants or baptised persons who make such profession of their faith as would entitle them to become communicants;

b) adults, upon profession of their faith in the Lord Jesus Christ and obedience to him.

These arrangements are normally made on the minister's recommendation after he has interviewed the parents or adults and prepared them for the baptism.

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

3.23.4 A certificate of baptism is given by the minister after the administration of the sacrament, and the names of those baptised must be promptly reported to the session.

3.24 Lord's Supper

3.24.1 A session must appoint the time and place, and make suitable provision, for the public observance of the sacrament of the Lord's Supper. It also may arrange, normally through the minister, accompanied by at least one elder, for the sacrament to be administered privately, when necessary, for sick or aged communicants.

3.24.2 Public invitation to participate in the Lord's Supper is ordinarily given by the minister, in a form approved by the session, to:

a) communicants of the congregation;

b) adherents to whom the session has extended the privilege of participation in the Lord's Supper;

c) children who have been admitted to the Lord's Supper as provided for in rule 3.24A;

d) visiting communicants of other Presbyterian congregations;
e) visiting members of other branches of the Christian church.

3.24.3 The minister must encourage all present to examine themselves before the Lord in light of such Scripture as 1 Corinthians 11:27–29 and Matthew 5:23-24 whether they should accept the invitation to participate in the Lord's Supper.

3.24A Lord's Supper

3.24A.1 In this rule, a 'child' is a young person who has not been admitted to communicant membership by profession of faith or has not been extended the privilege of participation in the Lord's Supper by a session as an adherent.

3.24A.2 Before admitting a child to the Lord's Supper, the session must ensure that the child;

a) has been baptised; and
b) has been instructed in the Christian faith and the nature of the sacrament; and
c) has made a public profession of faith or a credible profession of faith to his or her believing parent/s or guardians; and

has a life consistent with his or her profession.

Section Six … Oversight of Membership

3.25 Baptismal Register

A session must keep a register of baptisms in the form prescribed by the General Assembly for each congregation under its jurisdiction (Appendix 1, Forms and Certificates, 19 (c)).

3.26 Admission as a communicant

3.26.1 Although admission into the visible church of Christ is by the sacrament of baptism, a person who is baptised is only admitted into the privileges and responsibilities of a communicant on making public profession of faith and admission by the session to the sacrament of the Lord's Supper.

3.26.2 If anyone applies to become a communicant of a congregation, the session must satisfy itself of the applicant's:

a) knowledge of the rules relating to communicants;
b) baptism;
c) profession of faith in the Lord Jesus Christ;
d) 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
e) consistency between life and profession.

3.26.3 A session may resolve to admit the applicant as a communicant if:

a) it is directly satisfied of the matters stated in rule 3.26.2, including that the applicant has professed his or her faith in the Lord Jesus Christ at a service of that congregation; or
b) it is satisfied of the matters stated in rule 3.26.2 because it has received a transfer certificate from the session of another congregation within the Presbyterian Church of Australia; or
c) it has otherwise satisfied itself of the matters stated in rule 3.26.2.

3.27 Roll of communicants

3.27.1 A session must keep a roll of communicant**s** for each congregation under its jurisdiction in the form prescribed by the General Assembly (see Appendix 1, Forms and Certificates, 19(a)).

3.27.2 The session removes from this roll the names of persons ceasing to be communicants:

a) through death; or
b) by issue of a certificate of transfer; or
c) by special resolution of the session for this purpose.

3.28 Becoming an adherent

3.28.1 A person who:

a) associates regularly with a congregation in worship; and
b) contributes to its support as able; and
c) wishes for the time being to identify with it, but less formally than as a communicant;

may apply to become an adherent of that congregation.

3.28.2 If the session is satisfied that the applicant professes faith in the Lord Jesus Christ and lives a life consistent with that profession it may, after explaining the rules relating to adherents to that person, place his or her name on the roll of adherents.

3.29 Roll of adherents

3.29.1 A session must keep a roll of adherents for each congregation under its jurisdiction in the form prescribed by the General Assembly (see Appendix 1, Forms and Certificates, 19(b)).

3.29.2 The session must remove the name of any adherent ceasing to comply with rules 3.28.1 and 3.28.2.

3.29.3 A session must encourage adherents to seek admission as communicants.

3.30 Revision of the rolls

3.30.1 A session must revise the rolls annually. In doing this it may remove from the roll of communicant**s** those who have shown their lack of interest by:

a) continued absence from the Lord's Supper; or

b) infrequent attendance at public worship.

3.30.2 A session must, if practicable, first give any person notice of the possibility of his or her removal and then provide an opportunity for that person to be heard in the matter.

3.30.3 A session then determines whether to remove any person and records in the minutes of its meeting that removal and the fact that it has revised the rolls.

3.30.4 A person so removed may be restored only by a special resolution of the session.

3.31 Transfer of membership

3.31.1 If a communicant not under discipline applies to leave the congregation with a view to joining another congregation, the session must issue a transfer certificate and ensure that the applicant is not simultaneously on two communicant rolls.

3.31.2 If an adherent, or a person who regularly attends worship and supports the witness of the church, applies to leave the congregation because he or she is intending to reside elsewhere where there is a Presbyterian church with which he or she intends to be connected, the session may issue a letter of introduction to that church and advise its minister or session of the person's arrival.

3.32 Discipline

A session has the power of discipline over communicants and adherents of any congregation under its oversight in accordance with the law of the church (see PCA 'Code', chapter 8).

NOTE: Rule 10.04 of the Code of Discipline provides that 'the removal of a censure is effected only by the Court by which it is inflicted or, in cases where an appeal is taken against the finding in regard to the offence or against the consequent censure, by the Appellate Court and takes place only after satisfactory evidence of the repentance of the offender'.

3.33 Roll of congregational families

A session must keep a complete roll of families and individuals connected with any congregation under its oversight, which it brings up to date each time a minister leaves the charge.

3.34 Elders' districts

While session maintains oversight of the entire congregation, it charges each elder with the oversight of a list of families and individuals connected with the congregation.

Section Seven … Board Elections

3.35 Board elections

3.35.1 A session must conduct the annual election of managers. This election must be held separately from any election of elders, 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.

3.35.2 Unless the election is held at the annual meeting of the congregation, the session must:

a) if the congregation has delegated to the session its right to determine the number of managers, fix the number of managers required;
b) fix the date for voting to cease which must be a Sunday;
c) fix the date on which notice of the election is to be given, which shall be at least two Sundays before the date fixed for voting to cease;
d) fix the date for voting to commence, which must be a period of not less than eight days, including two Sundays, before voting is to cease;
e) resolve whether the ballot is to be conducted with or without prior nomination of candidates;
f) if the ballot is to be conducted without prior nomination,
    i) resolve whether the ballot papers must be signed or whether unsigned ballot papers are to be used; and
    ii) if unsigned ballot papers are to be used, appoint an electoral officer or officers;
g) if the ballot is to be conducted with nominations, fix the date by which any nomination is to be submitted to the session clerk, which date shall be at least eight days from when notice of the election is given, which period shall include two Sundays.

3.36 Procedure for ballot without nominations

3.36.1 If the ballot is to be conducted with unsigned ballot papers:
a) the electoral officer must ensure that only those eligible to vote receive ballot papers authenticated by the session by the time when voting is to commence. This ballot paper must include:
    i) a note to the effect that voters may vote for any eligible persons up to the number required;
    ii) such other instructions as may be considered necessary; and
b) a voter must write on that ballot paper the name or names of the persons voted for and lodge the paper with the electoral officer or session clerk by the time when voting is to cease.

3.36.2 If the ballot is to be conducted with signed ballot papers:
a) a notice must be publicly given to the congregation before voting commences containing:
    i) a note to the effect that voters may vote for any eligible persons up to the number required;
    ii) such other instructions as may be considered necessary including that the ballot paper must be signed; and
b) a voter must write on the ballot paper the name or names of the persons voted for, sign it, and lodge the paper as in 3.36.1(b).

3.37 Procedure for ballot with nominations

3.37.1 If the ballot is to be conducted with nominations:
a) any nomination must be signed by at least one communicant or adherent of the congregation aged at least 16 years, and any nominee must sign the paper nominating him or her;
b) the session must, by the time when voting is to commence, make publicly available at all meeting places of any congregation of the charge ballot papers containing:
    i) a list of eligible nominees arranged in alphabetical order;
    ii) an instruction that voters may vote up to the number required for any eligible persons whether nominated or not;
    iii) such other instructions as may be considered necessary including that the ballot paper must be signed.
c) the ballot paper must be signed.

3.37.2 If the number of nominations received does not exceed the number of managers to be appointed, no election need be held, and the responsibility of making any appointment rests with the session.

3.38 Counting of votes and judgment of session

A session must count the votes in a board election and in deciding who is 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) has received the number of votes session considers sufficient;
b) demonstrates mature Christian character and convictions (Gal 5:22-26, Tit 2:1-8, 2 Pet 1:5-9) and is otherwise suitable to hold the office of manager; and

c) has a current Working With Children Check and has completed all relevant PCV Safe Church requirements.

Insofar as it is so satisfied it records this by resolution.

3.39 Declaration of election

After the resolution referred to in the previous rule the session must:

a) by formal motion declare elected those with whom it is satisfied as stated in the previous rule up to the number previously fixed; and

b) publicly announce the names of the managers-elect in alphabetical order.

Section Eight … Diaconal Ministry

3.40 Diaconal ministry

3.40.1 The diaconate is an office of mercy that is biblical, perpetual, spiritual and practical and distinct from the office of elder and the position of manager.

3.40.2 The diaconate serves with and on behalf of the congregation to promote, according to biblical guidelines and as resources permit, the material well-being first of the poor and needy within the local body of believers, secondly of other believers, and finally of all humanity.

3.40.3 A session ordinarily establishes a diaconal ministry and if so, determines how many deacons are to be elected.

3.40.4 Deacons are elected by communicants of the congregation in which they are to serve by a manner of election determined by the session.

3.40.5 Any person who has been a communicant of the congregation for at least one year, and is aged at least 21 years is eligible for election as a deacon in that congregation. A person who has served as a deacon in one congregation does not do so in another congregation unless so elected in that congregation.

3.40.6 A session must count the votes cast in the election, and in deciding who is to be elected must follow the order of the voters' preference, first satisfying itself that each of the persons indicated by this choice has demonstrated a commitment to the Lord Jesus Christ, owns the standards of the Church and has shown a giftedness for diaconal ministry within the life of the congregation and that he or she has a current Working With Children Check and has completed all relevant PCV Safe Church requirements. Insofar as it is so satisfied it records this by resolution.

3.40.7 After this resolution the session must:

a) by formal motion declare elected those with whom it is satisfied, up to a number not exceeding the number required;

b) make public announcement of the names of the deacons-elect arranged in alphabetical order.

3.40.8 After such public announcement the completion of a course of training set by the session and following the affirmative answering of the questions prescribed by the General Assembly of Australia (see PCA 'Code', 6.7), the Session is to proceed with the ordination and appointment or appointment only of any deacon-elect by prayer during public worship. If a deacon-elect has previously been ordained in a Presbyterian Church, whether in Australia or elsewhere, he or she is appointed on affirmatively answering the questions prescribed by the General Assembly of Australia.

3.40.9 The Session must fix the term of a deacon's appointment, which is to be a minimum of three years, after which the deacon is then eligible for re-election. However, any appointment may be ended by session:

a) if the deacon resigns in writing addressed to it or ceases to be a communicant of the congregation; or

b) if it decides that the deacon has become physically or mentally infirm; or

c) if it decides that the deacon has ceased to demonstrate a commitment to the Lord Jesus Christ and a giftedness for diaconal ministry within the life of the congregation; or

d) by the operation of rule 3.40A.3(b).

3.40.10 The diaconate must report on their activities to the session both regularly and also as required by session, and be available to assist elders as required.

3.40.11 Where there is more than one deacon, they must be formed into a diaconal care team for mutual prayer, support and communication. The meetings of this team are chaired by the minister or, if he is unable to do so, by an elder or deacon appointed by him.

3.40.12 With the approval of the session, the deacons may enlist the assistance of other suitably godly and gifted church members who are not deacons to help them carry out their work (or in the absence of any deacons, the session may do so).

3.40.13 The ministry of the diaconate is funded by the board. If any employment agreement is entered into, it should, if possible, be in a form approved by the Board of Investment and Finance.

NOTE: The 2023 General Assembly of Australia resolved (BB 2023 min 30.6) to confirm that:

a) deacons, along with ministers and elders, hold office in accordance with the doctrine of the Church;

b) admission to the office of deacon, after proper election, is by means of ordination, which ordination is for life unless voided by resignation or deposition;

c) entry into the exercise of the office of deacon may be by induction, which induction is for life unless voided by resignation or deposition, or by appointment by the Session for a period of time before becoming eligible for reappointment for a further stated period.

3.40A

3.40A.1 Every person serving as a deacon as provided for in rule 3.40 above must hold a current Working With Children Check.

3.40A.2 Upon becoming aware that a deacon does not hold a current Working With Children Check due to a failure to renew the Working With Children Check, the session must immediately suspend the person from the diaconate until the person renews the Working With Children Check.

3.40A.3 Upon becoming aware that a deacon has had his or her Working With Children Check refused or excluded, the session must immediately suspend that person from the diaconate pending the exhaustion of that person's appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court.

a) If such refusal or exclusion is set aside the session must on becoming aware of this not lift the suspension until the person has been cleared for service by the Safe Church Screening process, which process the session must initiate immediately.

b) If such refusal or exclusion is not set aside then upon the exhaustion of such appeal rights or if the person fails to be cleared for service by the Safe Church Screening process the session must remove that person from the diaconate.

3.40A.4 A deacon who has had his or her Working With Children Check reinstated after a refusal or exclusion, which was not subsequently set aside, will be eligible for election to any diaconate only after being cleared for service through the Safe Church Screening processes.

NOTE: The highlighted rule above has interim authority.

Section Nine … General Oversight of Congregational Affairs

3.41 Sunday School and youth work

3.41.1 In the exercise of its oversight of the Christian education of the young, a session must encourage religious training in the home and may establish and supervise Sunday Schools and provide bible classes and similar groups.

3.41.2 A session appoints the Sunday School superintendent and any leader of a bible class or youth group.

3.41.3 A session appoints any Sunday School teacher unless by authority of the session he or she is appointed by the Sunday School superintendent on its behalf.

3.41.4 A session must approve the material that is to be taught in any Sunday School, bible class or similar group.

3.41.5 A session must call for regular reports from any youth organisation in a congregation.

3.41.6 A session must provide for the training and suitable equipment of those who take part in the Christian education of the young and in this regard ensure compliance with all legal and Safe Church – PCV requirements.

3.42 Clubs, societies and groups

3.42.1 Session's oversight of the life of the congregation includes oversight of all clubs, societies and groups connected with any congregation under its jurisdiction.

3.42.2 No club, society or group can be recognised as connected with a congregation unless this is approved by the session and that club, society or group has indicated willingness to conform to the rules applicable to it.

3.43 Finances and activities

A session must ensure 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.

3.44 Certain activities not permitted

A session must ensure that:

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

3.45 Appointment of congregational officers

3.45.1 Session is responsible for the appointment, but not the financial arrangements, of congregational officers, including choir-director, organist or other musicians, or church officer, using wherever possible contracts approved by the Board of Investment and Finance.

3.45.2 Session must ensure that any appointee has a current Working With Children Check and has completed all relevant PCV Safe Church requirements.

3.45.3 Nonetheless, session shall not appoint or continue the appointment of any congregational officer who is under the minister's direction in the conduct of public worship if the minister is dissatisfied with his or her character, conduct, qualifications or efficiency.

3.45.4 Subject to the terms of any contract, a congregational officer may:

a) resign in writing;
b) be removed by a session if it is dissatisfied with his or her character, conduct, qualifications or efficiency.

Section Ten … Relations with Other Courts of the Church

3.46 Submission of records to presbytery

A session must annually submit to presbytery and also produce when directed:

a) the session minute book;
b) the rolls of communicants and adherents;
c) the register of baptisms and baptismal certificate book;
d) the book of transfer certificates;
e) the board and congregational minute books; and
f) any other documents, reports or statistics that the presbytery may require.

3.47 Advice of presbytery

A session must seek the advice of the presbytery in matters of doubt and report irregularities in anything for which it is responsible.

3.48 Representative elders

3.48.1 The session of every charge is represented by an elder in both the presbytery and General Assembly, commissioned by the session for that purpose, and whose commission in the prescribed form to either court must be forwarded by its clerk to the presbytery clerk (see Appendix 1, Forms and Certificates, 8). The session need not commission the same elder for both the presbytery and the General Assembly.

3.48.2 A session may commission an alternate elder to the presbytery who acts when the elder primarily appointed is unable to do so.

3.48.3 If a session cannot arrange for one of its members to represent it in a higher court, it may commission a member of another session within the bounds of that court who is willing to act and who is certified as such by the moderator or clerk of his session (see Appendix 1, Forms and Certificates, 9).

3.48.4 Each commission must state the term of the representative's appointment, which may be for any term not exceeding one year from the date that the presbytery last called for the commissions of all representative elders.

3.48.5 A representative elder may be re-commissioned on expiry of his previous commission.

3.48.6 If a representative elder dies, resigns, has been removed from office, or is otherwise ineligible to be a representative elder, the session must commission an elder to take his place as soon as possible.

3.49 Jurisdiction of co-ordinate courts

A session cannot intervene in the affairs of another session but may complain to the presbytery with jurisdiction over that session of any alleged irregularity or interference by that session and request suitable action.

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Section One … Constitution and Officials

4.1 Formation

4.1.1 A presbytery is formed by the General Assembly which:

a) names it;
b) fixes its bounds;
c) appoints a time and place for its first meeting;
d) instructs a minister from within its bounds to convene, constitute and preside over its first meeting.

4.1.2 When commissions of the representative elders present have been sustained, and the roll of members has been fixed, the presbytery must elect its moderator.

4.2 Membership and roll

The membership of a presbytery consists of the following ministers and elders, whose names are placed on its membership roll.

Part 1 – Ministers

a) every minister inducted into a pastoral charge within its bounds;
b) every minister in full standing in the Presbyterian Church of Australia appointed:

i) to an appointment charge within its bounds for a term of one year or more; or
ii) to a home mission charge within its bounds; or
iii) as a church planter in a church plant charge within its bounds; or
iv) as an assistant to a duly inducted minister in the presbytery for a term of one year or more.

c) every minister of the Presbyterian Church of Australia commissioned by the presbytery for the work of the Presbyterian Inland Mission for the period of his appointment;
d) every minister and every ordained Australian Presbyterian World Mission missionary granted a seat on the presbytery by rule, regulation or resolution of the General Assembly, or has been received by transfer from another presbytery;
e) every retired minister who has retained his seat on the presbytery or who has been received by transfer from another presbytery;
f) every full-time chaplain to the Australian Defence Force who:
i) was a member of the presbytery when notification of his appointment was received, until he ceases to hold such appointment or his membership is transferred to another presbytery; or
ii) not being a member of another presbytery, is serving within its bounds;
g) every minister of the Presbyterian Church of Australia appointed by the Health and Community Chaplaincy Committee as a chaplain and serving within its bounds;
h) every intentional interim minister serving within its bounds;
i) every district interim moderator appointed by the presbytery and serving within its bounds;
j) every professor or full-time lecturer appointed by the General Assembly to the Presbyterian Theological College granted a seat on the presbytery by the General Assembly;
k) every minister in special circumstance, following successful petition by the presbytery to the General Assembly.

Part 2 – Elders

l) every representative elder from each charge within its bounds whose written commission has been sustained by the presbytery (noting also rule 3.48);
m) every parity elder appointed by the presbytery (noting also rules 4.4, 4.5);
n) the following elders if they are members of sessions within its bounds:
i) every elder appointed by the General Assembly as its Law Agent or Procurator;
ii) every elder appointed as a convener or chairman of a General Assembly committee or board;
iii) every elder appointed by the General Assembly to full-time office;
iv) every elder in special circumstance, following successful petition by the presbytery to the General Assembly.

4.3 Name on one roll only

A person can only be a member of one presbytery. If that person is already a member of a presbytery and qualifies for membership of another presbytery, the first presbytery must decide whether to transfer his membership.

4.4 Retired ministers

4.4.1 A minister acquires the status of a retired minister if he resigns his charge because of advancing years or ill-health and with the intention of withdrawing from the full-time work of the pastorate.

4.4.2 This minister, if he requests, retains his membership of the presbytery. If he attends presbytery regularly, and takes an active part in its affairs, the presbytery may appoint a parity elder for him annually according to rule 4.2(m) above.

4.5 Parity elders

4.5.1 A presbytery may appoint from sessions within its bounds elders to give parity of membership with ministerial members on the presbytery.

4.5.2 Rules 4.2(l) and 4.2(m) are subject to the limit that no more than two elders from any session are members of the presbytery, except those who are covered by rule 4.2(n).

4.6 Associate members

Except when a judicial case is before it, the presbytery may as a courtesy associate with itself a member of another presbytery who is present.

4.7 Moderator

4.7.1 A presbytery must elect a moderator who holds office for a period determined by it which is normally twelve months.

4.7.2 If the moderator is absent, or leaves the chair whether to address the court or for any other reason, the most recent past moderator present takes the chair, failing which the court appoints a member to take the chair.

4.7.3 If the moderator dies or otherwise ceases to be a member of the presbytery, his duties immediately devolve to the previous moderator until the next ordinary meeting of the presbytery.

4.7.4 If the previous moderator cannot assume such responsibility, any right and duty to call urgent meetings devolves to the clerk until a new moderator is appointed.

4.7.5 An acting moderator has all the duties and rights of the moderator (see rules 6.3, 6.4, 6.14).

4.8 Clerk

A presbytery must appoint a clerk, who is usually but not necessarily one of its members, may review the appointment annually, and must fix the clerk's remuneration from its funds.

NOTE: Rule 6.5 deals with the duties of a clerk; rule 6.6 contains the *Declaration of Faithful Duty* to be taken by the clerk.

4.9 Treasurer

A presbytery must appoint a treasurer to gather, take charge of, disburse and account for all funds held by it as it may direct, and to present audited accounts to it.

4.10 Other officials

A presbytery may appoint such other officials as it considers necessary for its work.

4.11 Fund

A presbytery may establish a fund to meet its expenses, and can for this fix a rate levied on each charge. Offerings made at services appointed by the presbytery may also be applied to this fund.

4.12 Commissions

4.12.1 A presbytery may appoint a commission of its members for a specified purpose and with powers and membership defined by it at the time of appointment.

4.12.2 The quorum of a commission is three members, of whom two must be ministers.

4.12.3 A commission does not have the power to ordain ministers, dissolve a pastoral tie or pronounce a sentence in a judicial case.

4.12.4 A commission must so far as possible follow any procedure prescribed for a presbytery in a similar case.

4.12.5 There is the same right of appeal against a decision of a commission of a presbytery as against a decision of the presbytery.

4.13 Committees

A presbytery may appoint committees for particular purposes to facilitate its work. A committee must not meet when presbytery is sitting, without its permission.

Section Two … Meetings and Procedure

4.14 Types of meetings

Meetings of a presbytery are:

a) Ordinary;
b) Special Purpose;
c) Urgent;
d) Adjourned.

4.15 Quorum

A quorum of the presbytery is three members, of whom two must be ministers.

4.16 Ordinary meetings

4.16.1 A presbytery meets for ordinary business by:

a) adjournment from the previous ordinary meeting; or
b) special appointment of the General Assembly; or
c) the constitutional revival of the presbytery after its lapse.

4.16.2 An ordinary meeting of presbytery is usually held at set times and places and must be held at least quarterly.

4.16.3 At each ordinary meeting, the time and place of the next ordinary meeting must be fixed, announced and minuted. Although this suffices without further announcement, the clerk usually sends members a written reminder including notice of the proposed business.

4.16.4 If the moderator believes that the appointed next meeting day will be unsuitable, he may, with the consent of the clerk and another member, alter the date and must then instruct the clerk to give at least seven days' notice to members of such alteration.

4.16.5 If the moderator acts under the previous rule, the moderator must submit to the presbytery written reasons for his action and these must be recorded in the minutes.

4.17 Special purpose meetings

4.17.1 A special purpose meeting of presbytery 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.

4.17.2 A special purpose meeting must take up only the business announced and minuted, and only the part of the minutes of the previous ordinary meeting relevant to the special purpose meeting is read at it.

4.17.3 The requirements for notice of a special purpose meeting are the same as for an ordinary meeting.

4.18 Urgent meetings

4.18.1 An urgent meeting of presbytery is one called to attend to business emerging since the previous ordinary meeting and judged to require urgent action.

4.18.2 A moderator may call an urgent meeting on his own responsibility or, if he sees cause, when requested to do so for reasons stated by at least a quorum of the presbytery.

4.18.3 A moderator shall call an urgent meeting when directed by the General Assembly or by a Commission thereof.

4.18.4 At least seven days' notice of an urgent meeting is given to presbytery members by the moderator or, with his authority, by the clerk, unless the moderator deems the proposed business requires immediate action, in which case, provided that every member of the court is notified, with the consent of two thirds of the members of the court one day's notice may be given.

4.18.5 The notice of meeting must state the business of the meeting.

4.18.6 At an urgent meeting:

a) the presbytery must first approve or disapprove the action of the moderator in calling the meeting;
b) if the calling of the meeting is approved, only the stated business may be attended to at the meeting;
c) if the calling of the meeting is disapproved the meeting does not deal with the stated business but the moderator, or any member of the court, may bring the whole circumstances of the case to the next ordinary meeting of the presbytery which may there deal with the stated business.

4.18.7 The full notice of an urgent meeting must be set out in the minutes of the meeting.

4.19 Adjourned meetings

4.19.1 Any of the foregoing type**s** of presbytery meeting may be adjourned to meet before the date of the next ordinary meeting of the presbytery to complete business and for that purpose alone.

4.19.2 The clerk must give notice of the adjournment to all presbytery members unless the adjournment is for only one day.

4.20 Lapse of powers and functions

4.20.1 Presbytery is a continuing court. Accordingly, its powers and functions lapse:

a) when at an ordinary meeting it neglects to appoint a time and place for its next meeting; or
b) when a quorum is not present at an ordinary meeting.

4.20.2 If a lapse occurs, the presbytery cannot again meet for business until convened by special notice given to presbytery members at least seven days before the meeting by the moderator, or, with his authority, by the clerk or by the Assembly Clerk.

4.20.3 The notice of meeting must bear the words 'By order of the moderator' or 'By order of the General Assembly.'

4.20.4 Any circumstances described in this rule must be recorded in the minutes of the presbytery when it meets and be reported to the Assembly Clerk.

4.21 Licentiates may remain

If presbytery determines to sit in private it may allow licentiates to remain.

NOTE: Rule 6.10 as to a court being open.

4.22 Order of business

4.22.1 The order of business of a presbytery meeting is normally:

a) constitution by prayer;
b) recording of members present;
c) sustaining of apologies for absence;
d) sustaining of elders' commissions;
e) adjustment of the roll;
f) association of eligible persons, and welcomes;
g) declaration of conflicts of interest;
h) tabling of notices of motion for a future meeting;
i) adoption of agenda;
j) confirmation of minutes of previous meeting(s);
k) attention to any reasons for dissent from decisions recorded in the minutes of the previous meeting;
l) other business arising from the minutes;
m) any other business;
n) safety agreements and PCV Safe Church requirements;
o) fixing the date of the next meeting (see rule 4.16.3);
p) closure with prayer.

4.22.2 However, save for (a), (g), (n), (o) and (p) of the previous rule, a presbytery may vary the order of its business as it sees fit.

4.22.3 A notice of motion may also be handed in immediately before the close of the meeting.

4.23 Conference

A presbytery may meet in conference to permit greater freedom of discussion of important questions and to ripen opinion for subsequent decision. The conference may appoint the moderator or any other member to preside. Only the decision to meet in conference and the fact of having done so, and not any motions framed or decisions adopted at such a conference, may be recorded in the minutes of the presbytery.

4.24 Committee of the whole

For the consideration of a matter involving a variety of details, or for other reasons, a 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.

NOTE: The procedure to be followed in committee as a whole is in rule 7.40.

4.25 Procedure

4.25.1 Presbytery procedure is governed by those parts of the following which apply to it:

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;
d) any direction of the General Assembly.

4.25.2 Otherwise a presbytery exercises a discretionary power of procedure subject to ensuring that substantial justice is done to all persons concerned.

4.26 Announcement of decisions

Decisions of the presbytery must be communicated to the persons they concern either orally to those present or by extract minutes.

Section Three … Jurisdiction, Powers and Duties in General

4.27 Jurisdiction

Provided it does not intrude upon the jurisdiction accorded to sessions by these rules, a presbytery has jurisdiction over:

a) all the territory within the bounds assigned to it by the General Assembly;
b) the congregations and their communicants and adherents located within its bounds;
c) its members;
d) all ministers not inducted into a pastoral charge and all licentiates living or working within its bounds who are not under the jurisdiction of another presbytery;
e) such persons, congregations and institutions outside its bounds as the General Assembly commits to its jurisdiction.

4.28 Rules not exhaustive of powers

Provided it does not intrude upon the jurisdiction accorded to sessions by these rules the presbytery must watch over all the interests of the church within the territory over which it has jurisdiction, and must intervene whenever it judges appropriate to protect or promote those interests. The presbytery does this even when there is no express provision related to the matter made by a higher court.

4.29 Dissatisfaction with decisions

4.29.1 Except as otherwise provided for in these rules, a decision or judgment of a presbytery is brought under review by an appeal to the General Assembly, or to the General Assembly of Australia, as the case may be.

4.29.2 If an appeal is obstructed or unavailable, the aggrieved party may petition the General Assembly.

Section Four … Oversight of Candidates for the Ministry

4.30 Suitability of candidates

A presbytery must ascertain on all grounds whether an applicant is suitable to become a candidate for the ministry.

4.31 Acceptance of candidates (see also TEC regulation 5)

4.31.1 In considering the acceptance of applicants for the ministry, a presbytery must 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 must exercise every care in the matter of his application.

4.31.2 When a person applies to be accepted as a candidate for the ministry, the presbytery must examine him in accordance with the following rules:

a) it must 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 of it;
b) by this means, and by any other means it chooses to adopt, the presbytery must satisfy itself of the following points:
    i) the applicant's Christian character and conviction and his sense of divine call;
    ii) his satisfactory length of membership in and service to the Presbyterian Church of Australia (specified by GAA College Committee regulation 4(a) as 6 months);
    iii) his ability in preaching and public speaking;
    iv) his capacity for making acceptable contacts with people;

v) his plans for financing himself during the course, especially if he is married;
vi) his general health, including being provided with a medical report from an approved medical examiner;
vii) a satisfactory police record check;
viii) his having a current Working With Children Check ('WWCC');
ix) his having completed the Safe Church Volunteer Approval Process;

c) the presbytery must also require the candidate to undergo psychological testing and assessment, arranged by the presbytery at its expense and administered by a mental health professional external to the PCV, for the purpose of assisting the presbytery in determining the candidate's suitability to undertake work involving children as a minister of the church.

4.31.3 If, after examination, the application is approved, the presbytery must notify the Theological Education Committee, communicating full particulars of its enquiries, together with all relevant documents. The presbytery must await the report of the committee before proceeding. The presbytery must not proceed to admit an applicant as a candidate without the concurrence of the Theological Education Committee.

4.31.4 On receiving the report of that committee the presbytery must come to a decision about the applicant, and if it judges him to be a satisfactory applicant, and that committee concurs, it may admit him as a candidate, but on probation until completion of the first year of study. A presbytery must not finally confirm a student's candidacy until:

a) the period of probation has been satisfactorily fulfilled;
b) a report has been received from that committee advising of his satisfactory progress in his studies; and
c) it interviews him.

4.32 Role of GAA College Committee

After receiving from the Theological Education Committee notification of an applicant's acceptance as a candidate for the ministry, the College Committee of the General Assembly of Australia 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.

NOTE: 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.

4.33 Commencement of course of training

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.

4.34 Oversight of candidates (see also TEC regulation 5)

4.34.1 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.

4.34.2 The presbytery must require each candidate under its oversight:

a) to present each year a certificate from the Theological College Faculty that his year's work has been sustained; and
b) to appear in person at least once a year before presbytery or its students' committee.

4.34.3 If a presbytery:

a) based on reports received and interviews conducted; or
b) through the initiative of the Theological Education Committee, based on its reports and academic results received from the faculty;

resolves that it believes that a candidate may no longer be suitable for the ministry, it may commence a review to determine whether to terminate his candidature.

4.35 Trials for licence

A candidate who:

a) is a communicant of the church;

b) has notification from the Theological College Faculty that its requirements have been satisfied up to that time; and

c) has entered the final year of his studies;

may make formal request to the presbytery having oversight over him for trials for licence.

The presbytery must then appoint trials for licence for him, with 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 of the General Assembly of Australia and until one year has elapsed from the date of his acceptance as a candidate.

4.36 Subjects of examination

4.36.1 The Exit Certificate is ordinarily accepted as sufficient proof of scholarship, but the presbytery examiners must examine the candidate before it may grant him a licence.

4.36.2 The examination must 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; and

c) examination of pastoral and practical matters.

4.36.3 The examination may also include other prescribed tasks, including:

a) an exegesis paper on a prescribed passage of scripture;

b) an essay on a doctrine of theology;

on the understanding that (a) and (b) above may be satisfied with the production of papers previously written for or updated from class work.

4.37 Examiners report to presbytery

The examiners must report to the presbytery in writing and the presbytery must then hear from the candidate and have the opportunity to question him on any relevant matter.

4.38 Removal of a candidate to another presbytery during trials

4.38.1 If at any stage of his trials a candidate wishes to transfer his trials for licence to another presbytery, the presbytery, if satisfied with the reasons for his move, must transfer his trials for licence to that presbytery.

4.38.2 When transferring the candidate, the presbytery must certify the subjects of trial that have been prescribed (if any) and to what extent they have been satisfactorily completed.

4.38.3 The presbytery receiving the candidate must not review those parts of the trials already performed to the satisfaction of the former presbytery, but must proceed with the remainder of the trials as if the candidate had first appeared before it.

4.39 Act of licensing

After the candidate has completed his trials to the satisfaction of the presbytery, it must resolve to proceed to his licensing. The procedure of licensing must include:

a) the moderator puts to the candidate the questions prescribed by the General Assembly of Australia (see PCA 'Code', 6.5);

b) the moderator prays and then declares: '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 signs the Formula prescribed in the constitution of the Presbyterian Church of Australia (see Appendix 1, Forms and Certificates, 16);

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; and

f) the clerk issues to the licentiate an attested extract minute of his licence in the form prescribed (see Appendix 1, Forms and Certificates, 10).

Section Five … Status of Ministers and Licentiates

4.40 Status of a minister

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.

4.41 Admission to status of a minister

Admission to the status of a minister of the Presbyterian Church of Australia is either by:

a) ordination at the hands of a presbytery; 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 must recognise as a minister of the Presbyterian Church of Australia only those who have been admitted to that status and who still retain it.

4.42 Work outside the Presbyterian Church of Australia by a minister

A presbytery may permit a minister to work outside the Presbyterian Church of Australia for up to five years. In doing so, it must give due weight to the primary importance of pastoral work within the Presbyterian Church of Australia and must satisfy itself that the circumstances and area of work is not inconsistent with his calling.

4.43 Loss of status of a minister

If a minister 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, the presbytery must declare that the minister has lost the status of a minister of the Presbyterian Church of Australia.

4.44 Resignation of a minister

A request by a minister to resign from the ministry of the Presbyterian Church of Australia is dealt with as if he was resigning from his charge, so far as applicable (see rules 4.100 – 4.110).

4.45 Authority to grant certificates

A presbytery may grant the following documents in the prescribed form to persons within its jurisdiction:

a) a certificate of status, which certifies both that the person has been admitted to the status of a minister of the Presbyterian Church of Australia and retains that status (see Appendix 1, Forms and Certificates, 11);

b) a certificate of licence (which takes the form of an extract minute of licensing), which certifies that the person has been licensed by the presbytery to preach the gospel of the Lord Jesus Christ (see Appendix 1, Forms and Certificates, 10);

c) if there is no appropriate certificate, a letter of commendation. Non-exhaustive examples of this are a letter for:

   i) a minister or licentiate with leave of absence;

   ii) a minister who seeks to be referred to another Presbyterian authority or another denomination or church;

   iii) an elder proposing to visit a church outside Victoria;

   iv) a candidate for the ministry whose transfer to the oversight of another presbytery is imminent;

   v) a home missionary whose transfer to service in another presbytery is imminent.

4.46 Mandatory certificates

A presbytery must grant:

a) a certificate of status to a minister under its jurisdiction who resigns his charge or whose transfer to the jurisdiction of another presbytery is imminent, unless the minister has been translated or appointed by the General Assembly to an assembly office;

b) a certificate of licence in the form of an extract minute to a candidate immediately after his licensing.

Section Six … Oversight of Ministers and Licentiates

4.47 General oversight

A presbytery must be active in the oversight of all ministers and licentiates residing or labouring within its bounds, whether under its jurisdiction or not.

4.47A Working With Children Check requirements – persons in pastoral ministry

4.47A.1 Every:

a) minister inducted into a charge;

b) minister, licentiate, home missionary or candidate for the ministry appointed to a charge; and

c) church worker appointed to a remunerated or volunteer pastoral and/or teaching role in a charge;

must hold a current Working With Children Check.

4.47A.2 Upon becoming aware that such a person does not hold a current Working With Children Check due to a failure to renew the Working With Children Check, the session or the presbytery as the case may require must immediately suspend the person from his or her office or role until the person renews the Working With Children Check.

4.47A.3 Upon becoming aware that such person has had his or her Working With Children Check refused or excluded, the session or the presbytery as the case may require must immediately:

a) in the case of a minister inducted into a pastoral charge, suspend him pending the exhaustion of his appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court;

b) in the case of a minister, licentiate, home missionary or candidate for the ministry appointed to a pastoral charge, suspend him pending the exhaustion of his appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court;

c) in the case of any other church worker appointed to a remunerated or volunteer pastoral and/or teaching role in a charge, suspend that person from his or her role pending the exhaustion of his or her appeal rights to Victorian Civil and Administrative Tribunal and the Supreme Court;

4.47A.3A If such refusal or exclusion is set aside the session or the presbytery as the case may be must on becoming aware of this not lift the suspension until the person has been cleared for service by the Safe Church Screening process, which process the presbytery must initiate immediately.

4.47A.3B If such refusal or exclusion is not set aside then upon the exhaustion of such appeal rights or if the person fails to be cleared for service by the Safe Church Screening process the presbytery or the session as the case may be must immediately sever the pastoral tie or terminate the appointment of or remove that person from his or her role.

4.47A.4 Such a person who has had his or her Working With Children Check reinstated after a refusal or exclusion, which was not subsequently set aside, will be eligible for:

a) induction into or appointment to any charge; or

b) appointment to a volunteer or remunerated pastoral and/or teaching role in any charge;

only after being cleared for service through the Safe Church Screening processes.

NOTE: The highlighted rules above have interim authority.

4.48 Licentiates, ministerial members and ministers who are not members of a presbytery

4.48.1 A licentiate remains under the jurisdiction and oversight of the presbytery which licensed him until he is appointed to a charge outside its bounds or the presbytery transfers him to the jurisdiction of another presbytery.

4.48.2 A minister who is not a ministerial member of any presbytery is subject to the jurisdiction and oversight of the presbytery within whose bounds he resides.

4.48.3 A licentiate who is appointed to a charge or a ministerial member inducted into or appointed to a charge or appointed as an assistant to the minister (for a period of one year or more) is subject to the jurisdiction of the presbytery within whose bounds the charge exists, regardless of where he resides.

4.48.4 The following persons are required within two months of moving residence to within the bounds of another presbytery to do the following:

a) a licentiate who is not appointed to a charge must notify the second presbytery and produce an extract minute of his licensing to it;

b) a minister who is not a ministerial member of any presbytery must present to the second presbytery a certificate of status issued not more than three months previously provided that the second presbytery may reasonably allow extension of the time for such presentation.

4.49 Ministerial members not inducted into, or appointed to, a charge – membership of a presbytery

A ministerial member not inducted into, or appointed to, a charge, including a minister who is a member of a presbytery because of a resolution of the General Assembly under rule 4.2(k), may (or must, if a rule or a resolution of the General Assembly requires it), on taking up residence within the bounds of another presbytery, be transferred to the membership of that 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 must then notify the former presbytery of such transfer.

4.50 Retired ministerial member – appointment in another presbytery or resignation

4.50.1 If a retired minister with a seat on a presbytery accepts appointment for at least six months to a charge in another presbytery, he becomes a ministerial member of that presbytery during his time of appointment.

4.50.2 Notice of this appointment and its completion must be given by the clerk of the second presbytery, and notice of any subsequent appointment and its completion must be given by the clerk of any subsequent presbytery, to the clerk of the original presbytery.

4.50.3 On completion of the final appointment, the minister's membership reverts to the original presbytery.

4.50.4 A retired minister with a seat as a ministerial member of presbytery who desires to resign must notify the presbytery, which may grant the request.

4.51 Complaints against ministers and licentiates

4.51.1 The presbytery is the court of first instance for all matters relative to the life, character, doctrine and professional conduct of its ministers and licentiates.

4.51.2 The presbytery must take cognisance of any false teaching or inappropriate conduct of any such minister or licentiate as comes by regular process to its notice.

4.51.3 In complaints which are cases or matters of discipline, the presbytery shall conduct the business before it in accordance with the Code of Discipline and in harmony with the Articles of Agreement.

4.51.4 In complaints which are not cases or matters of discipline, the presbytery may conduct the business before it as it sees fit but must ensure that substantial justice is done to all persons concerned.

4.52 Leave of absence

4.52.1 The minister of a charge is not permitted to be absent from preaching and leading worship or from the pastoral care of his charge for more than two months without 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.

4.52.2 A minister not inducted into a pastoral charge or without other pastoral responsibility must obtain the leave of his presbytery for absence from its bounds for a period exceeding six months.

4.52.3 Where circumstances indicate that taking special leave before long-service leave may reasonably be expected to assist a minister avoid burnout or early resignation, a minister may apply to his presbytery for leave of absence.

4.53 [repealed]

4.54 Incapacity of a minister

4.54.1 Where:

a) a minister has become incapacitated for any reason; and

b) that incapacity has caused him to be unable to perform his pastoral duties for a continuous period of two months,

the session clerk must forthwith inform the presbytery clerk who must contact the minister or the person responsible for his care.

4.54.2 The minister, or the person responsible for his care, must within ten days, but preferably forthwith:

a) advise the presbytery of the nature and extent of his incapacity; and
b) present to the presbytery a medical certificate.

4.54.3 On receipt of the certificate the presbytery clerk must, in consultation with the moderator:
a) relieve the minister of the duties of the minister, appoint an interim moderator and obtain confirmation of such action by the presbytery at its next meeting; and
b) direct the minister, or the person responsible for his care, to supply the interim moderator as soon as possible with all information necessary for the board, in consultation with the Church Office, to make a claim for disability insurance payments.

4.54.4 The interim moderator must provide regular advice to the session and presbytery on the minister's health.

4.54.5 The session must be consulted on, and the presbytery must approve, any program for the minister's return to part or full-time duties.

4.54.6 If the minister cannot resume either full or part-time duties to the satisfaction of the presbytery, and the presbytery receives 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 duties, the presbytery may:
a) in the case of a pastoral charge, dissolve the pastoral tie, declare the charge vacant and take the usual steps for filling the vacancy; or
b) in the case of an appointment charge, take appropriate steps to terminate the appointment and to fill the vacancy; or
c) in the case of a home mission charge or church plant charge, take appropriate steps, in consultation with the Ministry Development Committee or Church Planting Committee, to terminate the appointment and to fill the vacancy.

4.55 Registration as authorised celebrants under the Marriage Act

4.55.1 The following are qualified to be registered under the Marriage Act 1961 (Commonwealth) as ministers of religion if recommended by the presbytery with jurisdiction over them:
a) ministers resident in Victoria;
b) licentiates appointed to a charge;
c) home missionaries appointed to a charge;

4.55.2 Those qualified may apply to the presbytery having jurisdiction over them for recommendation to the Registrar of Ministers of Religion appointed under the Marriage Act using the appropriate form obtained from the Assembly Clerk.

4.55.3 The presbytery must consider every such application, and, if it recommends the applicant for nomination for registration as a minister of religion under the above mentioned Marriage Act, forward it to the Assembly Clerk for forwarding to the Registrar.

4.55.4 If a registered minister of religion:
a) is no longer qualified; or
b) wishes to be no longer registered; or
c) changes his address; or
d) leaves Australia for more than three months; or
e) intends to resume his duties in Australia after an absence of more than three months;

the clerk of the presbytery having jurisdiction over him, on the minister's advice, or on his own initiative, must advise the Assembly Clerk, who must advise the Government Registrar of his change of circumstances.

Section Seven … Public Worship

4.56 Regulation of public worship and other services

4.56.1 A 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. In exercising this responsibility, it takes notice of any practice drawn to its attention that appears inconsistent with the accepted standards of worship as practised in the church or which is a needless cause of division in a congregation. After careful inquiry the presbytery may direct that any such practice cease.

4.56.2 A presbytery is directly responsible to the church, and any decision of the presbytery on public worship or other religious services remains binding on all persons until any appeal against it is finally disposed of.

Section Eight … Formation of Congregations

4.57 Fixing of parish and mission field boundaries

A presbytery must divide the whole area within its bounds into parishes and mission fields.

4.58 Formation of new congregations

4.58.1 After receipt of a petition from a session, or from any group of interested people, or acting on its own initiative, a presbytery may alter parish or mission field bounds to form a new parish or mission field and declare the formation of a new congregation.

4.58.2 In doing this the presbytery ensures that the rights and privileges of any existing congregation and of any inducted minister are not infringed.

4.58.3 Presbytery acts consistently with rule 4.68.

4.59 Special interest congregations

4.59.1 Where it considers that Christian worship, instruction, fellowship, work and witness would be enhanced, a presbytery may form a congregation, termed a special interest congregation, to meet the needs of an ethnic group or of persons associated by special interest.

4.59.2 A special interest congregation established within the bounds of an existing parish or mission field must not affect the parish bounds and work of the existing congregation.

4.59.3 Membership of a special interest congregation may be drawn from areas served by other congregations but canvassing for new members from among them must be avoided.

4.59.4 Any arrangement 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.

4.60 Appointment of a session

4.60.1 When a presbytery declares a congregation to be formed it must place it under the oversight of:

a) a session comprising ministerial members of the presbytery and members of sessions within its bounds, with one ministerial member as moderator; or

b) a neighbouring session;

until an election and induction of elders from the communicants of the congregation.

4.60.2 When a presbytery links congregations, it must place them under the oversight of:

a) a session as stated in (a) or (b) of the previous rule; or

b) a session consisting of the elders of the linked congregations.

4.60.3 When a presbytery severs the links between congregations it must place each congregation under the oversight of a session as in (a) or (b) of rule 4.60.1 or under the oversight of a session consisting of elders from the congregation.

Section Nine … Status of Charges

4.61 Declaration of status

4.61.1 A presbytery declares a charge to have the status of a **pastoral charge** when it is satisfied that:

a) the area requires the settlement of a minister; and

b) there are sufficient communicants adequately organised to exercise the right and responsibility of issuing a call; and

c) the financial requirements for settlement can and will be met by each congregation concerned; or sufficient financial aid will be available from the funds of the General Assembly.

4.61.2 A presbytery declares a charge to have the status of an **appointment charge** when it is satisfied that:

a) the circumstances of a pastoral charge have so changed that it can no longer retain that status and the presbytery judges the change to be temporary; or

b) a grant from the Ministry Development Committee has been granted to a vacant pastoral charge to provide minimum terms of settlement; or
c) the circumstances of a home mission charge or church plant charge have so changed that it is likely to reach the capacity for a pastoral charge; or
d) it would be in the best interests of the charge.

4.61.3 A presbytery declares a charge to have the status of a **home mission charge** when it is satisfied that:
a) the circumstances of a pastoral or appointment charge have so changed that it can no longer retain that status and the presbytery judges this change likely to be lasting; or
b) the change of status is necessary for the charge to receive particular assistance and intervention from the Ministry Development Committee to strengthen and renew it; or
c) it would be in the best interests of the charge.

4.61.4 A presbytery declares a charge to have the status of a **church plant charge** when it is satisfied that:
a) a suitably qualified person is available for appointment to the charge; and
b) the financial requirements can be met; and
c) the appointee can be provided for adequately, either by resolution of the Church Planting Committee or otherwise.

Section Ten … Oversight of Congregations

Part One – General Oversight

4.62 Introductory

4.62.1 A presbytery has a general responsibility and duty for the well-being of the church and its work, and of the congregations, and all congregational property, organisations and activities, within its jurisdiction.

4.62.2 Accordingly, it exercises a general oversight of congregational affairs and of the interests of the church within its bounds and may use its power of original action to deal with the matters referred to in the following rules of this section and with other matters falling within its responsibility as require its attention and action.

4.63 Appointment charges, home mission charges and church plant charges

4.63.1 A presbytery must:
a) exercise special oversight of appointment charges, home mission charges and church plant charges and encourage and assist them to rise to the status of a pastoral charge;
b) appoint one of its ministerial members or a district interim moderator as moderator of each home mission charge and, where necessary, of each church plant charge; and
c) require from each moderator or minister appointed to an appointment charge, home mission charge or church plant charge regular reports on the progress of the work.

4.63.2 All home missionaries, candidates for the ministry, resident supply preachers, licentiates or ministers engaged in home mission work or church planting are under presbytery's oversight of such work.

4.63.3 Before terminating the service of any candidate for the ministry appointed to a home mission charge the presbytery must consult with the Theological Education Committee and the Ministry Development Committee.

4.64 Sunday School, other children's and youth ministries

4.64.1 A presbytery must ensure that Sunday Schools and other children's and youth ministries are established within its bounds wherever needed and practicable, even before formation of a congregation.

4.64.2 The presbytery must also ensure, as far as it can, that the work of Sunday Schools and other children's and youth ministries are performed efficiently and that facilities for the training of teachers and leaders are available.

4.65 People without church connections

A presbytery must act as necessary and practicable to make the gospel known to persons unconnected with the Christian church, including by street witness, house-to-house visitation and other forms of evangelism under the direction of sessions.

4.66 Sparsely populated areas

A presbytery must arrange for periodical patrols or take other actions as will make the gospel, worship services and other provisions of the Christian faith available in sparsely populated areas or where the number of Presbyterian people is too few to form an organised congregation.

4.67 New housing development, areas of rapid growth

4.67.1 A presbytery must give special attention to areas of new housing development and rapid housing and population growth.

4.67.2 A presbytery must ensure adequate provision for the spread of the gospel and for all spiritual needs in such areas by the formation or adjustment of congregations or by other suitable means (subject to the provisions of rule 4.68).

4.68 Union, adjustment or dissolution of congregations

4.68.1 As it judges necessary for the good of the church, a presbytery unites, adjusts or dissolves congregations, and alters the status of charges and the bounds of parishes and mission fields.

4.68.2 In such cases it first seeks the mind of the ministers, sessions and congregations concerned and endeavours to obtain their agreement to the proposed decision. However, only the agreement of the inducted ministers of any pastoral charge affected by the proposed change is necessary, not that of sessions and congregations.

4.68.3 In uniting, adjusting or dissolving congregations the presbytery must ensure that no property is needlessly alienated from the church.

4.68A Union of congregations

4.68A.1
a) When a presbytery proposes a union of congregations within its bounds it follows the procedure prescribed by rule 4.68.2.
b) Having obtained the agreement of any inducted ministers of any pastoral charge affected by the proposed union, the presbytery must in consultation with the sessions and boards of the congregations and, with regard to the matters which are the subject of rule 4.68A.2(c), (e) and (f), with the Board of Investment and Finance, prepare a proposed Basis of Union as an instrument for fusing the congregations into one.

4.68A.2 The proposed Basis of Union must deal with:
a) the choice of a name for the united congregation;
b) the fusion of the uniting congregational communicant and adherent rolls into single communicant and adherent rolls of the united congregation;
c) the choice of a building as the place of worship for the united congregation where that is called for;
d) the fusion of the funds of the uniting congregations, having regard to any trusts with which any congregational funds may be impressed;
e) the proposed allocation of any monies held in trust in sites reserve accounts for the uniting congregations;
f) the proposed allocation of the property of the uniting congregations and the future use or disposal of any remaining property not needed by the united congregation;
g) the placing of the united congregation under a session (rule 4.60.1);
h) the bounds of the parish within which the united congregation will be situated;
i) the provision of a manse or an additional non-cash benefit for any minister of the united congregation; and
j) the provision of a minister or ministers for the united congregation.

4.68A.3 The proposed Basis of Union may deal with such other matters as the presbytery, in its discretion, considers necessary.

4.68A.4 The proposed Basis of Union shall conclude with a paragraph to the effect of 'While these terms and conditions shall form a basis of union for the (insert number) congregations now uniting, the united congregation shall be free to adjust its arrangements and manage its affairs as need may arise under authority of the presbytery'.

4.68A.5 After granting provisional approval of the proposed Basis of Union the presbytery must:
a) form a steering committee, which shall include members of the uniting congregations, to smooth the way for the union by resolving any issues not dealt with by the Basis of Union; and

b) submit the proposed Basis of Union to the General Assembly for its approval of:
   i) the proposed property arrangements which are the subject of rule 4.68A.2(c) and (f) which approval may be declared subject to:
      A. any required adjustment to those arrangements in accordance with the provisions of the Model Trust Deeds; and
      B. any prescribed time limit; and
   ii) any proposed allocation of funds which are the subject of rule 4.68A.2(e).

4.68A.6 Following notification of the General Assembly's approval as declared under rule 4.68A.5 (b), the presbytery must:
a) receive a report from the steering committee and take any appropriate action;
b) approve or disapprove the proposed Basis of Union as approved by the Assembly; and
c) submit the approved Basis of Union to the uniting congregations for their approval.
However, the presbytery may:
d) proceed with the proposed union notwithstanding the failure of one or more of the congregations to approve the Basis of Union; or
e) defer or abandon the proposed union.

4.68A.7 If the presbytery resolves that the proposed union is necessary for the good of the church it may:
a) declare the formation of the united congregation as proposed in the Basis of Union;
b) fix the date on which the union will come into effect;
c) declare the creation of a charge from the date of union;
d) declare the bounds of the parish in which the united congregation will be situated;
e) place the united congregation under the oversight of the session;
f) direct the session to:
   i) declare the formation of a board and conduct an election of managers (rule 2.32.1);
   ii) call a meeting of the congregation to nominate trustees;
g) arrange a service of Declaration of Union and, as appropriate, 'of Ordination and Induction of' or 'of Induction of', or 'of Introduction of', its minister; and
h) notify the Moderator of the General Assembly and the trustees of the uniting congregations that the union has been effected.

NOTE: A service of Declaration of Union and of Introduction of [name of the minister] is appropriate where the Basis of Union provides that the union is to be effected under the minister of one of the charges.

4.68B Linking of congregations (a form of adjustment)

4.68B.1 Following the procedure described in rule 4.68.2, and having obtained the agreement of any inducted minister of any pastoral charge affected by the proposed linking, the presbytery must in consultation with the sessions and boards of the congregations prepare a proposed Basis of Linking as an instrument for linking the congregations.

4.68B.2 The proposed Basis of Linking must deal with:
a) the choice of a name for the linked charge;
b) the placing of the linked congregations under a session (rule 4.60.1);
c) the bounds of the parish within which the linked congregations will be situated;
d) the provision of a manse or an additional non-cash benefit for any minister or ministers of the linked congregations; and
e) the provision of a minister or ministers for the linked congregations.

4.68B.3 The proposed Basis of Linking may deal with such other matters as the presbytery, in its discretion, considers necessary.

4.68B.4 After granting provisional approval of the proposed Basis of Linking the presbytery must submit the proposed Basis of Linking to the congregations for their approval.
However, the presbytery may:
a) proceed with the proposed linking notwithstanding the failure of one or more of the congregations to approve the Basis of Linking; or
b) defer or abandon the proposed linking.

4.68B.5 If the presbytery resolves that the proposed linking is necessary for the good of the church it may:
a) declare the linking of the congregation as proposed in the Basis of Linking;
b) fix the date on which the linking will come into effect;
c) declare the creation of a charge from the date of linking;
d) declare the bounds of the parish in which the linked congregations will be situated;
e) place the linked congregations under the oversight of the session;

f) direct the session to declare the formation of a federal board and determine its membership (rule 2.32.1);
g) arrange a service of Declaration of Linking and, as appropriate, of the Introduction of its minister(s); and
h) notify the Moderator and Clerk of the General Assembly that linking has been effected.

NOTE: A service of Declaration of Linking and of Introduction of [name of the minister] is appropriate where the Basis of Linking provides that the linking is to be effected under the minister of one of the charges.

4.69 Dissolution of congregations

4.69.1 Should a presbytery declare its intention to dissolve a congregation, it must:
a) direct the session to:
i) cease services of worship in the congregation without unnecessary delay; and
ii) inform it of the date of the last regularly authorised Presbyterian service of worship
b) arrange through the session for the issue of transfer certificates to any communicants of the congregation and letters of introduction to any adherents of the congregation (see rule 3.31); and
c) authorise the board of another congregation to care for the material affairs of the congregation until it is finally dissolved and the property sold or otherwise disposed of.

4.69.2 When a congregation (other than a newly formed congregation for which temporary arrangements have been made as provided for by rule 2.37) is unable either:
a) i) to elect sufficient managers to enable a quorum for its board; or
ii) in the case of a linked congregation, to arrange for the care of its property by its federal board;
or
b) i) to constitute for a congregational meeting; or
ii) in the case of a linked congregation, to constitute for a joint meeting of the linked congregations;
within four months of its being required to meet by rule or regulation, the presbytery must be informed forthwith of the particulars of this inability.

4.69.3 The presbytery, having been informed of the congregation's inability, must then, without delay, inquire into the circumstances which resulted in the inability. Should the presbytery judge:
a) that the congregation is unable to manage its affairs as required by the rules of the church; and
b) that this inability is unlikely to be rectified within a reasonable time;
it must consider whether to dissolve the congregation.

4.69.4 If the presbytery then proposes to dissolve the congregation, it must follow the procedure prescribed by rule 4.68.2 so far as possible, except that the agreement of the inducted ministers of any pastoral charge affected by the proposed dissolution is not necessary. If after following this procedure the presbytery declares its intention to dissolve the congregation it must follow the procedure prescribed by rule 4.69.1.

4.69.5 A presbytery cannot declare that a congregation is dissolved until:
a) at least a year has elapsed since the last regularly authorised Presbyterian service of worship of the congregation was held by a minister or elder or home missionary of the church; and
b) its intention to dissolve the congregation has been reported to the General Assembly and agreed to by it.

4.69.6 A presbytery must ensure that any monies held for all or some of the purposes of a congregation that is dissolved are forwarded to The Presbyterian Church of Victoria Trusts Corporation to be dealt with by it according to law.

Part Two – Provision of Pastoral Ministry

4.70 Pastoral support and resident supply ministry

4.70.1 To provide adequate pastoral support or resident supply ministry to vacant charges, a presbytery may appoint (whether full-time or part-time) a minister, licentiate, candidate for the ministry, home missionary, church planter or another suitably qualified person on appropriate terms.

4.70.2 Presbytery must ensure that any appointee:

a) is eligible for the appointment and has any necessary certificates; and
b) has a current Working With Children Check and has completed all relevant PCV Safe Church requirements.

4.71 Part-time ministry

4.71.1 With the concurrence of the Maintenance of the Ministry Committee a presbytery may approve part-time ministry to a charge on a year by year basis provided it is satisfied that:
a) the objects of the ministry and the welfare of the charge will be properly served; and
b) the minister will not suffer hardship.

4.71.2 In approving the terms of settlement for such an appointment, presbytery must:
a) express the working time of the minister as a number of days out of five or as a percentage of full-time; and
b) include adequate time for the minister's preparations.

4.71.3 Such arrangements may only be approved for one year and must be reviewed and approved annually by presbytery and the Maintenance of the Ministry Committee.

4.72 Appointments to appointment charges

4.72.1 A presbytery must supervise the selection of ministers or licentiates for appointment to appointment charges and so appoint only if satisfied of the proposed appointee's suitability and willingness to undertake the work on the terms and conditions fixed.

4.72.2 This appointment must not exceed three years in the first instance. A minister appointed to an appointment charge does not have the same security of tenure as a minister inducted into a pastoral charge.

4.72.3 A contract approved by the Board of Investment and Finance should be used for any employment agreement.

4.73 Appointments to home mission charges

4.73.1 A presbytery must supervise the selection of ministers, licentiates or home missionaries for appointment to home mission charges and so appoint only if satisfied of the proposed appointee's suitability and willingness to undertake the work on the terms and conditions fixed.

4.73.2 This appointment:
a) if of a minister must not exceed three years in the first instance;
b) if of a home missionary:
   i) must not exceed three years in the first instance, with the appointee being on probation for the first year of his appointment;
   ii) may be subject to his satisfactorily pursuing a course of study approved by the presbytery and the Ministry Development Committee as a condition for any consideration of the continuance of his appointment; and
c) if of a licentiate or candidate for the ministry, must not exceed one year in the first instance, during which period the appointee is on probation.

4.73.3 A contract approved by the Board of Investment and Finance should be used for any employment agreement.

4.74 Appointments to church plant charges

4.74.1 A presbytery must supervise the selection of church planters for appointment to church plants by the presbytery. Church Planters are ministers or licentiates accredited by the Church Planting Committee as church planters.

4.74.2 A contract approved by the Board of Investment and Finance should be used for any employment agreement.

4.75 Appointment of assistant to the minister of a pastoral charge

4.75.1 An assistant to the minister of a pastoral charge is appointed by the minister if:
a) the minister has established both the need for an assistant and the type of assistance required and the session resolves to agree with this;
b) funding of the position has been approved by the board if the appointment is for a year or less and by the congregation if the appointment is longer;
c) the appointment has been approved by both the session and presbytery, to whom the minister must submit all relevant curriculum vitae details and references.

4.75.2 An assistant works under the direction of the minister, is not inducted into office, and does not have a seat on presbytery unless otherwise qualified for a seat.

4.75.3 A contract approved by the Board of Investment and Finance should be used for any employment agreement.

4.76 Other recognised ministerial positions – associate, colleague or colleague and successor

4.76.1 An associate minister is a minister called and inducted into a specially created associate position within a pastoral charge. He is in every sense a minister of the charge except that the first inducted minister is considered to be the senior minister.

4.76.2 A colleague minister is a minister called and inducted into a specially created collegiate position within a pastoral charge. He is in every sense a minister of the charge with equal standing to the first inducted minister.

4.76.3 A colleague and successor minister is a minister called and inducted as in 4.76.2, but also with the right to succeed as sole minister of the charge when the first inducted minister retires, resigns, dies or is translated.

4.76.4 An application for such a minister is made by the minister of the pastoral charge. If this application is made the presbytery inquires into the circumstances and ascertains the mind of the congregation or congregations.

4.76.5 The presbytery may approve this application only if satisfied that:

a) the provision of such a minister is desirable; and
b) all financial requirements including terms of settlement can be met; and
c) the congregation or congregations agree to the application and, in the case of a colleague and successor minister, have been informed of his right to succeed to the office of sole minister of that charge.

4.76.6 If it approves such an application the presbytery:

a) declares a vacancy in the pastoral charge; and
b) appoints an interim moderator to preside at all necessary meetings for the call of this minister; and

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 is to be regarded as the senior minister.

Part Three – Oversight of Trusteeship and Property

4.77 Local trustees of congregational property

4.77.1 A presbytery must perform the duties and exercise 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, oversight and removal of the trustees of congregational property which 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.

4.77.2 A presbytery is responsible to the General Assembly for the proper discharge of duties assigned to it by the General Assembly in relation to trustees of congregational and other property.

4.78 Permission to erect, alter, demolish, etc

If a congregation applies for permission to erect, extend, alter, remove or demolish congregational buildings, a presbytery must:

a) not give permission unless the requirements of the General Assembly in such cases have been met, and the proposed action is warranted by the circumstances of the congregation and in its best interests;
b) forward to the appropriate General Assembly committee any application approved by it;
c) ensure that no such action is taken before permission is given.

4.79 Permission to sell, mortgage, lease, purchase, etc

If a congregation applies for permission to sell, mortgage, exchange, lease or purchase property or to borrow funds a presbytery must:

a) not give permission without taking account of all the circumstances and the best interests of the church in general and of the particular congregation;
b) if permission is granted, forward the application to the relevant General Assembly committee.

4.80 Oversight of church property

A presbytery must ensure that all church property within its bounds is preserved from needless deterioration and misuse.

Part Four – Oversight of Terms of Settlement, Grants and Loans

4.81 Submission of financial documents to presbytery

4.81.1 A presbytery must ensure that every charge within its bounds submits to the presbytery annually; or when, in the opinion of the presbytery, any change in circumstances requires a review of the terms of settlement:

a) its audited financial statement;
b) the terms of settlement of any minister, licentiate or home missionary inducted into or appointed to the charge approved by the congregation or congregations of the charge; and
c) the budget or budgets adopted.

4.81.2 The presbytery must consider the proposed terms of settlement in the light of all available information and either approve them or return them to the charge for reconsideration.

4.82 Inability or failure to implement terms of settlement

4.82.1 if a presbytery receives:

a) a report from either a minister or the treasurer that the board is, or is likely soon to be, unable to pay the stipend or make available non-cash benefits at least monthly or to implement the terms of settlement as declared by the Maintenance of the Ministry Committee and promised to its minister at his induction; or
b) a notice from Ministry Development Committee that it has decided to reduce or discontinue a grant to the congregation following which the presbytery believes that this is likely to seriously impair the congregation's ability to meet the terms of settlement in the near future;

it must take expedient steps to rectify the situation, which may include:

i) encouraging the congregation to increase its financial support;
ii) with the concurrence of the minister, approving a reduction (but not to less than the minimums set by the General Assembly) to the approved terms of settlement;
iii) recommending and assisting in the removal of the minister to another sphere of labour; or
iv) with the concurrence of the minister, dissolving the pastoral tie.

4.82.2 If a presbytery is unable to ensure the speedy rectification of the matter by any of the steps suggested under rule 4.82.1, and it is satisfied that the terms of settlement are not being fulfilled, then it must dissolve the pastoral tie within six months of it declaring itself so satisfied unless:

a) it sees cause in the meantime to grant the prayer of a petition from the minister that he be allowed to retain his charge; or
b) it satisfies the Maintenance of the Ministry Committee that satisfactory arrangements have been made for a part-time ministry within the charge, in which case a Maintenance of Ministry Report with revised terms of settlement must be completed and approved (see rule 4.81.1).

4.83 Processing of grant or loan applications by congregations

4.83.1 A presbytery must consider grant and loan applications made to General Assembly committees by congregations and forward approved applications to the appropriate committee for its consideration. Such applications must be made on the prescribed form.

4.83.2 After a congregation has received grants from the Ministry Development Committee for ten consecutive years, a presbytery cannot approve a further application for a grant from this committee, but may bring any such application to the General Assembly for evaluation.

4.84 Responsibility for the General Assembly's General Mission Program

4.84.1 A presbytery has a special responsibility to the General Assembly for the annual General Mission Program budget for the enterprises of the General Assembly.

4.84.2 The following prescriptions apply:

a) when advised of its allocation by the General Assembly or the Commission of Assembly, the presbytery must fully re-allocate that allocation to each charge within its bounds an amount which it considers appropriate to be subscribed by that charge to the General Mission Program in the ensuing year;

b) in determining the allocation to any charge, the presbytery must take into consideration the resources of that charge and its ability, with reasonable effort, to subscribe in full the amount allocated to it;
c) the presbytery must advise each charge in writing of its allocation and advise the Assembly Clerk and the secretary of the Board of Investment and Finance of its re-allocations;
d) when requested by the Board of Investment and Finance, the presbytery must collect from each or any charge within its bounds such financial and other information required by the committee under sub-clause 12(b)(v) of its regulations and ensure that it is provided to the committee by the date in such form as the committee may specify;
e) the presbytery must:
    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 Board of Investment of Finance; and
        2) promoting the General Mission Program to charges within the presbytery.
    ii) advise the secretary of the Board of Investment and Finance of the name and address of such officer.

4.84.3 The presbytery must ensure 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 must inquire into cases of failure and, by conference, encouragement, advice and other competent means, seek to eliminate such cases.

Part Five – Sundry Matters

4.85 Presbytery may call for information

A presbytery may call for specific information concerning their affairs from sessions and boards.

Section Eleven … Congregational Visitations

4.86 Five-yearly visitation

4.86.1 The presbytery visits every congregation, as far as possible in rotation, at least every five years.

4.86.2 Linked congregations are normally visited concurrently and the visitation must include the federal board.

4.86.3 The purpose of this visitation is for the presbytery to acquaint itself with the state of affairs within a congregation, 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 suitable counsel and encouragement.

4.86.4 A visitation is ordinarily by a committee of the presbytery consisting of at least three members, the majority of whom must be ministers.

4.87 Preliminary

4.87.1 The presbytery must give to the congregation through the session at least four weeks' notice of the visitation.

4.87.2 The session must, unless the presbytery otherwise directs, ensure that two properly instructed representatives are appointed from each of the session**,** board and (not normally being elders or managers) the congregation.

4.87.3 If the presbytery wishes to interview appointed representatives of the Sunday School or any other congregational organisation the session must ensure that two properly instructed representatives of each are appointed.

4.88 Visitation questions

4.88.1 Sufficient copies of presbytery's approved set of visitation questions must be sent to the session.

4.88.2 Presbytery's visitation questions must include the following seven metrics:
a) attendance growth percentage;
b) membership growth percentage;
c) visitors to attendance percentage;

d) annual giving to weekly attendance (per head);
e) the percentage of children to adults in the congregation;
f) the percentage of the congregation involved in ministry / service;
g) the percentage of the congregation attending mid-week bible studies or discipleship meetings.

4.88.3 Session must ensure that the questions are duly answered in writing and that the completed questionnaires are returned to the convener of the committee at least seven days before the visitation.

4.88.4 The committee must consider the answers, examine any accompanying documents, and determine what matters will be specially mentioned during the visitation.

4.89 Discretion in method

4.89.1 The committee must visit the congregation, confer, and make any inquiries it sees fit.

4.89.2 The conduct of any interviews is at the discretion of the committee. However:

a) normally the minister is interviewed separately;
b) normally the session and any board is interviewed separately and without the minister;
c) on the interview of appointed representatives, or of representatives appointed as spokesmen or spokeswomen, others may speak or be questioned.

4.89.3 Any committee member may attend public worship.

4.90 Records, returns made available

The committee must:

a) have access to the records of the session, any board, the congregation, and other congregational organisations;
b) be given a copy of the last annual report and balance sheet and the most recent statistical returns;
c) be given by the presbytery clerk the finding of presbytery from the last visitation and the questionnaires then submitted.

4.91 Visitation committee report and distribution to parties

4.91.1 The committee must prepare for the presbytery:

a) a report on the conduct of the visitation; and
b) a proposed finding concerning the state of the affairs of each congregation, and, in the case of linked congregations, on their joint affairs; and
c) its proposed recommendations (if any) based on the finding.

4.91.2 At least seven days before presbytery considers the proposed finding, the committee must distribute:

a) to the minister, the part relevant to him;
b) to the session clerk, the part relevant to the session and any board;
c) to the secretary of any board, the part relevant to it alone.

4.92 Visitation report at the presbytery

4.92.1 Presbytery must:

a) receive the committee's report;
b) in private, both consider the proposed finding and hear any representations from the minister, session, and any board;
c) arrive at its finding, which must be recorded in the minutes.

4.92.2 Presbytery may, based on its finding and the committee's recommendations, formulate specific recommendations.

4.93 Finding and recommendations (if any) reported back to parties

4.93.1 A specified portion of the presbytery's finding and recommendations (if any) as the presbytery determines, and this portion only, must be read to the congregation concerned by a member of presbytery appointed.

4.93.2 Any finding and recommendations made to the minister or to the session must be communicated to each by the presbytery privately.

4.93.3 A copy of the parts concerning the session and of any board must be inserted in their minute books.

4.93.4 A copy of the finding, recommendations (if any) and the questionnaires submitted to the presbytery must be filed by the presbytery clerk.

4.94 Review after twelve months

Twelve months after the adoption of the finding, the presbytery must inquire through the session how far any recommendations have been carried into effect.

4.95 Special visitations

Presbytery may also, as it sees fit, conduct other special visitations but must always ensure that substantial justice is done to all parties concerned.

Section Twelve … General Powers of Review

4.96 Examination of records

4.96.1 A presbytery must appoint a committee to examine and report to it on the minute books, rolls, registers and other records as it may specify of each congregation, board and session.

4.96.2 The presbytery calls for these documents annually and also when it sees fit.

4.96.3 On receiving the report, the presbytery must do one or more of the following:

a) confirm that the records are found to be satisfactory;
b) record its judgment on the correctness and accuracy of each record;
c) give any needful directions for guidance or improvements;
d) censure 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.

4.96.4 Before deciding whether to impose such censure, the presbytery must summon the parties concerned to its Bar and hear them.

4.96.5 After imposing such censure, the presbytery must take any practicable further action to remedy any injustice involved in the matter or procedure censured.

4.96.6 The presbytery must arrange 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, deposit them in the church archives.

4.97 Congregation in an unsatisfactory state

4.97.1 A presbytery may resolve that a congregation under its jurisdiction may be in an unsatisfactory state.

4.97.2 If a presbytery passes this resolution, it must then inquire into the state of the congregation by means of two or more of its members appointed to conduct, or by means of the court as a whole conducting, the inquiry.

4.97.3 If the congregation is part of a linked charge, the other congregation or congregations of the charge must be included in this inquiry.

4.97.4 Following this inquiry, the presbytery may resolve:

a) to take no further action; or
b) that the congregation (including any particular congregation of a linked charge) is in an unsatisfactory state.

4.97.5 If the presbytery resolves that a congregation is in an unsatisfactory state it must conduct a special visitation of that congregation (but, if a particular congregation or particular congregations in a linked charge have been the subject of such a resolution, the visitation shall not include any congregation in the charge which has not been the subject of such a resolution) with the intention of remedying the unsatisfactory state of affairs by counsel and advice.

4.97.6 The presbytery must ensure that during this special visitation anyone with relevant information on the congregation concerned is given an adequate opportunity of being heard.

4.97.7 Following this special visitation the presbytery may:

a) declare that the congregation is now in a satisfactory state; or
b) resolve to take no further action; or
c) declare that the congregation is still in an unsatisfactory state and, if so, record in its minutes its reasons for this declaration provided that it does not make any adverse finding or judgment about any particular person.

4.97.8 Any action of the presbytery under rules 4.97.1 – 4.97.7 is final.

4.97.9 If the presbytery declares that a congregation is still in an unsatisfactory state it may resolve that the purposes of ministry in the congregation, being the promotion of the Christian gospel in the district

and the spiritual welfare of the congregation (Form of Call, Appendix 1, Forms and Certificates, 1), are not being served.

4.97.10 If the presbytery resolves that the purposes of ministry are not being served, then, provided no adverse finding or judgment regarding any particular person is made, the presbytery may give notice of motion of doing one or more of the following at a future meeting: dissolving the pastoral tie; terminating the appointment of the minister; dissolving the session; dissolving any board.

4.97.11 If the presbytery gives such notice of motion, it must give anyone likely to be affected by its decision an adequate opportunity to be heard.

4.97.12 After giving such opportunity to be heard, the presbytery may resolve to pass the motion of which notice has been given.

4.97.13 If presbytery resolves that the purposes of ministry in a congregation are not being served, presbytery may inquire into the question of planning for future ministry and witness and the desirability of proceeding under rule 4.68.

4.97.14 Notwithstanding any of the foregoing rules, in any cases or matters of discipline the presbytery shall conduct the business before it in accordance with the Code of Discipline and in harmony with the Articles of Agreement.

NOTE: Rule 1.12 of the Code of Discipline states that 'Nothing in these rules is intended to apply to administrative processes provided for in the rules and regulations of the State churches which do not involve any alleged conduct in respect of a member of the church of the kind referred to in Rule 1.03. Unless alleged conduct of the kind referred to in Rule 1.03 is a materially contributing reason giving rise to the exercise of power, the State churches may establish (by way of example) rules: [including] (e) permitting a presbytery to deal with a congregation in an unsatisfactory state by: (i) dissolving the pastoral tie, and/or (ii) dissolving the session and/or the committee of management.'

Rule 1.03 states that 'An offence, the proper object of judicial process, is anything in the doctrine or practices of a member of the Church which is contrary to: (a) the Word of God as the supreme standard of the Church as understood in accordance with the Westminster Confession of Faith as the subordinate standard of the Church read in the light of the declaratory statement as provided for in Clause II of the Basis of Union, or (b) an obligation imposed on a minister or member of the Church by a law of the Church.'

4.98 Petitions to the presbytery

A petition may be competently used and addressed to the presbytery:

a) as otherwise specifically provided for in these rules;

b) 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 or congregations of a charge;

c) by a session, or any person having an interest in the matter, when what is sought can only be accomplished by or originated in the presbytery.

Section Thirteen … Responsibility for Vacant Pastoral Charges

Part One – Oversight of Vacant Pastoral Charges

4.99 Congregation, linked charge

In the case of a linked charge, in the rules in Parts One, Two and Three of this Section 'congregation' means the congregations of the charge, meeting jointly when necessary.

4.100 Declaration of vacancy

The presbytery must declare a vacancy in a pastoral 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 minister's resignation; or

  ii) on the minister's translation and induction into another pastoral 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 for in rules or regulations of the General Assembly; or

  v) if the minister is deposed or suspended from his office for more than three months or indefinitely after formal judicial process as provided for in the Code of Discipline; or

c) approval 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 pastoral charge (see rule 4.76); or

  ii) for raising an appointment charge, a home mission charge or a church plant charge to the status of a pastoral charge.

4.101 Death of a minister

When a minister dies, the moderator or the presbytery clerk may arrange for the preaching and conduct of public worship and other urgent matters. These must be reported to the next ordinary meeting of the presbytery.

4.102 Supply fees

Vacant pastoral charges receiving supply must pay ministers, licentiates or other qualified persons for each service according to the scale of fees and expenses declared by the General Assembly from time to time.

4.103 Dissolving the pastoral tie

If a presbytery resolves to dissolve a pastoral tie it must:

a) first pray; and

b) then either name a date from which the dissolution takes effect or, in the case of translation, instruct the minister to wait on the arrangements of the other presbytery for his induction.

4.104 Resignation of charge

4.104.1 A minister may intimate in writing his desire to resign his pastoral charge to the presbytery.

4.104.2 The presbytery must then invite the minister to discuss his desire with it.

4.104.3 If the minister continues with his desire, the presbytery must then call a meeting of his congregation.

4.104.4 At this meeting the presbytery must discuss with the congregation the minister's desire to resign.

4.104.5 The presbytery must then, if the minister is willing, further discuss the matter with him.

4.104.6 If the minister still desires to resign, he may do so in writing to the presbytery, and is entitled to nominate when his resignation takes effect, and it takes effect from that nominated time.

4.104.7 The presbytery, not the minister, then announces the resignation to the congregation.

4.105 Edict of vacancy

4.105.1 On declaring a vacancy in a pastoral charge, a presbytery must issue an edict of vacancy in the prescribed form (see Appendix 1, Forms and Certificates, 12) and direct that it be read to any congregation concerned at the earliest opportunity.

4.105.2 The session clerk must certify in writing to the presbytery clerk when and where the edict was read.

4.106 Appointment of interim moderator, district interim moderator or intentional interim minister

4.106.1 On declaring a vacancy in a pastoral charge, the presbytery must appoint as moderator of the session:

a) an interim moderator, being one of its ministerial members, or a district interim moderator; or

b) an intentional interim minister;

none of whom must be connected with the charge. (See rule 3.5 for the definition of a district interim moderator.)

4.106.2 A presbytery may revoke an appointment of an interim moderator in favour of appointing an intentional interim minister, and the reverse.

4.106.3 A moderator in a vacancy is ineligible for a call to the charge.

4.106.4 The presbytery may appoint two of its members with whom the interim moderator may take counsel in matters concerning the vacancy.

4.106.5 The presbytery must call regularly for reports on a vacancy from the interim moderator, and may act as necessary, including to expedite the vacancy being filled.

4.107 Intentional interim minister, definition and duties

4.107.1 An intentional interim minister:

a) is a minister of the Presbyterian Church of Australia authorised and provided by the Ministry Development Committee for appointment by presbyteries in exceptional circumstances to transitional ministry in a vacant pastoral charge;

b) has the rights and responsibilities of interim moderators stated elsewhere in the rules, except that he cannot 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 pastoral charge at a time, limited except in extraordinary cases to two years.

4.107.2 Presbyteries may request the Ministry Development Committee to consider particular cases as extraordinary and to authorise an extension of appointment of an intentional interim minister beyond two years.

4.108 Intentional interim minister, steps prior to appointment

Before appointing an intentional interim minister, the presbytery must consult:

a) the congregation, explaining his role and the effect of an appointment on the length of vacancy; and

b) the Ministry Development Committee, to ascertain the availability of a suitable person.

4.109 Status and powers of an interim moderator

4.109.1 As the representative and executive of the presbytery, an interim moderator must:

a) ensure that public worship, sacraments and all other appropriate religious services are duly administered and that discipline is maintained. However, in a prolonged vacancy the presbytery may, with the approval of any relevant General Assembly committee, arrange through the interim moderator for continuous supply, which it may terminate if it judges that this is reducing the activity of the congregation in proceeding to a call;

b) execute, so far as he can do so consistently with his other duties, all the spiritual functions of an inducted minister;

c) delegate as the law of the church allows the duties which he is personally unable to perform;

d) take the necessary steps for filling the vacancy in accordance with these rules.

4.109.2 An interim moderator stands in the same position as the inducted minister in the use of the church and other ecclesiastical buildings.

4.110 Interim moderator designate

4.110.1 If a presbytery decides that the dissolution of the pastoral tie will take effect considerably after the decision to dissolve, it may appoint one of its ministerial members as interim moderator designate.

4.110.2 An interim moderator designate does not have the full responsibilities and powers of an interim moderator until the vacancy commences, but may:

a) take initial steps to fill the pending vacancy up to, but not including, the insertion of a name in a Form of Call;

b) after consultation with the moderator of the session, convene and preside over the meetings of the session, any board, the congregation and the selection committee which are in his

opinion required for the discharge of his duties. Only business connected with filling the pending vacancy may be dealt with at such meetings.

4.110.3 Except when the context otherwise requires, the term 'interim moderator' in the following rules also includes interim moderator designate.

Part Two – Procedure in Vacancies

4.111 Interim moderator's immediate action

An interim moderator must:

a) take all steps necessary to maintain the activities of the pastoral charge;
b) promptly convene and preside over a session meeting to revise the rolls so that an electoral register can be compiled;
c) promptly initiate the procedure for filling the vacancy.

4.112 Prerequisites for induction into a pastoral charge

A minister cannot be inducted into a pastoral charge without the issue, sustaining and accepting of a call from the congregation and the issue of an edict of induction.

4.113 Electoral register

4.113.1 The session must give notice to the congregation of its intention to revise the rolls and then to compile an electoral register.

4.113.2 Promptly after this revision the session must compile an electoral register consisting of two parts:

a) the first part must comprise names of all persons on the roll of communicants, aged 16 years or above, listed in alphabetical order, and numbered consecutively;
b) the second part must comprise names of all persons on the roll of adherents, aged 16 years or above, listed in alphabetical order, and numbered consecutively.

4.113.3 Opportunity must be given to interested parties to inspect the electoral register before it is finally adjusted and session resolves that it is the electoral register.

4.113.4 The interim moderator and the session clerk must then certify a document containing each part as being the electoral register. A copy of the register must then be sent to the presbytery clerk, who must immediately sign it and retain it in presbytery records.

4.113.5 No name shall subsequently be added to the register except by the authority of the presbytery after application by the session.

4.113.6 The foregoing process shall not affect the ability of a session to grant, on written application, a certificate of transfer to any communicant or a removal of a person from the roll of adherents. If this occurs, the session clerk must notify the interim moderator, who must then delete that name from the electoral register and initial the deletion.

4.113.7 Only persons on the electoral register may take part in or vote at any congregational meeting connected with a vacancy, or subscribe to or concur in a call.

4.114 Payment of arrears and proposed terms of settlement

4.114.1 The congregation, at its first meeting in connection with filling the vacancy, must arrange to pay any arrears in:

a) remuneration to the former minister or his personal representative; and
b) rates due to the General Assembly, the presbytery, and the superannuation fund.

4.114.2 Either at this meeting, or shortly afterwards, and thereafter each financial year during the vacancy, the congregation must decide on proposed terms of settlement which, without delay, must be submitted by the interim moderator to the presbytery or its appropriate committee.

4.114.3 The presbytery must 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 for its consideration and action or return them to the congregation for reconsideration.

4.115 Terms of Settlement – Maintenance of the Ministry Committee approval

4.115.1 A presbytery must not sustain a call on terms of settlement which have not been approved by the Maintenance of the Ministry Committee within the current financial year.

4.115.2 If the proposed terms of settlement, even though above the minimum, are disapproved by the committee, the presbytery must not sustain a call and may, after further consulting the congregation,

reduce the status of the pastoral charge to that of an appointment charge or that of a home mission charge.

4.115.3 Notwithstanding approval of the proposed terms of settlement by the committee, the presbytery is not required to sustain the call.

4.116 Proposed terms under minimum

4.116.1 If it is evident that the finances of a pastoral charge are insufficient to meet the minimum terms of settlement required by the General Assembly for maintaining the status of a pastoral charge, the interim moderator must discuss the possibility of a grant with the Ministry Development Committee.

4.116.2 Before proceeding further, the interim moderator must report fully to the presbytery on the condition of the pastoral charge and the view of this committee.

4.116.3 If after this report, the presbytery is satisfied that the criteria for an appointment charge may be met, presbytery will formally apply for a grant to enable the congregation to provide the minimum terms of settlement required by the General Assembly.

4.117 Reduction in status and special selection committee recommendation

4.117.1 On formal notice that the application by presbytery referred to in rule 4.116.3 has been approved, the presbytery must declare the pastoral charge to be reduced to an appointment charge.

4.117.2 The interim moderator must then take the steps necessary to form a special selection committee consisting of himself as convener, 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.

4.117.3 The special selection committee must recommend a person to the presbytery for appointment to the charge.

4.118 Congregation's choice of procedure

4.118.1 On compliance with rules 4.114 and 4.115 and approval of the terms of settlement, the interim moderator must call upon the congregation, duly convened, to decide whether it desires:

a) to proceed to an immediate call; or

b) before taking any further step towards a call, to invite a particular person to lead the congregation in public worship and preach; or

c) to proceed to the immediate appointment of a selection committee.

4.118.2 If an ordinary selection committee is appointed, any names for a call can only be submitted to the congregation through that committee.

4.118.3 If requested by at least one-third of the communicants present, the vote of a congregational meeting on any motion proposing the insertion of a name in a Form of Call must be taken by a ballot in which communicants present vote on papers signed and handed in for counting by the interim moderator, the session clerk and one person appointed by the meeting.

4.119 Immediate call

4.119.1 If the congregation decides to proceed to an immediate call, the interim moderator must call for nominations of the person to be called. If more than one person is nominated, then the meeting shall vote and the person with the most votes is the nominee of the meeting.

4.119.2 The congregation must then vote again and if the person nominated receives more than half the votes of those present that person's name shall be inserted in a Form of Call, which the interim moderator then shall read to the meeting.

4.119.3 If the person nominated does not receive more than half of such votes then the moderator shall call upon the meeting to decide which of the other procedures in rule 4.118.1 it desires to take.

4.120 Particular person invited

4.120.1 If the congregation decides to invite a particular person to lead the congregation in public worship and preach, the interim moderator must, if the proposed invitee is eligible and agreeable, arrange for this to occur within the pastoral charge.

4.120.2 Promptly thereafter, the moderator must call upon the congregation duly convened to vote, and, if the person invited receives more than half the votes of those present, his name shall be inserted in a Form of Call, which the interim moderator then shall read to the meeting.

4.120.3 If this procedure does not yield the insertion of a name in a Form of Call, an ordinary selection committee must be appointed.

4.120.4 Notwithstanding the failure of the person invited to be called under this procedure, the selection committee may still recommend his name to the congregation.

4.121 Selection committee appointed

4.121.1 A selection committee comprises at least seven communicants of a congregation, at least one being an elder, appointed by the congregation.

4.121.2 The committee must be convened and presided over by the interim moderator, who has a casting vote only, which however, he must not exercise to determine a name to be recommended to the congregation.

4.121.3 The persons appointed by the presbytery with whom the interim moderator may take counsel in matters concerning the vacancy may attend and participate in all meetings of the committee, but cannot vote.

4.122 Duties of selection committee

4.122.1 A selection committee must consider the eligibility and qualifications of persons whose names are proposed by committee members or who have made formal written application through the interim moderator for consideration.

4.122.2 A special selection committee must consider such persons and those whose names have been supplied by the Ministry Development Committee.

4.122.3 A selection committee must:

a) interview, should it consider it advisable, any of the persons being considered; and
b) decide on one name at a time to recommend to the congregation for call, normally inviting that person to conduct public worship and preach in the charge and meet the congregation; and
c) keep minutes of its proceedings; and
d) report regularly to the session.

4.123 Recommendation made to congregation

When the selection committee decides to make a recommendation, whether a first or subsequent recommendation, the interim moderator must call a meeting of the congregation to which it must be submitted. The meeting must:

a) decide to call the person recommended, in which case the interim moderator must at once read to the congregation a Form of Call in which the name of that person has been inserted; or
b) decide not to call him; or
c) request him to conduct public worship and preach in the pastoral charge whether or not he has already done so.

4.124 Recommendation not accepted

If a congregational meeting decides not to call the person recommended, the selection committee must make a second, and if necessary a third, and if necessary a fourth, recommendation to subsequent meetings of the congregation.

4.125 Decision withheld pending visit

If the congregation decides to ask the recommended person to conduct public worship and preach, then promptly after either this visit or the invitation to make the visit has been declined, the interim moderator must call a meeting of the congregation which must decide whether to call the person concerned. If the congregation decides to call the person recommended the interim moderator must at once read to the congregation a Form of Call in which the name of that person has been inserted.

4.126 Congregational commissioners appointed and signing of call

4.126.1 On a name being inserted in a Form of Call, the congregation must appoint commissioners, not exceeding two or the number of linked congregations in the pastoral charge, whichever is the greater, at least one of whom must be a member of the session.

4.126.2 The commissioners must take charge of the call and invite:

a) communicants on the electoral register to subscribe on one or more sheets of the call;
b) adherents on the electoral register to sign their concurrence on one or more sheets of the call, being separate sheets to those subscribed by communicants.

4.126.3 When at least three-fifths (60%) of the number of communicants on the register have subscribed the call the commissioners, after a reasonable opportunity for further subscriptions, shall hand the call to the interim moderator.

4.127 Dissatisfaction with proceedings

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. The presbytery must deal with any such petition before proceeding with the call.

4.128 Disqualifications from eligibility for a call

4.128.1 No minister or licentiate may himself, or through others, canvass for election or negotiate with any communicant of the vacant pastoral charge in order to procure a call. A presbytery must declare null and void a call in favour of a minister or licentiate who has done or encouraged this.

4.128.2 Without permission of the presbytery with jurisdiction over him, a minister inducted into a pastoral charge for less than three years must not preach for or accept a call.

4.128.3 If a presbytery approves the translation of a minister from a pastoral charge held by him for under three years, it must report the special circumstances justifying the translation to the next General Assembly.

4.128.4 A minister who as a licentiate has been ordained upon taking up an appointment as an assistant may accept a call after completion of at least a year's service.

4.129 Selection committee dissolved

4.129.1 A selection committee is dissolved automatically on the failure of its fourth recommendation.

4.129.2 The interim moderator shall either:

a) take steps for the appointment of a new selection committee; or

b) report the dissolution of the committee to the presbytery, which may suspend further steps for the call and appoint, for a limited period in accordance with rule 4.131, a suitable minister, other than those ministers whose names have been recommended to the congregation.

4.130 Halting of procedure towards call

The presbytery may at any time halt procedure for filling a vacancy and do what it judges to be in the best interests of the congregation or of the church in general.

4.131 Appointment in prolonged vacancy

4.131.1 If a vacancy has lasted for two years with no immediate prospect of a settlement, the presbytery may declare a pastoral charge to be an appointment charge for up to a year and appoint a minister or licentiate to it.

4.131.2 This appointment is subject to the condition that the presbytery may, whenever it sees fit, restore to the congregation the right of call and allow further steps to fill the vacancy.

4.131.3 At the end of this appointment the presbytery may reduce the appointment charge to a home mission charge.

Part Three – Procedure in Calls

4.132 Sustaining a call

4.132.1 At the earliest opportunity, the interim moderator must present the call and a report on proceedings connected with it to the presbytery, following which the presbytery hears the congregational commissioners.

4.132.2 The presbytery may then sustain the call if satisfied that:

a) the terms of the proposed settlement have been approved by any relevant General Assembly committee;

b) the rules preliminary to the signing of the call have been complied with;

c) no improper canvassing for the person to whom the call is addressed has occurred;

d) the person to whom the call is addressed is eligible, or entitled to become eligible, under either the rules of the General Assembly governing status or of the General Assembly of Australia governing reception of ministers from other churches, and he:

i) presents satisfactory certificates when such are required;

ii) has a current Working With Children Check; and
iii) has completed all relevant PCV Safe Church requirements;

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

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

4.133 Procedure if a call is not sustained

If the presbytery declines to sustain the call, the congregation must then take the prescribed steps to the issuing of another call.

4.134 Call to a licentiate or to a minister not inducted into a pastoral charge

4.134.1 If the call sustained is to a licentiate, or to a minister not inducted into a pastoral charge under the jurisdiction of the Presbyterian Church of Australia, who is present when the call is sustained, both the call and the terms of settlement must be handed to him. If he is absent they must be sent to him with an extract of the relevant minute.

4.134.2 The call falls if the minister or licentiate does not accept it within thirty days.

4.134.3 A licentiate must submit a satisfactory extract of licence, or a minister must submit a certificate of status, following which presbytery must:

a) fix the date for the ordination and induction or induction only;

b) order the edict of ordination and induction or induction only to be issued and read to the congregation (see Appendix 1, Forms and Certificates, 13); and

c) arrange the service.

4.135 Call to a minister inducted into a pastoral charge in the same presbytery

4.135.1 If the call sustained is to a minister inducted into a pastoral charge in the same presbytery, the presbytery must:

a) fix the date of a meeting of the presbytery at which the call will be further considered and instruct the minister to attend;

b) provide the minister with the terms of settlement and the relevant extract minute and notify the clerk of his session of the call;

c) appoint one of its ministers to preach in the pastoral charge of the minister under call, who must:

i) arrange for a duly convened meeting of the congregation at which its mind is to be taken and, if desired, to appoint two commissioners (hereinafter referred to as 'responding commissioners') to attend the presbytery meeting at which the call will be further considered;

ii) invite the congregation to attend this presbytery meeting to protect their interests, clearly stating that if they do not attend the congregation will be considered as consenting to the minister's translation.

4.135.2 At the presbytery meeting:

a) two commissioners (hereinafter referred to as 'prosecuting commissioners') of the congregation of the vacant charge must, if present, be heard;

b) the responding commissioners must, if present, be heard;

c) a prosecuting commissioner may be heard in reply;

d) the minister must then state his mind on the subject;

e) the presbytery must satisfy itself that the minister is not disqualified from accepting the call;

f) the presbytery must decide whether or not to put the call into the hand of the minister;

g) if the presbytery decides not to put the call into the hand of the minister, he and the congregation prosecuting the call may appeal to the General Assembly;

h) if the presbytery puts the call into the hand of the minister he must either:

i) accept the call, in which case the presbytery must record in its minutes that it agrees to the translation and provide an extract of the relevant minute for both congregations; or

ii) decline the call; or

iii) leave the decision to the presbytery; or

iv) ask for time to consider, in which case he is allowed up to thirty days, at the conclusion of which, if he has not notified the presbytery of his decision, the presbytery makes the decision without further reference to anyone.

Any decision of the presbytery under (iii) or (iv) is final, and extract minutes must be promptly provided for the minister and both congregations.

i) if the call is accepted, or if the presbytery has decided in favour of the translation, it must:
   i) fix the date for the induction;
   ii) declare that the pastoral tie with the minister's present congregation will be dissolved from the date of induction;
   iii) pray for the minister and his present congregation;
   iv) declare that a vacancy will exist in the minister's present pastoral charge from the date of dissolution, issue an edict of vacancy and appoint an interim moderator;
   v) order the edict of induction to be issued and read to the congregation; and
   vi) arrange the service.

4.136 Call to a minister inducted into a pastoral charge in another presbytery

4.136.1 If the call sustained is to a minister inducted into a pastoral charge in another presbytery of the Presbyterian Church of Australia, the presbytery sustaining it must:

a) appoint one or more of its members (or, if distance is prohibitive, any other minister in good standing or inducted elder of the Presbyterian Church of Australia) to act with the prosecuting commissioners to prosecute the call;
b) send the call and the terms of settlement, with an extract of the relevant minute, to the clerk of the other presbytery.

4.136.2 If the other presbytery is in Victoria, its clerk, after receiving the call and terms of settlement, must immediately (and without waiting for his presbytery to meet):

a) inform the minister under call and the clerk of his session of the fact of the call;
b) inform the minister of the terms of settlement and instruct him to appear at the next meeting of the presbytery (whether ordinary or urgent, as determined by the moderator);
c) appoint one of its ministers to preach in the pastoral charge of the minister under call, who must:
   i) arrange for a duly convened meeting of the congregation to take its mind and, if desired, to appoint two responding commissioners to attend the presbytery meeting at which the call will be further considered;
   ii) invite the congregation to attend this presbytery meeting to protect their interests, clearly stating that if they do not attend the congregation will be considered as consenting to the minister's translation.

4.136.3 If the other presbytery is in Victoria, when it meets as appointed to consider whether to translate the minister, the matter is handled as follows:

a) one of the representatives of the first presbytery and one prosecuting commissioner must, if present, be heard;
b) the responding commissioners must, if present, be heard;
c) one of the prosecuting commissioners or one of the presbytery's representatives may be heard in reply;
d) the minister must then state his mind on the subject;
e) the presbytery must satisfy itself that the minister is not disqualified from accepting the call;
f) the presbytery must decide whether or not to put the call into the hand of the minister;
g) if the presbytery decides not to put the call into the hand of the minister, he may appeal to, and the first presbytery may petition, the General Assembly;
h) if the presbytery puts the call into the hand of the minister he must either:
   i) accept the call, in which case the presbytery must record in its minutes that it agrees to the translation and provide an extract of the relevant minute for both congregations; or
   ii) decline the call; or
   iii) leave the decision to the presbytery; or
   iv) ask for time to consider, in which case he is allowed up to thirty days, at the conclusion of which, if he has not notified the presbytery of his decision, the presbytery makes the decision without further reference to anyone.

Any decision of the presbytery under (iii) or (iv) is final, and extract minutes must be promptly provided for the minister and both congregations.

i) if the call is accepted, or if the presbytery has decided in favour of the translation, the presbytery must:
   i) instruct the minister to wait on the orders of the first presbytery in respect of arrangements for his induction;

ii) declare that the pastoral tie with the minister's present congregation will be dissolved from the date of induction;
iii) pray for the minister and his present congregation;
iv) declare that a vacancy will exist in the minister's present charge from the date of dissolution, issue an edict of vacancy and appoint an interim moderator;
v) resolve to send an extract minute of the proceedings to the presbytery prosecuting the call.

4.136.4 If the other presbytery is interstate, the presbytery prosecuting the call must be satisfied that the interstate presbytery has complied with the rules of that other State which are roughly equivalent to rules 4.136.2 and 4.136.3.

4.136.5 If the presbytery which sustained the call is notified by the other presbytery that the call has been accepted it must:
a) fix the date for induction;
b) order the edict of induction to be issued and read to the congregation;
c) arrange the service of induction; and
d) immediately advise the other presbytery of the arrangements.

NOTE: Other state codes within the Presbyterian Church of Australia may have some minor differences in their procedures in dealing with a call and so commissioners from the Presbyterian Church of Victoria should acquaint themselves with any such differences before prosecuting a call interstate.

4.137 Call to a licentiate or a minister of another Presbyterian denomination

4.137.1 If the call sustained is to:
a) a licentiate of another denomination, or to a minister of another Presbyterian denomination not inducted into a pastoral charge, then the call, together with all necessary documents, must be sent directly to him; or
b) a minister of another Presbyterian denomination inducted into a pastoral charge, then:
i) the call, together with all necessary documents, must be sent to the clerk of the presbytery of which he is a member; and
ii) any minister or elder of the Presbyterian Church of Australia who is able to attend the meeting of the presbytery at which the call is to be disposed of may be appointed by the presbytery to act as a representative of the presbytery and of the congregation from which the call proceeds.

4.137.2 If the call is accepted within the time allowed, and the requirements of the rules of the General Assembly of Australia for the reception of ministers from other churches have been satisfied, the presbytery must:
a) fix the date for ordination and induction or induction only;
b) order the edict of ordination and induction or induction only to be issued and read to the congregation (see Appendix 1, Forms and Certificates, 13); and
c) arrange the service.

Part Four – Ordination and Induction of Ministers

4.138 Edict

A presbytery, on the acceptance of a call by a minister, must issue an edict of ordination and induction or of induction only in the prescribed form (see Appendix 1, Forms and Certificates, 13) and direct that it be read to any congregation concerned at least eight days before the closing date set by the presbytery.

4.139 Objections

4.139.1 If relevant objections in the terms of the edict are received, the moderator must call an urgent meeting of the presbytery to decide its response.

4.139.2 At this meeting or at an adjournment of it:
a) any person offering objections must justify them;
b) the presbytery must then hear from the minister, and from any other persons who may be able to assist it in its deliberations;
c) the presbytery may then:
i) resolve to proceed with the service on the grounds that the objections are not substantiated or are judged to be frivolous; or

ii) resolve to postpone the service in order to allow it to investigate further the objections; or

iii) sustain any relevant and serious objection, resolve to withdraw the call and cancel the service.

4.140 Service

4.140.1 The presbytery must convene at the fixed time and place and:

a) call for the return of the edict with confirmation that it has been duly read to the congregation or congregations;

b) call for a report from its clerk.

The presbytery shall then resolve to proceed with the service of ordination and induction or of induction only if the clerk reports either that no objections in terms of the edict have been received, or that any such objections have been dealt with by the presbytery to its satisfaction.

4.140.2 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 Assembly Clerk;

iii) the clerk of the minister's former presbytery, where appropriate.

4.141 Usual order of service

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 1, Forms and Certificates, 14);

d) the minister or licentiate signs the Formula (see Appendix 1, Forms and Certificates, 16);

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 on their respective duties;

i) after the service, the communicants and adherents of the congregation are given opportunity to welcome their minister.

4.142 Ministerial tenure

A minister duly inducted into a pastoral charge by a presbytery has life tenure subject to the operation of the Code of Discipline and of these rules.

Section Fourteen … Special Ordinations

4.143 Ordination and induction apart from pastoral settlement

The presbytery carries out ordinations and inductions not arising out of a call to a pastoral office or pastoral charge as the General Assembly may authorise.

4.144 Questions at induction or ordination to special office etc.

At the induction of a minister to a special office, the ordination of a missionary serving under Australian Presbyterian World Mission, 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 PCA 'Code', chapter 6.3).

4.145 Ordination of missionaries

4.145.1 Missionaries recognised under Australian Presbyterian World Mission who are eligible for ordination as ministers may be ordained before they proceed to their spheres of labour whether ministerial, medical or educational.

4.145.2 Ordination is usually by request and authority of the General Assembly, or of the General Assembly of Australia, or at the request of the appropriate committee.

4.145.3 Before proceeding, the presbytery may satisfy itself about the nature of the appointment, the proposed sphere of action, and the provision planned for the missionary's support.

4.145.4 An edict is not issued but presbytery must give public notice of its intention to ordain, to enable any objection to the life or doctrine of the proposed ordinand to be brought forward and substantiated.

4.145.5 The form of questions to be used in such ordinations is that prescribed by the General Assembly of Australia (see PCA 'Code', chapter 6.3).

4.146 Ordination of appointed licentiates

A presbytery may ordain, but not induct, a licentiate who is appointed as assistant to the minister of a pastoral charge, or to an appointment charge, or to a home mission charge, or to a church plant charge, or to a ministerial office within its bounds 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 charge or of the church generally;
c) his appointment is for at least a year; and
d) the Ministry Development Committee, where its permission is required, concurs.

4.147 Ordination of licentiates about to be appointed as chaplains

4.147.1 The presbytery may ordain, but not induct, 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**,** for at least a year and for at least half of full-time.

4.147.2 Before proceeding, the presbytery within whose bounds the work is conducted must:

a) receive from the licentiate a satisfactory extract of licence;
b) satisfy itself about the nature of the appointment and the provision planned for the chaplain's support;
c) receive evidence that, subject to his ordination, he has been invited to accept the appointment.

Section Fifteen … Oversight of Church Institutions

4.148 Presbytery oversight

4.148.1 The presbytery has oversight of any church institution within its bounds, which for the purposes of the rules in this section excludes the Presbyterian Theological College, schools and colleges subject to a separate act of incorporation and any other institution specifically exempted by the General Assembly.

4.148.2 This oversight is over:

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.

4.149 Information to be supplied to presbytery

The governing authority or committee of management of any church institution must fully inform the presbytery of the arrangements within it for:

a) religious services or the attendance at public worship of their residents;
b) religious instruction;
c) preparation of persons for church membership;
d) the operation of the church's youth or other appropriate organisations;

and annually report to the presbytery on these matters.

4.150 Presbytery visitation and reference to General Assembly

4.150.1 The presbytery may make regular or special visitation to any church institution within its bounds after giving reasonable notice to its governing body or committee of management or head.

4.150.2 If the presbytery is not satisfied with the response of the institution to its lawful directions or recommendations, it may bring the matter to the notice of the General Assembly by petition.

4.151 Only ministers to be appointed as chaplains

4.151.1 A chaplain of a church institution must be a minister with full standing in the Presbyterian Church of Australia and the intention to appoint him must be officially intimated to the presbytery.

4.151.2 A minister of a charge can only be appointed as a part-time chaplain with the consent of his presbytery.

4.152 Installation of chaplains, officials, special services

A presbytery may within its bounds appoint and conduct any service for the admission to office of a chaplain, headmaster/principal, superintendent or other official, or marking a jubilee, centenary, or other special occasion of interest to the church generally.

Section Sixteen … Powers and Duties Relative to Higher Courts

4.153 Petitions to General Assembly

A presbytery must proceed by way of petition to the General Assembly if it desires:

a) to change its name or its bounds; or

b) that a congregation in its presbytery be transferred into another presbytery or the reverse;

and provide a copy of the petition to any other presbytery affected at least thirty days before the General Assembly meets.

4.154 No interference with another presbytery

A presbytery cannot interfere with or review the procedure of another presbytery. An aggrieved presbytery may make representations to the other presbytery, and if this proves ineffectual may seek a remedy by petition to the General Assembly.

4.155 Returns to remits

4.155.1 A presbytery has a right and duty to participate in the legislation of the church by approving or disapproving remits from higher courts.

4.155.2 If a higher court orders a remit to be sent to sessions the presbytery must ensure that this occurs and that the sessions diligently make their returns to the presbytery.

4.156 Records examination by General Assembly

A presbytery is responsible to the General Assembly for the correctness and accuracy of the permanent record of its proceedings and must submit its minute book annually to the Assembly Clerk for examination and approval.

4.157 Commissioners to the General Assembly of Australia

In terms of Article 1.5 of the Articles of Agreement dated 24 July 1901, before each meeting of the General Assembly of Australia, presbytery must elect as its commissioners one minister and one elder for every five sanctioned charges or portion thereof within its bounds. 'Sanctioned charge' is an expression from the General Assembly of Australia 'Code' which means *'*a charge to which a minister has been inducted or appointed on a full-time basis*'*.

4.158 Responsibility for execution of law

A 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 5 … The General Assembly

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Section One … Powers and Functions

5.1 Powers

5.1.1 The General Assembly is the supreme court of the church. 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 within and in respect of Victoria, subject to:

a) matters properly within the Declaration on the Spiritual Freedom of the Church (see GAA 'Code')
b) all relevant civil laws; and
c) the transfer or qualification of supreme power in specified matters as provided for in the Basis of Union and Articles of Agreement of the Deed of Union of 24 July 1901 and in subsequent amendments.

5.1.2 The General Assembly may deal with and dispose of any matter before it for which there is no precise and sufficient legal provision, but must always take into account the possible exercise of coordinate power by the General Assembly of Australia.

NOTE: The above highlighted rule has interim authority.

5.2 Functions

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;
b) matters brought before it by:
   i) overture;
   ii) reference;
   iii) appeal;
   iv) petition;
   v) communication (when no other course is open);
   vi) matters raised by members of the General Assembly through other avenues such as substantive motion (see rule 7.12).

Section Two … Constitution and Officials

5.3 No permanent existence

Unlike lower courts, the General Assembly 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 General Assembly dissolves itself.

5.4 Membership

The General Assembly consists of:

a) all ministers whose names are on the membership rolls of the presbyteries within its jurisdiction and which have been submitted to, and approved by, it;

b) one representative elder for each charge within the presbyteries referred to in (a) above whose commission has been sustained by the appropriate presbytery;

c) elders who have a seat on a presbytery under the provisions of rule 4.2(n);

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. This is subject to the limit that no more than two elders from any session are members of the Assembly, except those who are covered by rule 4.2(n).

5.5 Associate members

5.5.1 The General Assembly may as a courtesy 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.

5.5.2 Associate membership is a courtesy extended by the General Assembly, conferring an entitlement to speak, but not to preside, vote, move or second a motion, nor to remain in the General Assembly when it meets in private.

5.6 Moderator

Each General Assembly elects from its members (ordinarily at the preceding Commission of Assembly) a 'moderator designate', who is appointed as moderator at the first sitting of the Assembly to preside for the duration of the Assembly, and for any Commission of it. He is immediately inducted into his office by the outgoing moderator. His official designation is: 'Moderator of the General Assembly of the Presbyterian Church of Victoria'.

5.7 Moderator's continued function

The moderator:

a) for convenience in the performance of certain ecclesiastical actions which are or may be necessary or desirable before the next General Assembly is convened; and

b) for 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 General Assembly) until he has constituted the next General Assembly and presided at the election and induction of his successor.

5.8 Absence of moderator during Assembly

When the moderator is absent from the chair during the meeting of the General Assembly, or of any Commission of it, 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.

5.9 Vacancy in the office of moderator

If the office of moderator becomes vacant by death or resignation, 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.

5.10 Illness of moderator or absence from bounds

In circumstances where rule 5.8 does not apply, when the moderator is unable to discharge his duties through illness or absence from the bounds of the General Assembly, his duties must, at the request of the moderator, or, if that is not possible, the clerk, be carried out by his most recent predecessor in office who is both available and willing to act. He is known as the 'acting moderator' and is considered to be the moderator for all purposes and may so describe himself in legal documents (see, for example, rule 5.15).

5.11 Clerks

The General Assembly must appoint and determine the remuneration of one or more clerks who are usually but not necessarily members of the court. Their general duties are described in rule 6.5 (see also rules 6.16-19 for their duties in relation to record keeping) and the General Assembly must determine their specific duties.

5.12 Clerks give advice regarding rules, procedure and practice

The clerks, in the first instance, assist and guide communicants, adherents, the church's courts and its committees in the rules, practice and procedure of the church.

5.13 Appointment of trustees

5.13.1 Pursuant to the Presbyterian Trusts Act 1890 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.

5.13.2 The General Assembly also authorises, ordinarily by rule or regulation, the appointment of other trustees necessary for the holding of specified funds or other property of the church for which no express provision is made in any Act or in any deed of trust.

5.14 Appointment of Law Agent (church solicitor)

The General Assembly must appoint a Law Agent (solicitor) whose duties are:

a) to transact legal business committed to him or her affecting the interests of the church;

b) to advise courts, General Assembly committees, ministers, trustees and officials of the church in matters of civil law as these affect the church and its interests.

He or she must discharge his or her duties in accordance with the relevant rules and regulations of the church and of the directions of the General Assembly (see also rules 5.42, 5.55).

5.15 Law Agent revises all property transactions

All title deeds conveying property to the church or any of its congregations, institutions or agencies, not prepared by the Law Agent, must be submitted to him or her for revision, as must all transfers, conveyances, mortgages, exchanges or leases authorised by the General Assembly, to which the moderator's signature is necessary by Section 20(1) of the Presbyterian Trusts Act 1890.

5.16 Law Agent remuneration

The Law Agent is entitled to remuneration for legal business committed to him or her 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 General 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 or her for his or her opinion: a general retainer fee to be fixed from time to time by the Trusts Corporation and Board of Investment and Finance.

5.17 Appointment of Law Agent for the time being

a) any vacancy in the office of Law Agent occurring when the General Assembly is not sitting must be filled by the appointment of a Law Agent to hold office until the next meeting of the General Assembly. This appointment is 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 must 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 possible, the Board of Investment and Finance must consult with the Law Agent prior to engaging a legal practitioner under rule 5.17(b);
d) the Law Agent, or someone acting on his or her behalf, must 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.

5.18 Appointment of Procurator (church barrister)

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.

5.19 Officials and offices

5.19.1 The Assembly may create or terminate positions called 'Offices' (such as 'Church Planter Officer', 'Officer, Ministry Development Committee') and appoint officials to them.

5.19.2 The General Assembly may:
a) appoint any official necessary and fix the official's term of office, duties and remuneration;
b) enter into any contract with the official related thereto, and;
c) subject to compliance with any contract and with the civil law, vary the terms of appointment of or dismiss any official.

5.19.3 The procedure for making an appointment to an office is at the discretion of the Assembly but the normal procedure is:
a) if an office is expected to fall vacant, the committee concerned must inform all presbyteries of the vacancy and announce it in any official publication of the church at least three months before the meeting of the General Assembly or Commission of Assembly at which the appointment is to be made;
b) any presbytery may nominate any person to fill the vacancy, or applications to fill the vacancy may be made directly to the committee concerned, or the committee concerned may nominate someone to fill the vacancy. Only these persons are eligible for appointment;
c) in, or with, the White Book, the committee concerned must report to the Assembly the names and qualifications of the persons referred to in (b) and the proposed terms of appointment.

NOTE: For 'staff' and their appointment by committees see rule 5.32.

Section Three … Committees

5.20 Appointment of committees

5.20.1 On establishing a committee, the General Assembly must name it, state its membership, purpose and duties, appoint its convener, and provide other necessary directions usually in the form of regulations. It may vary any of the same from time to time.

5.20.2 A committee must conduct its business in accordance with:
a) the directions and regulations specific to it;
b) the rules of the church; and
c) general regulations relating to committees enacted by the General Assembly.

5.20.3 If a committee meets:
a) three of its members 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 has both a deliberative and a casting vote;
e) it may, however, at any time resolve to be guided strictly by Chapter 7 (Standing Orders);
f) any member of the Assembly has a right to be present and may be associated with the committee;
g) it must keep accurate minutes of its proceedings conforming to the requirements of rule 6.16;

h) reports of its proceedings may not be published without its consent.

5.20.4 A committee may without meeting approve a motion by email provided that the motion is notified by email to each committee member in time for each member to make a considered decision and email response to the motion. The convener must table all responses at the next meeting of the committee. Any member of the committee can in a particular case veto use of this procedure and require that it be considered at the next usual meeting of the committee.

5.20.5 Further:

a) if it considers it necessary, a committee may, by a motion duly approved and minuted, appoint an executive of at least three persons, normally including the convener and secretary, to deal with matters that the committee may refer to it;

b) this executive is not normally empowered to authorise payments from committee funds; however, where this is considered necessary, the committee may empower its executive to authorise specific payments, provided that the committee minute of this decision accompanies all requests for expenditure;

c) all activities of this executive shall be recorded and formally reported to the committee at its next meeting. Decisions of the executive shall be recorded in the committee's minutes and are to be regarded as any other decision of the committee. However, such decisions may be overturned by the committee if in the event that a committee member gives reasonable notice that he or she will move this at a future meeting of the committee.

5.20.6 All committees must report on their proceedings to each Assembly.

5.21 Nomination of members and conveners

Subject to any contrary provision in these rules or in any regulation, nominations of the members and conveners of all General Assembly committees are made by the Selection Committee. All these nominations must be published in the White Book (see rule 7.8.3).

5.22 Committees to suggest nominations

Every committee, unless expressly excepted, must send a list of the suggested nominations for its membership and convenership to the Selection Committee not less than ten weeks before the meeting of the General Assembly. Committees must provide the Selection Committee sufficient information regarding:

a) attendance;

b) effective service; and

c) length of service on the committee;

of members eligible for re-election or due for retirement, to enable it to be satisfied that all nominees can take a reasonably efficient and active part in the committee's work.

5.23 Members of General Assembly may nominate

Subject to any contrary provision in these rules or in any regulation, members of the General Assembly can also make nominations for Assembly committees by submitting them in writing to the convener of the Selection Committee by noon of Tuesday of the General Assembly. In such cases appointment must be determined by ballot as provided for in the regulations of the Selection Committee.

NOTE: The above highlighted rule has interim authority.

5.24 Conveners' period of office

5.24.1 Subject to any provision in the rules or any regulation to the contrary, no convener of a General Assembly committee can hold office for above seven consecutive years.

5.24.2 Notwithstanding the foregoing, the General Assembly, on the recommendation of the Selection Committee, may from time to time extend this period for a specified period.

5.24.3 A person ceasing to be convener under rule 5.24.1 is eligible for re-appointment after an interval of two years.

5.25 Length of membership

5.25.1 Subject to any provision in these rules or any regulation to the contrary, no member of a General Assembly committee can serve for above nine consecutive years.

5.25.2 Notwithstanding the foregoing, the General Assembly, on the recommendation of the committee concerned, with the concurrence of the Selection Committee, may extend this service for a specified period.

5.25.3 Normally, one-third of the membership of committees must retire each year but are eligible for re-election.

5.26 Co-opted members

5.26.1 Subject to any provision in these rules or any regulation to the contrary, persons whose advice may be particularly useful to any committee may be co-opted as members provided co-opted members do not exceed one-quarter of the committee.

5.26.2 No co-opted member may vote at any meeting of the committee.

5.27 Members to be diligent in attendance

5.27.1 Members of General Assembly committees must be diligent in their attendance at meetings.

5.27.2 Members who absent themselves for over three months or three consecutive meetings without sufficient reason will be considered to have resigned their position and the Selection Committee will be asked to fill the vacancy.

5.27.3 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 up to 12 months.

5.28 Resignation and filling casual vacancy

A member may resign from a committee by doing so to the committee. The committee must inform the Selection Committee of, and submit to it a nomination to fill, the vacancy, which that committee must then do.

5.29 Authorisation for payments from funds under committee management

No payment can be made out of the annual revenue of the funds placed under the management of any General Assembly committee unless:

a) ordered by the General 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.

5.30 Members of committees disqualified by personal financial interest

No member of a committee can:

a) vote 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) except by resolution of the General Assembly be paid a wage or a salary by the committee or receive an honorarium from the committee (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 non cash benefits as set by the General Assembly from time to time).

5.31 Committee reimbursement of travelling and out-of-pocket expenses

A committee may reimburse its convener 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 without funds for this purpose may apply to the Board of Investment and Finance for funding and where practicable it may make such funds available from the funds of the General Assembly.

5.32 Appointment of committee staff

'Staff' are persons appointed by committees to positions that are provided for in committee regulations, or approved by the General Assembly at the request of the appointing committee, but not named by the General Assembly in its rules.

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 its regulation 8 for the board's determination (after consultation with the appointing committee) of the salary and conditions of employment of such staff.

5.33 Moderator may attend meetings

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

Section Four … Commissions

5.34 Ordinary commission

5.34.1 Each General Assembly, at its final sitting, must appoint 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 General Assembly, with a quorum of 16 (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 must not 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 General Assembly that are considered urgent and in need of executive or judicial action. In taking up these emergent matters the Commission must consider the best interests of the church on every occasion;

d) charge this Commission of Assembly in all its actions and decisions to proceed according to the rules and constitution of this church. For all its actions 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 of Assembly 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'.

5.34.2 The powers and duties of the Commission of Assembly can only be altered after overture and under Barrier Act procedure (see Appendix 1, Forms and Certificates, 6).

5.34.3 A judgment or decision of a Commission of Assembly within power and after regular procedure is treated by the next General Assembly as final.

5.35 Special commissions

5.35.1 The General Assembly may appoint from its members the special commissions necessary for particular judicial or administrative matters, and any other urgent matters, and fix their membership, powers, duties and quorum.

5.35.2 When a special commission consists of two or more members the Assembly appoints the chairman.

5.35.3 A special commission usually reports to the next General Assembly which, however, may instruct it to report to an ordinary Commission of Assembly and authorise that Commission to deal with matters arising from the report.

5.35.4 An Assembly may set aside any action or decision of a special commission if it contravenes or is outside the powers of the commission.

5.36 Representation of parties before commissions or committees of inquiry

On any inquiry by a commission or committee into any complaint concerning the actions of any committee, office bearer or employee of the church, any complainant or committee or person against whom the complaint is made is entitled to representation by a member of the church at the inquiry.

Section Five … Meetings and Procedure

5.37 Ordinary meetings

The General Assembly ordinarily meets once a year. Each General Assembly, before it dissolves, must fix the date and place of the next General Assembly.

5.38 Urgent meetings

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 the General Assembly and representing at least three presbyteries. The moderator's notice convening the General Assembly must be sent at least seven days before the meeting.

Action can only be taken at such a meeting:

a) in relation to matters specified in the moderator's notice;
b) if there is a quorum; and
c) after the action of the moderator in convening the meeting has been approved by a majority of the members present.

5.39 Quorum

Sixteen members of the General Assembly constitute a quorum for any meeting of the General Assembly, provided that at least four presbyteries are represented and that at least eight of those present are ministers.

5.40 Appointment of Business Committee

The General Assembly must appoint a Business Committee to arrange the order of its business, guide the General Assembly on matters of procedure and perform other functions as set out in its regulations. This committee also acts in connection with the ordinary Commission of Assembly.

5.41 Procedure and rules of debate

The procedure of the General Assembly is governed by those parts of the following which are applicable to the General Assembly:

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

5.42 Special Judicial Committee

As provided for in rule 5.55, a Special Judicial Committee consisting of the clerks and the Law Agent must advise the General Assembly on procedure in matters of a judicial character and place before it a suggested course of action for each case.

5.43 Dissolution

When the business of the General Assembly is concluded**,** the minutes of the last sitting must be read and confirmed, or remitted to a special commission with power to correct and confirm them. The moderator then must announce the date and place of the next General Assembly, briefly address the court, and declare in the name of the Lord Jesus Christ, the King and Head of his church, that the General Assembly is dissolved. After praise and prayer he must close the meeting with the benediction.

Section Six … Legislative Action

5.44 Exercise of legislative function

In the exercise of its legislative function, the General Assembly may enact, amend or repeal:

a) rules**,** only on a proposal by overture and in accordance with Barrier Act procedure;
b) regulations**,** in accordance with the procedure set out in the following rule.

5.45 Enactment of regulations

5.45.1 Regulations may only be enacted, amended or repealed pursuant to a proposal made in an overture or in the proposed deliverance of the Code Committee's report, provided that an urgent amendment to a regulation may be enacted pursuant to a proposal made by notice of motion.

5.45.2 A proposal may first be remitted by the General Assembly to presbyteries for consideration and report.

5.46 Use of Declaratory Act to declare the law of the church

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. This Declaratory Act may be passed without reference to the presbyteries, but it must be remitted to them under Barrier Act procedure if it amends a rule.

5.47 Granting of interim authority

5.47.1 The General Assembly may give interim authority until the next General Assembly to:

a) a Declaratory Act which is being remitted to the presbyteries under Barrier Act procedure; or
b) the enactment, amendment or repeal of a rule or regulation pending the consideration and approval of the presbyteries or the report of any committee.

This authority may be renewed by that General Assembly if the remit in the same or amended form is again sent down to the presbyteries, failing which this interim authority lapses.

5.47.2 Interim authority cannot be given to any alteration of the powers and duties of the Commission of Assembly.

Section Seven … Administrative Action

5.48 Oversight of presbyteries, commissions, committees and officials

5.48.1 In the exercise of its administrative (or executive) function, the General Assembly exercises oversight of all its lower courts. In doing this the Assembly must:

a) ensure that the functions and duties assigned by the law of the church to the lower courts are not interfered with;
b) deal with any irregularity or default of duty revealed by the review of the records of presbyteries;
c) instigate any necessary amendment of the rules.

5.48.2 The General Assembly exercises oversight of its commissions, committees and officials.

5.48.3 The General Assembly directs, counsels, advises and corrects lower courts, commissions, committees and officials as appropriate.

5.49 Examination and archiving of records

5.49.1 The Clerk of Assembly must annually call for, examine and approve the records of all presbyteries and of the Assembly's committees and boards.

5.49.2 All records not in active use, in which the last entry is more than seven years old, must be deposited in the church archives. (see also 4.96.6)

5.49.3 The General Assembly may also call for specified information from sessions and boards.

5.50 Appointment of professors and lecturers

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

5.51 Alteration of bounds of presbyteries

5.51.1 The General Assembly may alter the bounds of a presbytery or amalgamate presbyteries.

5.51.2 Notwithstanding its general power to effect such alteration or amalgamation, the Assembly normally does so at the request of one or more presbyteries concerned or after consulting the presbyteries concerned, on the recommendation of a commission or committee appointed or instructed to consider the matter.

5.52 Congregational levies and special collections

The General Assembly may request a levy from each congregation for funds for its own needs, and may appoint special collections throughout the church for purposes which it approves or determines.

5.53 Final administrative authority over funds and other property

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 of such committees. It may issue directions and authorisations concerning such funds and property as it considers appropriate.

Section Eight … Judicial Action

5.54 Judgment of references, appeals and petitions

5.54.1 As provided for 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 presented to it.

5.54.2 All references, appeals and petitions should be lodged with the Assembly Clerk at least thirty days before the meeting of the General Assembly or the Commission of Assembly but in any particular case the Assembly or the Commission of Assembly may waive this requirement.

5.55 Special Judicial Committee duties

The clerks and the Law Agent, acting as a Special Judicial Committee (see rule 5.42):

a) put petitions, references and appeals lodged with the Assembly Clerk 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 General Assembly or Commission of Assembly;
d) recommend how they may be dealt with;
e) place before the General Assembly or the Commission of Assembly a suggested course of action in each case;
f) in the case of appeals, draw the attention of appellants and respondents to the provisions of rules 6.46.1(b)(ii) and (iii) regarding their speeches.

5.56 Discipline

5.56.1 If, in a non-judicial proceeding, the General Assembly finds facts which raise a case or matter of discipline, and decides to take up the case or matter, it shall conduct the business before it in accordance with the Code of Discipline and in harmony with the Articles of Agreement.

5.56.2 In cases or matters of discipline the Assembly shall conduct the business before it in accordance with the Code of Discipline and in harmony with the Articles of Agreement.

5.56.3 Although the Assembly has original jurisdiction in every case of discipline, in ordinary practice (except when contumacy is involved) it exercises its power of discipline only in cases brought before it from presbyteries by reference or appeal.

5.56.4 The Assembly may, but only in accordance with the Code of Discipline, deal summarily with any minister, communicant or adherent who has acted contumaciously against its directions, order or authority.

NOTE: The jurisdiction of the General Assembly in cases of discipline is given by rules 2.22 – 2.26 of the Code of Discipline. In cases of contumacy the General Assembly proceeds under part 8 of the Code of Discipline.

Section Nine … Relationship to General Assembly of Australia ('GAA')

5.57 Specific duties and functions re GAA

The General Assembly 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 as amended.

5.58 Transmission of references and appeals to the GAA

The General Assembly transmits to the General Assembly of Australia such references as it determines and all appeals against its decisions which lie to the General Assembly of Australia.

5.59 May petition the GAA

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 church, or of some part of its work, or of some persons connected with it, are involved.

Chapter 6 … General Rules for Church Courts

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Section One … Introductory

6.1 Extent of application

The rules in this chapter apply to each court of the church insofar as appropriate to their proceedings or the subject matter before them.

Section Two … Moderators and Clerks

6.2 Election of moderator

Presbyteries and the General Assembly determine the procedure by which the moderator is elected, consistent with free election.

6.3 Duties of moderator

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 by that of a higher court.

At all meetings of the court the moderator:

a) presides;
b) ensures that the meeting is properly constituted;
c) maintains good order in the conduct of its business;
d) follows an 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 speak, vote and discharge their duties;
j) vacates the chair while 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.

6.4 Rights of moderator

6.4.1 The moderator has the right to precedence over the members of the court.
6.4.2 A moderator in the chair exercises a casting, not a deliberative, vote.
6.4.3 A moderator has the right to speak in a debate provided that, except in a session, he vacates the chair to do so.

6.5 Clerks and their duties

6.5.1 The clerks of a court act as clerks of its commissions.
6.5.2 Every clerk must:
a) keep an accurate roll of the court;
b) receive, examine, record and report to the court all documents, papers or communications addressed to it;
c) keep minutes of the proceedings of the court and, when appropriate and at his or her discretion, supply properly certified extracts to anyone entitled to them;
d) care for the books, papers and records of the court as it directs and produce them when the court requires them;
e) carry out the correspondence of the court as it directs or as required by the rules, regulations or directions of a higher court;
f) advise parties who wish to bring business to the court;
g) perform other duties necessary for the court to do its business efficiently;
h) carry out such duties as a higher court requires.
6.5.3 The clerk of a higher court must vacate his table while a lower court of which he is a member is at the Bar.
6.5.4 The order of a higher court for the submission of records for its inspection is given to the clerk of the lower court, who is answerable to the higher court for any neglect in this matter.

6.6 Declaration of faithful duty

The clerk makes the declaration of faithful duty on assuming office. In his or her absence an acting clerk is appointed and 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

6.7 Convening of courts

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'.

6.8 Attendance obligatory

A member of a court must, except for good reason, attend its meetings. A member who does not 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, the court may charge him with contumacy under the Code of Discipline.

6.9 Opened and closed with prayer

All meetings of church courts and their commissions and committees shall be opened and closed with prayer, and this fact shall be recorded in the minutes.

6.10 Open court or in private

6.10.1 All courts, other than the session, are presumed to be open.

6.10.2 A court may, in any particular matter, resolve to sit in private when it judges it necessary or expedient, and must do so when required by the law of the church or by instruction of the General Assembly. If so, all persons other than full members or officers of the court and cited parties to a particular matter under discussion are excluded, except that a presbytery may allow a licentiate to remain (see rule 4.21).

6.10.3 In deciding whether or not to sit in private, a court must consider 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.

6.10.4 A court may at any time close its doors and sit in private in consequence of a ruling by the moderator, or of a motion put to the vote without debate and approved. Cases or questions which have been discussed in private in a lower court must be so discussed in higher courts unless a motion to the contrary, put to the vote without debate, is approved.

6.10.5 If the moderator declares that a case or question affects character or involves a personal dispute or misunderstanding, the court must sit in private unless a motion to sit in public put to the vote without debate is approved.

6.10.6 A motion to sit in private may be repeated notwithstanding its previous failure in that debate or sitting of a court.

6.10.7 When a court meets in private all information shared with the members of the court present, whether orally or in writing, is strictly private to those present and must not be divulged to any member of court not present when the court sat in private or to any other person.

6.11 The Bar

6.11.1 As provided for in the rules or the Code of Discipline, when a court is exercising specified functions, certain parties to a case are brought to and appear at the Bar of the court. They take their places at the Bar when called by the moderator.

6.11.2 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.

6.11.3 When a matter is finally disposed of, persons at the Bar are formally removed from it by the moderator.

6.12 No meeting beyond bounds

A court cannot meet beyond its own bounds without permission or direction of a higher court.

6.12A Meeting by technological means

A court, or a commission, may meet by the members communicating with each other by any technological means by which they are able simultaneously to hear each other, participate in discussion and vote. In these circumstances, the members need not be physically present in the same place.

6.12B Resolution by email

6.12B.1 Provided that every member has access to email, a court or commission of a court may, without meeting, approve a proposed resolution by email if the proposed resolution is, with the approval of the moderator, emailed by the clerk in time for each member to make a considered decision and email response.

6.12B.2 Any notification provided for in rule 6.12B.1 must specify:

a) the proposed resolution;

b) a response time of not less than four days and that upon the expiration of that period the matter will be determined in accordance with the responses received;

c) that no response shall be considered if it has not been sent to all members; and

d) that any member of the court or commission can, up to the voting deadline, veto the use of this procedure to determine this particular matter, thereby requiring that the matter be considered at the next meeting of the court or commission.

6.12B.3 The clerk must ensure that:

a) all members of the court or commission are promptly advised of the result of the voting;

b) both the process followed and the result of the voting are correctly minuted; and

c) the minutes of the process are placed before the next meeting of the court or commission for confirmation.

6.13 No meeting of a court while a higher court meets or of other body while a court meets

6.13.1 A court shall not without permission meet during a sitting of a higher court or a commission of it.

6.13.2 A board and a congregation shall not, without the permission of the court, meet during a sitting of the session or of a court above it or of a commission of such court.

6.13.3 A committee of a court shall not meet without permission during a sitting of that court.

Section Four … Records

6.14 Authoritative signature of moderator and clerk

When the moderator or acting 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.

6.15 Decisions when effective

The decisions of the General Assembly take effect immediately on the dissolution of the General Assembly unless otherwise ordered. The decision of a lower court takes effect from when it was made or ordered to take effect although the minute of that decision is as yet unconfirmed.

6.16 Form of minutes

6.16.1 A court must keep accurate minutes of its proceedings.

6.16.2 The minutes of every meeting of a court are entered in the court's minute book. When confirmed, the minutes are signed and each page numbered and initialled by the moderator.

6.16.3 Minutes must be a statement of fact only and must include:

a) the circumstances of the meeting, whether by appointment, following adjournment, urgent or special purpose, and the place, date, and time;
b) except for the General Assembly, a list of those present;
c) 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.

6.16.4 Minutes should not contain unnecessary corrections or alterations. Further:

a) typographical errors require only initialling by the clerk;
b) if words are struck out, the number of them (or of the lines) must be noted in the margin and signed by the clerk;
c) if words are inserted, they must be written in the margin and signed by the clerk;
d) no records may be deleted without the authority of the higher court;
e) the minutes must not contain blank spaces giving opportunity for unauthorised insertions;
f) headings of subjects must be made in the margin or in bold font above the minute;
g) the keeping and recording of minutes must not be such as to permit a doubt as to the authenticity of the record.

NOTE: Rule 6.9 provides that the fact of opening and closing with prayer is also to be recorded in the minutes.

6.17 Framing and approval of minutes

6.17.1 Every court frames its minutes in a consistent format as far as possible.

6.17.2 Subject to overruling by a higher court, a court is entitled to decide what shall have a place in its minutes.

6.17.3 The clerk or person appointed to take the minutes must:

a) take down draft minutes, to be subsequently refined into permanent form, and either read to the court at its next meeting or circulated among its members 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 frame all or any of its minutes as the business proceeds so that the minutes may be confirmed at once; or
c) in the case of the final sitting of the General Assembly before its dissolution, follow the procedure indicated in (b) or submit the permanent minutes to a commission appointed to scrutinise, correct and confirm them (see rule 5.43).

6.18 Extracts and papers relative to a case

6.18.1 Before and after a decision on a case, copies of any papers held or reserved and full extracts of minutes, relevant to the case, may be applied for by and provided by a court to a person entitled to them.

6.18.2 An extract must be attested by the clerk as extracted from the record of the court. Copies of papers must be certified as such by the clerk.

6.18.3 A court must exercise caution in providing papers and extracts in matters affecting private interests only, in case they are sought merely for the purpose of a civil action.

6.18.4 A court may fix a charge for providing such copies and extracts.

6.19 Record apart

6.19.1 A court:

a) must keep records in a separate record apart when:
   i) required to do so by the Code of Discipline; or
   ii) conduct in breach of the PCV Safe Church Code of Conduct is alleged;

b) may keep records in relation to matters other than those specified in rule 6.19.1(a) in a record apart.

6.19.2 When a court resolves to keep records in a record apart as provided for:

a) by rule 6.19.1(a):
   i) the resolution must be minuted in the record apart; and
   ii) no entry is made of the matter in the ordinary minutes of the court until the case is finally disposed of as provided for in rules 6.19.4 and 6.19.5 below;

b) by rule 6.19.1(b), the resolution must be minuted in the ordinary minutes of the court.

6.19.3 Minutes kept in a record apart must be:

a) taken down on separate sheets consecutively numbered and secured within a separate folder;

b) kept apart in a private and secure place separately from the regular minute book and other records;

c) when confirmed, signed by the moderator and the clerk page by page.

6.19.4 In the case of proceedings under the Code of Discipline:

a) where a matter does not proceed to judicial process no statement regarding it is inserted in the ordinary record of the court, but all minutes and other records held in connection with the matter must be retained for fifty years from the conclusion of the matter;

b) where a matter proceeds to judicial process, at the conclusion of the process a general statement of the terms or nature of the accusation and of the judgment arrived at must be inserted in the ordinary minutes of the court and the evidence taken together with all minutes and other relevant documents kept must be retained permanently.

6.19.5 In the case of an allegation of conduct in breach of the PCV Safe Church Code of Conduct, where the allegation is resolved without the matter proceeding under the Code of Discipline:

a) a general statement of the matter and the decision of the court is included in the ordinary minutes of the court; and

b) all records in connection with such an allegation must be retained for fifty years from the conclusion of the matter.

6.19.6 In the case of a resolution to keep records in a record apart as provided for by rule 6.19.1(b), all records in connection with such a resolution must be retained permanently.

6.19.7 Where records kept in a record apart must be retained for fifty years (see 6.19.4(a) and 6.19.5):

a) the minutes in the record apart must be formally inspected as provided for by rule 4.96 or rule 5.49.1;

b) two bound copies must be prepared, sealed up and endorsed externally with a note of the subject matter, the date, and the date when they are to be destroyed;

c) one copy must be placed in the PCV Archive and the other copy forwarded to Safe Church PCV; and

d) these facts (a, b, c, above) must be recorded in the ordinary minutes of the court.

6.19.8 Where records kept in a record apart must be retained permanently (see 6.19.4(b) and 6.19.6):

a) the minutes in the record apart must be formally inspected as provided for by rule 4.96 or rule 5.49.1;

b) two bound copies must be prepared, sealed up and endorsed externally with a note of the subject matter and the date;

c) one copy must be placed in the permanent records of the church in the PCV Archive, with the notation, 'To be opened only by the Session Clerk of …….. Congregation', or 'the Clerk of the Presbytery of ……..', or 'the Assembly Clerk' and the other copy forwarded to Safe Church PCV; and

d) these facts (a, b, c, above) must be recorded in the ordinary minutes of the court.

Section Five … Citation

6.20 Citation

6.20.1 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. It 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 and leaves the court free to determine the matter without further reference to the person cited except where the rules determine otherwise.

6.20.2 A court may issue a citation for the purpose of:

a) enforcing the attendance of its members;
b) taking the mind of a congregation;
c) requesting a party to appear in the party's interests in a case pending before it in a process of discipline;
d) requesting the presence of any person, court or body within its jurisdiction, and who may be affected by its decision, or whose evidence it desires.

6.20.3 A citation must be so issued that the person cited has reasonable grounds for believing that it is authentic and it is clear to the court that the citation has occurred.

6.20.4 Citation of a person present in court may be done orally in the presence of the court.

6.20.5 Citation of a person not present in court is by written citation in the set form (see Appendix 1, Forms and Certificates, 17):

a) delivered by an officer or agent of the court to the person or to his or her usual or last known place of residence; or
b) sent by registered or similar post to that address.

Such citation is proved by the evidence of the officer or agent delivering the citation and by written evidence from the postal service.

NOTE: Citation is also dealt with under part 8 of the Code of Discipline.

Section Six … Overtures

6.21 Definition and use

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) to have something done or declared which is within the competence of that court; or
d) to take executive action in relation to any matter with which that court may competently deal.

Only matters of general interest may be brought by overture. An overture must be in proper and respectful language, and if it relates to legislation it must indicate the part of the law of the church affected and state as precisely as is practicable any changes or additions desired (see Appendix 1, Forms and Certificates, 2).

6.22 Who may overture

An overture may be made:

a) by a lower court to a higher court;
b) to the General Assembly by one of its committees or by five of its members;
c) by two of its members to a presbytery or a session;
d) by a presbytery or the General Assembly to the General Assembly of Australia (see PCA 'Code', chapter 3, rules 2.03, 2.06).

The overturists must appoint not more than two persons to state the overture in the court overtured.

6.23 Proceedings non-judicial

A court, when considering an overture, is not exercising its judicial function. The stating of an overture does not bring parties, other than overturists who are not members of the court, to its Bar or exclude any member of the court from participating in its proceedings.

6.24 Notice required

No overture can 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 before the meeting at which the overture is to be brought forward.

6.25 Transmitted as extract minute

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

6.26 Procedure in dealing with an overture

The usual procedure in dealing with an overture is as follows:

a) overturists who are not members of the court are called to the Bar;
b) the overture is received;
c) the overture is stated by not more than two persons;
d) any questions are asked through the moderator;
e) the overturists, if they are members of the court overtured, have the prior right over other members, after due notice to move 'that the overture be sustained'; and
    i) if this motion is approved, to move that the specific action proposed in the overture be taken;
    ii) if this motion is disapproved the matter is still before the court and must be disposed of by a motion to dismiss the same or by any other relevant and competent motion until the matter is disposed of.

If the overture is sustained, any subsequent motion in dealing with the overture or its subject matter may be approved, amended, or disapproved.

6.27 Enactment, amendment or repeal of rules by overture

6.27.1 The General Assembly enacts, amends or repeals a rule only on a proposal by overture and only with the approval (obtained under Barrier Act procedure) of a majority of the presbyteries within its jurisdiction (for the Barrier Act see Appendix 1, Forms and Certificates, 6).

6.27.2 If the General Assembly sustains an overture proposing the enactment, amendment or repeal of any rule, it:

a) must remit the overture and any proposal to presbyteries, under Barrier Act procedure, for either approval or disapproval:
    i) without comment (in this case approval qualified by comment or suggested amendment is construed as disapproval); or
    ii) while inviting comment if so desired.
b) may direct that the overture and any proposal be sent to sessions for their opinion, which however, is not binding on the Assembly.

6.27.3 If a majority of the presbyteries reported approval of it, at its next ordinary meeting the General Assembly may:

a) enact the proposal contained in the overture; or
b) resolve not to enact it; or
c) again remit it to presbyteries in an amended form.

6.27.4 If a majority of the presbyteries has either:

a) reported disapproval of the remit; or
b) failed to approve the remit

the proposal falls and the General Assembly must pass from it. However, this does not prevent the re-introduction of the proposal in original or amended form by fresh overture to the Assembly.

Section Seven … Petitions

6.28 Definition, use and reception

6.28.1 A petition is a signed request in approved form made to a court, including to the General Assembly of Australia, by:

a) a lower court; or
b) a congregation, committee or organisation of the church; or

c) a person or group of persons within the jurisdiction of the courts of the church; or
d) at the discretion of the court, any other person.

6.28.2 A petition usually relates only to the affairs of a petitioner or petitioners and includes a statement of the circumstances or reasons which are submitted to justify the request for something which is within the jurisdiction of the court to grant.

6.28.3 The proper use of a petition is to enable the petitioner to seek a remedy from the court of first instance when no other constitutional means is open. Accordingly a petition cannot be used to bring the judgment of a lower court which might have been appealed under review by a higher court, but can be used where:
a) the petitioner's right of appeal has been obstructed;
b) the petitioner is not legally qualified to appeal; or
c) a court cannot conveniently deal with a case before it otherwise than by petitioning the higher court to take a specified action; or
d) the rules state that it can be used.

6.28.4 A court may decline to receive a petition containing improper or disrespectful expressions.

6.28.5 The clerk of the court must, if requested or it appears to the clerk or court necessary, advise on how to draft the petition properly, and the court may direct that any approach to it in the form of a petition is put into proper form before it will receive it (see Appendix 1, Forms and Certificates, 3).

6.29 Notice required

6.29.1 The petition must be lodged with the clerk of the court petitioned.

6.29.2 The petitioner must provide to any person whose interests are affected, by personal delivery or registered or a similar form of post, a reasonable time before the petition is heard:
a) a copy of the petition; and
b) notice of when and where the petition is to be heard; and
inform the clerk in writing of this.

6.29.3 After receiving a petition a court may, if not satisfied that rule 6.29.2 has been complied with, defer the matter to its next ordinary meeting or, in the case of the General Assembly, its next sitting.

6.30 Who at the Bar

All petitioners, whether a member of the court petitioned or not, are at the Bar.

6.31 Procedure in dealing with a petition

The usual procedure in dealing with a petition is as follows:
a) the petitioners are called to the Bar. A petition cannot be presented by anyone other than the petitioners;
b) the court reads the petition or sufficient of it to judge its nature or character, or takes it as read;
c) the court decides whether to receive the petition after satisfying itself that:
   i) at least one petitioner is at the Bar 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;
d) unless the petition is obviously incompetent or clearly exhibits offensive language or intention, the court does not decide not to receive the petition until hearing two petitioners or, if there is only one petitioner, one petitioner on the question of its reception;
e) if the court decides not to receive the petition, the matter lapses;
f) if the court receives the petition, the petitioners (or, if there are more than two, their representatives to a number the court determines) state the petition;
g) any questions are asked through the moderator;
h) if the petition is to the General Assembly it hears from its Special Judicial Committee (see rule 5.55);
i) the court then considers any motion to grant the prayer of the petition;
j) if the motion to grant the prayer of the petition is disapproved then it is followed by another motion to dismiss the petition;
k) if the motion to grant the prayer of the petition is approved the court considers the petition and decides what relief it will grant;

l) the moderator announces the decision to the petitioners and removes them from the Bar (see rule 6.42.2).

NOTE: The granting of the prayer of a petition means that the court considers there are sufficient grounds in the petition to justify deliberation and decision.

Section Eight … Reference to a Higher Court

6.32 References

6.32.1 If it is in doubt on the correct procedure of the law of the church a court may resolve to refer a case, the facts of which are also stated in the resolution, to its immediate higher court, or in matters in which it is supreme, to the General Assembly of Australia, for opinion, advice, direction or judgment.

6.32.2 A court may also refer to its immediate higher court 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.

6.32.3 The reference takes the form of a properly attested extract minute of the resolution, with any necessary comment, accompanied by all relevant documents, transmitted to the higher court (see Appendix 1, Forms and Certificates, 5).

6.32.4 The referring court must cite any parties to the case so that they may appear in the higher court for their interests.

6.33 Evasion of responsibility

The higher court may decline to deal with the reference and direct the lower court to deal with the matter, or may dismiss the reference without considering its substance, if it considers that:

a) the lower court is using the reference procedure merely to evade its proper and ordinary responsibility and has not exhausted all its resources in the matter;
b) the reference is informal or considered to be frivolous.

6.34 Effect of referring a case

A reference halts procedure in the lower court until the higher court has given its decision.

6.35 Who at the Bar

Persons stating a reference who are not members of the higher court are at the Bar.

6.36 Procedure in dealing with a reference

The usual procedure in dealing with a reference is as follows:

a) persons duly commissioned to state the reference, not more than two in number, are called to the Bar;
b) the reference is stated with explanation of what the case is and why it has been referred;
c) any questions are asked through the moderator;
d) if the reference is to the General Assembly it hears from its Special Judicial Committee (see rule 5.55);
e) the court then considers any motion to sustain the reference;
f) if the reference is not sustained the matter is still before the court and must be disposed of by a motion to dismiss the same or by any other relevant and competent motion until the matter is disposed of. Further, the matter lapses and the court may direct the lower court to deal with the matter;
g) if the reference is sustained, any parties in the case are called and heard, after which the court considers and decides the case, or gives necessary advice and directions and remits the matter to the lower court to take the appropriate action;
h) the moderator announces the court's decision to those stating the reference, and removes them from the Bar (see rule 6.42.2);
i) the court decides whether to order that the lower court pay for printing the reference.

Section Nine … Dissatisfaction with a Decision of a Court

6.37 Dissent or appeal

6.37. 1 A member of a court who voted in the minority, or a person who is or was a party at the Bar in the case on which the decision was made, if dissatisfied with the decision of the court, may either:

a) record his or her dissent against the decision, with or without reasons (see Section Ten below); or

b) appeal to the immediate higher court or announce his or her intention to seek special leave of the GAA to appeal the matter to the GAA (see Section Eleven below).

6.37.2 Unless special leave is granted by the GAA, no decision of the General Assembly about any matter over which the GAA does not have supreme power through the Articles of Agreement may be appealed to the GAA.

NOTE: The above highlighted rule has interim authority.

Section Ten … Dissent

6.38 Right of dissent

6.38.1 Any member of a court, other than a party at its Bar, is entitled to have his or her dissent from a decision recorded if:

c) he or she has voted against it; and

d) the decision was made after a show of hands 'for' and 'against', or a recorded count, or a division; and

e) 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

f) the dissent is indicated when the decision is announced; and

g) the dissent is not against carrying out an instruction of a higher court.

6.38.2 After recording of a dissent other members of the court who voted against the decision may signify their adherence to the dissent and have their names recorded as dissenting.

6.39 Effect of dissent

A member of a court who dissents from its decision is required to comply with it, but is relieved from responsibility for it and its consequences and protected from censure on account of it.

6.40 Reasons for dissent

6.40.1 Reasons for dissent are not essential.

6.40.2 When a member is recording dissent he or she may at that time submit brief oral reasons. They are recorded, provided they are not disrespectful to the court or injurious to a party, and without comment or debate.

6.40.3 A member who has dissented and not already submitted brief oral reasons may later give written reasons and read them without comment either immediately after the:

a) minutes recording the dissent are confirmed; or

b) 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 directs that they be recorded in the minutes.

6.41 Answers to reasons for dissent

6.41.1 A court may appoint a committee to prepare answers to reasons for dissent.

6.41.2 The report of the committee may be debated, amended, or otherwise dealt with, by the court and the approved answers are recorded in the minutes or held in the court's records in the same manner as the reasons for dissent.

Section Eleven … Appeals

6.42 Appeals

6.42.1 An appeal is a signed document designed to bring the decision of a court under the review of the immediately higher court by a person who voted in the minority, or who is or was a party at the Bar in the case on which the decision was made.

6.42.2 After announcing a court's decision, the moderator must inform any party at the Bar of his or her right of appeal, or, in the case of a decision of the General Assembly regarding a matter in which the GAA does not have supreme power through the Articles of Agreement, his or her right to seek special leave from the GAA to appeal the decision to the GAA, immediately after which any prospective appellant must say 'I intend to appeal' or words to that effect, or 'I intend to seek special leave from the GAA to appeal', or words to that effect. If the moderator does not give this information, then any party at the Bar can appeal or seek special leave to appeal notwithstanding their failure to state their intention.

6.42.3 The right of appeal lapses unless:

a) the appeal, stating reasons for dissatisfaction with the decision; or

b) a request for special leave from the GAA to appeal a matter in which the GAA does not have supreme power through the Articles of Agreement, stating reasons for dissatisfaction with the decision and why the GAA should grant special leave, having regard to the GAA guidelines for such matters (see the 'note' below),

is submitted to the clerk of the lower court within ten days of the decision.

6.42.4 Appellants should ensure that the reasons stated in their appeals are confined to matters relevant to the decisions they wish to bring under the review of the higher court.

6.42.5 A court may decline to receive an appeal which contains improper or disrespectful expressions, or direct that any approach to it in the form of an appeal is put into proper form before it will receive it. However, notwithstanding that the court declines to receive an appeal, provided the appeal was submitted within the said period of ten days, the right of appeal extends to the next meeting.

6.42.6 The clerk of the court must, if requested or if it appears to the clerk or court necessary, advise an appellant how to draft his or her appeal properly.

6.42.7 On request, an appellant is entitled to receive from the clerk of the lower court all relevant extracts of the proceedings and copies of all relevant papers.

6.42.8 The court must appoint two of its members to act as respondents to defend its decision in the higher court.

6.42.9 An appeal may be withdrawn at any time by an appellant, who, on forming the intention of withdrawing, should then withdraw without delay.

NOTE: The above highlighted rule has interim authority.

NOTE: The GAA has resolved as follows: 'By way of guidance and without limiting the exercise of its power, when the substance of the Appeal does not fall within the supreme powers of the GAA, the exercise of its power to grant special leave to appeal to it will usually involve considering whether one or more of the following are present in respect of the substance of the appeal:

a) the substance of the appeal appears to concern matters of interest or significance to the Presbyterian Church of Australia as a national church;

b) the substance of the appeal appears to raise a matter of serious injustice, including but not limited to procedural unfairness or the relevant rules not having been followed;

c) there are inconsistent decisions on significant matters within the substance of the appeal between Courts of different State Churches.'

6.43 Effects of appeal

6.43.1 Unless otherwise stated in the rules 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 is withdrawn or it lapses by not being prosecuted. Notwithstanding the foregoing, however, if the lower court considers the appeal to be evidently without sufficient substance or deliberately obstructive it may at its own risk proceed without regard to the appeal, the rights of appellants being always preserved.

6.43.2 Unless otherwise stated in the rules, an appeal on a part of a case or a point of procedure does not halt procedure or prevent the court from prosecuting the matter and ripening it to final judgment.

6.43.3 If no appeal is taken against the final decision or judgment on a case, all appeals on part of the case or on points of procedure in the case fall.

6.44 Papers transmitted

6.44.1 The clerk of the lower court is responsible for:

c) transmitting the appeal, with or without comment, to the higher court with all records and documents connected with it, reporting on this to the next meeting of the court, and advising any appellant of this transmission;

d) reporting the lodging of the appeal to the next meeting of the court;

e) citing the appellants to appear at the Bar of the higher court.

6.44.2 The appellant is responsible for satisfying himself or herself that the appeal, records and documents referred to in (a) of the previous rule have been transmitted to the higher court.

6.44.3 The expense of printing shall, in the first instance, be borne by any appellant. However, when the case is finally decided the court must determine whether the cost of printing is borne by the party losing the case or by the court.

6.45 Who at the Bar

On an appeal the respondent court and any appellant are at the Bar of the higher court and take no part in judging the case.

6.46 Procedure in dealing with an appeal

6.46.1 The procedure in dealing with an appeal is as follows:

a) The parties are called to the Bar;

b) The court then:

i) reads the record of the case in the lower court and the relevant documents, or, if printed, may take them as read. No document can 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;

ii) hears the appellant or appellants or, if there are more than two, their representatives to a number it determines. Appellants must confine their speeches in support of their appeals to persuading the higher court to find:

A. that the lower court has not followed correct procedure sufficiently to have prejudiced the right determination of the case; or

B. that the decision of the lower court upon the information before that court was not reasonable;

iii) hears the respondents. Respondents must confine their speeches to persuading the higher court to find:

A. that the lower court has followed correct procedure sufficiently not to have prejudiced the right determination of the case; and

B. that the decision of the lower court upon the information before that court was reasonable;

iv) hears the appellant or appellants or their representatives in reply;

v) calls for questions through the moderator;

vi) removes all parties from the Bar and determines whether they are permitted to hear the discussion of the case;

vii) in the case of the General Assembly, hears from its Special Judicial Committee (see rule 5.55);

viii) deliberates on the case before it;

ix) decides whether to sustain or dismiss the appeal. If a motion to sustain the appeal is disapproved the matter is still before the court and must be disposed of by a motion to dismiss the same or by any other relevant and competent motion until the matter is disposed of.

6.46.2 An appeal can only be sustained if the court:

a) finds that the lower court has not followed correct procedure sufficiently to have prejudiced the right determination of the case; or

b) judges that the decision of the lower court upon the information before that court was not reasonable.

6.46.3 If an appeal is sustained, the court may:

a) reverse the decision of the lower court; or

b) alter the decision partially or wholly; or

c) remit the matter to the lower court with instructions to take specified action and/or with the general instruction to deal with the matter according to the law of the church.

6.46.4 If an appeal is dismissed, the decision of the lower court stands affirmed.

6.46.5 After the court has dealt with the matter the parties are recalled to the Bar and the moderator announces the decision to them and removes them from the Bar (see rule 6.42.2).

Section Twelve … Miscellaneous

6.47 Power to amend proceedings

Where a person approaches a court using an overture, petition, reference or appeal, but ought by these rules to have used another of such documents, the court may resolve that the proceeding continue as if it had been commenced by the correct document and that the document be amended, provided it is satisfied that any other person would not thereby be unfairly prejudiced.

6.48 Assessors

6.48.1 An assessor is a person appointed by a court to strengthen a lower court or to assist it with a particular matter. An assessor 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.

6.48.2 The persons eligible for appointment by a presbytery as assessors to a session are members of presbytery or elders who are members of other sessions within its bounds.

6.48.3 An assessor may be appointed:

a) on application by a court to its immediate higher court;

b) on application by a presbytery to the moderator or acting moderator of the General Assembly;

c) by a higher court without application.

6.48.4 Any assessor appointed solely to assist a lower court with a particular matter must, on completion of the matter, inform as appropriate the appointing court or moderator or acting moderator of the General Assembly who must immediately discharge the assessor.

6.49 Counsel

Unless the law of the church states otherwise, a court has a discretion whether a party may appear in any particular process before it with the assistance of a counsel or an agent who is a communicant of the church.

6.50 Commissions and committees

6.50.1 Unless otherwise stated in the rules, a court may appoint and discharge:

a) commissions drawn from its members to perform particular business and to which are granted any of its powers necessary to perform the commission's duties;

b) committees drawn from any persons within its jurisdiction to which it may remit such duties as it sees fit. Any appointment ceases on any appointee ceasing to be within the jurisdiction of the court.

6.50.2 Commissions and committees of lower courts report on their proceedings to the court which appointed them. Those appointed by a General Assembly report to the next General Assembly unless otherwise directed.

6.50.3 Except for a special commission to scrutinise, correct and confirm its minutes, a commission cannot itself appoint a commission, but can, unless prohibited by the terms of its appointment, appoint any committee to perform specified duties. A commission is responsible for, and may set aside or vary, the actions of any committee it has appointed.

NOTE: Rule 4.12 and chapter 5 Section Four deal more particularly with presbytery and assembly commissions respectively.

6.51 Inquiry by visitors

Every court has power to appoint visitors to inquire into and report upon any matter within its jurisdiction.

6.52 Entitlements of associate members

An associate member of a presbytery or General Assembly is entitled to speak but not to preside, vote, move or second a motion, nor to remain in the court when it meets in private.

Chapter 7 … Standing Orders

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Section One … The General Assembly

7.1 Definitions

7.1.1 Standing Orders are the rules used to manage the meetings of the courts of the church.

7.1.2 For the purpose of these standing orders:

a) 'Assembly' means the General Assembly while sitting;
b) 'court' means the General Assembly, or a presbytery, or a 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 permission granted without any negative voice.

7.2 Recognising the chair

When in the Assembly, and especially when entering, passing the chair, or retiring, members must show respect for the Assembly and the office of the moderator.

7.3 Minutes confirmed

When minutes of meetings are submitted for confirmation the only question in issue is whether they are an accurate record of the proceedings.

7.4 Permanent records

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.

Section Two … Assembly Business

7.5 Order of business

In the Assembly, the order of business for each sitting (other than the first) is:

a) confirmation of the minutes of the previous sitting, 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 on the next sitting.

7.6 Orders of the day

7.6.1 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.

7.6.2 When an order of the day is reached it shall be called for by the moderator.

7.6.3 No business may be introduced to the Assembly by any member until it is called for by the moderator.

7.7 Variation of orders of the day

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.

7.8 Committee reports and proposed deliverances

7.8.1 The business hours of the Assembly are essentially for the review by the Assembly of the year's work of its committees and for the discussion and authorisation of action.

7.8.2 Each committee shall submit a written report with recommendations for action appended in a proposed deliverance.

7.8.3 The reports and proposed deliverances of all committees shall normally be printed in the White Book and distributed at least seven days before the meeting of the Assembly. In exceptional circumstances printed reports and recommendations may be distributed at least one day before their consideration.

7.8.4 Copies of proposed amendments to proposed deliverances must, as a matter of courtesy, be sent to the convener of the relevant committee.

7.8.5 Printed reports shall be taken as read unless the Assembly desires otherwise.

7.8.6 A recommendation for action is only adopted when the proposed deliverance is approved.

7.9 Procedure for reports and proposed deliverances

Reports of Assembly committees and their proposed deliverances (hereafter 'the deliverance') shall be dealt with as follows:

a) the convener of the Business Committee moves that the committee's report be received;
b) the motion must be seconded;
c) the moderator invites questions to clarify the report;
d) the moderator then puts the motion;
e) if the motion is approved and:
    i) if there is no amendment, or notice of motion, or if no member indicates a desire to speak to a particular clause or clauses in the deliverance, then:
        A. the convener of the committee moves the deliverance as a whole;
        B. the convener may then (but not later) speak to the deliverance;
        C. the motion must be seconded;
        D. the seconder may then (but not later) speak to the deliverance;
        E. the moderator invites questions to the convener to clarify the deliverance;
        F. when no member indicates a desire to speak, or the debate is closed, the moderator then puts the motion;

    or

    ii) if there is an amendment, or notice of motion, or if a member indicates a desire to speak to a particular clause or clauses in the deliverance, then:
        A. the convener of the committee moves the clauses of the deliverance either separately or in convenient groups;
        B. the convener may then (but not later) speak to the clause or clauses moved;
        C. the motion must be seconded;
        D. the seconder may then (but not later) speak to it or them;
        E. the moderator invites questions to the convener to clarify it or them;
        F. amendments and notices of motion, if any, are dealt with (see rule 7.15 (e)(ii));
        G. the moderator then puts the motion;
        H. when all clauses have been dealt with as described in sub-clauses A – G above, the deliverance as a whole must be moved, seconded and approved.

When approved, the deliverance is that of the Assembly.

7.10 Questions

Relevant questions may be put by any member through the moderator to:

a) the convener for clarification of the report before the Assembly receives it;
b) the convener after he and the seconder have spoken to the deliverance;
c) the mover of a notice of motion or an amendment.

7.11 Competency of motions involving expenditure

Motions proposing expenditure from General Assembly funds are not competent unless accompanied by a report on the proposed expenditure from the committee responsible for the application of the fund.

Section Three … Motions and Amendments

7.12 Substantive motions

7.12.1 A substantive motion is business which does not arise from the report of any committee.

7.12.2 Prior to the Assembly, notices of motion must be sent to the Business Convener no later than noon on the opening day of Assembly.

7.12.3 During the Assembly, notices of motion must 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 is to be dealt with. This must be read by him to the Assembly before the close of the sitting.

7.12.4 Notices of motion affecting the proposed deliverance of a committee should, as a matter of courtesy, be copied to the convener of that committee.

7.12.5 Subject to the approval of the Business Committee, notices of motion are ordinarily printed for distribution as Assembly papers.

7.12.6 The Assembly Clerk must see that the foregoing motions are in proper form and, if alteration is required, notify the mover of the fact.

7.13 Alteration of motions

A member has the right to alter his notice of motion by notice given at least one sitting before it comes before the Assembly or by leave of the Assembly.

7.14 Amendment of motions

7.14.1 A motion may be amended by:

a) leaving out words;
b) leaving out words to insert or add other words;
c) inserting or adding words.

However, a proposed amendment which is in form or substance a direct negative to the motion is incompetent.

7.14.2 A proposed amendment can be:

a) with notice (see rule 7.13); or
b) without notice if in the opinion of the moderator it:
    i) arises in the course of the debate; and
    ii) does not alter the substance of the motion.

If the moderator's opinion is that the proposed amendment has arisen in the course of the debate but alters the substance of the motion it cannot be moved without leave of the Assembly.

7.15 Procedure for motions

Motions shall be dealt with as follows:

a) the mover moves the motion;
b) the mover may then (but not later) speak to the motion;
c) the motion must be seconded;
d) the seconder may then (but not later) speak to the motion;
e) the moderator invites questions to the mover to clarify the motion; and
    i) if there is no amendment, when no member indicates a desire to speak, or the debate is closed, the moderator puts the motion;

    or

    ii) if there is an amendment:
        A. the mover moves his amendment;
        B. the mover may then (but not later) speak to it;
        C. the amendment must be seconded;

D. the seconder may then (but not later) speak to it;
E. the moderator calls for questions to the mover of the amendment to clarify it;
F. debate must be confined to the amendment;
G. when no member indicates a desire to speak, or the debate is closed, the moderator puts the amendment;
H. if the amendment is disapproved, it lapses;
I. if the amendment is approved, it becomes the motion;
J. when no member indicates a desire to speak, or the debate is closed, the moderator puts the motion.

f) if the mover is absent another member may move the motion or the court may reschedule it, but otherwise it lapses;
g) a motion of which notice has been given can be withdrawn by the mover before it is seconded, but without remark;
h) an amendment may be moved to an amendment which has been moved and seconded.

7.16 Procedure in debate

7.16.1 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.
7.16.2 A member who has spoken to the original motion shall not move an amendment on it, but may second or speak to an amendment moved by another member.
7.16.3 A member who moves an amendment shall not afterwards speak to the motion as amended.
7.16.4 After a motion or amendment has been moved no change shall be made in its terms without leave of the Assembly.
7.16.5 After a motion or amendment has been seconded it shall not be withdrawn except at the request of the mover, with the consent of the seconder, and by leave of the Assembly.
7.16.6 Other motions can be moved without notice but only by leave of the Assembly.

7.17 Motions not recorded

The following are not recorded in the minutes:

a) a motion or amendment ruled incompetent, except when the ruling of the moderator has been challenged and voted on;
b) a motion withdrawn by the mover before it is seconded;
c) a motion or amendment not seconded;
d) a motion withdrawn by leave of the court.

Section Four … Speaking in Debate

7.18 Members called

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

7.19 Members speaking more than once

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; or
b) in stating and asking the ruling of the moderator on a point of order; or
c) if he is the mover of the original motion, in reply at the close of a debate.

7.20 Moderator leaves the chair

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 must leave the chair. He must also leave the chair when any case arises in which he is a party (see rule 6.4).

7.21 Moderator standing

When the moderator rises in his place, all members must resume their seats and remain silent so that the moderator may be heard without interruption.

7.22 Interruptions

No member shall interrupt a speaker except to:

a) state a point of order and to ask for a ruling of the moderator on it;
b) call attention to a breach of the privileges of the Assembly or its members;
c) object to language considered objectionable or reflecting on character;
d) make a personal explanation;
e) move that the Assembly sit in private;
f) move the adjournment of the debate;
g) move the 'previous question'.

7.23 Point of order

7.23.1 A point of order refers strictly to the order of the proceedings of the Assembly.

7.23.2 A member raising a point of order must simply state it and no other member shall speak at this stage. The moderator must 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.

7.24 Ruling of the chair challenged

When the ruling of the moderator is challenged the challenger may be heard for not more than five minutes. The moderator may speak in reply and the vote must be taken without further discussion.

7.25 Privilege

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

7.25.2 Questions of privilege must 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.

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

7.26 Objectionable language

7.26.1 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 must be immediately withdrawn and apologised for by the speaker in a manner satisfactory to the Assembly.

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

7.27 Personal explanation

A member may at any time make a personal explanation. If a member makes an explanation during a debate, it must 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.

7.28 Adjournment

7.28.1 A motion for the adjournment of:

a) the debate; or
b) the court;

may be made at any time and without notice and must be put without debate.

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

7.28.3 The adjournment of a debate may be moved by any member, including the member who is at the time speaking.

7.28.4 When an adjourned debate is resumed, the right of speaking first belongs to the member whose speech was interrupted by the adjournment. If no speech was interrupted, the right of speaking first belongs to the mover of the adjournment. However, the successful mover of an adjournment who has already spoken on the original motion or on an amendment cannot speak again.

7.29 Previous question

7.29.1 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 on the original motion or on an amendment.

7.29.2 The previous question must be moved and seconded without debate and then put to the vote.

7.29.3 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.

7.29.4 The approving of the previous question means that the Assembly does not consider it expedient to discuss further the matter before it. The effect shall be that the Assembly 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.

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

7.30 Laws and decisions not to be reflected on

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.

7.31 The closure

7.31.1 When it appears to the moderator during any debate that the motion or any amendment to it has been adequately discussed, and that it is the evident sense of the Assembly that the question be now put, the moderator may indicate this to the Assembly. The moderator must distinctly state 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.

7.31.2 A motion 'that the question be now put' may then be moved and seconded without any remark or discussion. The moderator must then put this motion and, if it is approved, the moderator must then put to the vote the motion, or the amendment only, or both the amendment and the motion, as the case may be, without further debate.

7.32 Stating the motion before voting

The moderator endeavours to put the question at every convenient opportunity. He must state the motion or amendment or cause it to be stated by the clerk. Any member not distinctly hearing the motion or amendment may require it to be stated again.

7.33 The moderator interrupted

When the moderator rises in his place to state or put the question, he may be interrupted by, and must 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

7.34 Member's vote

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

7.35 Voting only within the Assembly

No member may, by voice or otherwise, give a vote outside the barrier.

7.36 Method of taking vote

The vote must be taken by the following method:

a) **By the voices**: the moderator must take the vote first by the voices:
   i) he must say: 'The question is, Shall this motion (or amendment) pass? All who are of that opinion say 'aye'';
   ii) the 'ayes' then respond;
   iii) the moderator shall further say: 'All who are of the contrary opinion say 'no'';
   iv) the 'noes' then respond;
   v) the moderator then says, as the case may appear to him: 'I think the 'ayes' (or the 'noes') have it';
   vi) if his opinion is agreed with by the silence of the Assembly, he says: 'The 'ayes' (or the 'noes') have it', and the motion or amendment is approved or disapproved 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 any member who has voted saying 'Show of hands!' the vote must 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 must be taken by recorded count or by division as the case may be.

NOTE: The moderator may call on the Ballot Committee to assist him in the taking of a vote.

7.37 Recorded count

A motion that the vote be taken by recorded count must be put without debate and decided by a show of hands 'for' or 'against'. Should such a motion be approved, 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 is final. The numbers must be recorded in the minutes.

7.38 Division

7.38.1 When a motion to take the vote by recorded count has not been moved or has been disapproved, 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 must be recorded in any case.

7.38.2 When the vote is about to be taken by division, the bell shall be rung and after a lapse of two minutes the doors must be locked and no one allowed to enter or leave the Assembly until the vote is taken.

7.38.3 Members of the Ballot Committee must act as tellers, with those 'for' the motion or amendment and those 'against' dividing for the vote as directed by the moderator.

7.38.4 The result of the division, as reported in writing to the moderator and declared by him to the Assembly, is final.

7.39 Questions not reconsidered

No question which has been decided at one sitting of the Assembly may be reconsidered at a subsequent sitting.

Section Six … Committee of the Whole

7.40 Committee of the whole

7.40.1 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.

7.40.2 The following rules apply to a committee of the whole:

a) all members of the court are members of the committee;
b) the court must appoint a chairman of the committee;
c) separate minutes must 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 is entitled to dissent from any resolution of the committee;
g) the proceedings are concluded by 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 must then resume, and the report of the committee must be submitted, including motions framed or decisions made in committee;
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 or appeal.

Section Seven … Documents, Overtures, Petitions, References, Appeals

7.41 Papers transmitted

All returns on remits and papers transmitted by the lower courts must take the form of certified extracts from their minutes.

7.42 Documents in a case

All overtures, petitions, references and appeals, with all necessary papers, must 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 may be considered part of the record unless a motion to this effect is approved.

Section Eight … Standing Orders Suspended

7.43 Suspension of standing orders

These standing orders may be suspended in whole or in part by a motion to this effect being approved. Notice of this motion shall normally be given at a previous sitting. A motion without notice to suspend standing orders must have leave of the Assembly. The purpose for which it is proposed to suspend standing orders must be distinctly stated.

Appendix 1 … Forms and Certificates

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1. Form of Call

CALL TO REV ……

We, the undersigned members and adherents of the congregation/s 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 are appointed at the congregational meeting, see rule 4.126)

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 (see rule 6.21).*

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 overturing, 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 overturists (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 to 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 (see rule 6.28). 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 (see rule 6.46.2).

I ....., 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. …

Signed:

Dated:

The session, presbytery, or General 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 (6.32).*

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, 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.
The proposed change is brought to the General Assembly by overture. The case is presented and deliberated on.
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.
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 for in the rules (see rule 6.27).

> '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-elect

(rule 3.18.1)

Messrs or Mr …… …… …….. …… , have/has been duly elected to the office of the eldership in this/these congregation(s). Before they/he are/is ordained and inducted (or inducted) into office, opportunity is provided for any member or adherent of the/any of these congregation(s) 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/these congregation(s) will proceed on …… according to the laws of the church.

Signed: *(Session clerk)*

Dated:

Read to the congregation on: ……

Signed: *(witness)*

Dated:

** The date must be set so as to allow sufficient time for the moderator to call a meeting of the session to deal with any objections that may be received and, if necessary, for the session to postpone or cancel the service of ordination and induction or of induction only in an orderly fashion.

8. Commission for representative elders

(see rule 3.48.1)

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:

9. Commission for representative elders (of another session)

(see rule 3.48.3)

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:

10. Certificate for licentiates

(see rules 4.39(f), 4.45(b), 4.48.4(a), 4.134.3)

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:

11. Certificate for ministers

(see rules 4.45(a), 4.48.4(b))

Certificate 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:

12. Edict of vacancy

(see rule 4.105)

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:

* In the case of a linked charge, a separate confirmation must be returned for each congregation.

13. Edict of ordination/induction of licentiates and ministers

(see rules 4.134.3, 4.137.2, 4.138, 4.139)

The Presbytery of ……, in connection with the Presbyterian Church of Victoria, having completed the necessary steps for the …… of …… as minister of the congregation(s) at …… , directed that this edict be read.

If any person has anything to object to in the life or doctrine of ……, he/she should notify the presbytery clerk in writing by …….. *(date **).*

If no relevant objection is made by this date, 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:

* In the case of a linked charge, a separate confirmation must be returned for each congregation.

** The date must be set so as to allow sufficient time for the moderator to give at least seven days' notice for an urgent meeting of the presbytery to deal with any objections that may be received and, if necessary, for the court to postpone or cancel the service of ordination and induction or induction only in an orderly fashion.

14. Questions at ordination/induction of licentiates and ministers

(see rule 4.141(c))

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/these congregation(s), 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 Scriptures of the Old and New Testaments to be the Word of God, 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 assert, 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, lecturers, or at licensing of theological students, see 'Constitution, Procedure and Practice of the Presbyterian Church of Australia', commonly called the PCA 'Code', chapter 6.*

15. Questions at ordination/induction of elders

(see rule 3.19.2(b))

Questions for the congregation which is invited to stand:
(Normally assent is given by the congregation answering together: 'We do')

Do you, the members and adherents of this/these congregation(s), now confirm the election of these brethren (or this brother) to the office of Ruling Elder in this/these congregation(s)?
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 assert, 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/these congregation(s) 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?

16. Formula for ministers, licentiates and elders

(see rules 3.19.2(e), 4.39(c), 4.141(d))

I own and accept the subordinate standard 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.

17. Citation

(see rule 6.20.5)

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:

18. Edict of citation

(see rule 6.20.5)

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)

19. Rolls and registers

a) Roll of communicants (see rule 3.27)

No.	Name	Address	Date	How admitted into Membership	Attendance at communion	Remarks

b) Roll of adherents (see rule 3.29)

No.	Name	Address	Date	How admitted as adherent	Remarks

c) Register of baptisms (see rule 3.25)

Of infants

No.	Father's Name Mother's Name	Mother's maiden name	Address	Child's Names	Date of Birth	Date of Baptism	Where Baptised	Officiating Minister

Of adults

No.	Name	Address	Age	Date of Baptism	Where Baptised	Officiating Minister

20. Certificate of transfer for a communicant

(see rule 3.31.1)

Option A

[DD/MM/YYYY]

It is hereby certified that [… *name of transferee* …] leaves the congregation of [……] Presbyterian Church in full communion with the Presbyterian Church of Australia.

Please advise me of your receipt of this certificate at your earliest convenience.

Yours faithfully,

[… *clerk's signature* …]

Session Clerk, [……] Presbyterian Church

Option B

Dear [… receiving Session Clerk's name …],

Greetings to you in the name of our Lord Jesus. The Session of [……] Presbyterian Church, having met on [……], agreed to provide this certificate of transfer to *[… name of transferee …]* and removed [*his/her*] name from our Roll.

[*He/She*] leaves our congregation in full communion with the Presbyterian Church of Australia. [*He/She*] has intimated [*his/her*] intention to apply to become a communicant of the [……..] congregation.

[… *further information on the nature and faithfulness of [his/her] service within the congregation may be added here …*]

The Session commends [*him/her*] to the pastoral care of your congregation.

Please notify me when [*his/her*] name has been added to your Roll.

Yours faithfully,

[… *clerk's signature …*]

Session Clerk, [……] Presbyterian Church

[DD/MM/YYYY]

21. Letter of Introduction for an adherent or regular worshipper

(see rule 3.31.2)

Dear [… *receiving Session Clerk's name* …],

Greetings to you in the name of our Lord Jesus.

I write to introduce to you [*… name of adherent or regular attender …*]. [He/She] has been part of our congregation for the past [*… enter a number …*] years and intends to connect with your congregation in the future.

[*… further information on the nature and faithfulness of [his/her] service within the congregation may be added here* …]

The Session commends [*him/her*] to the pastoral care of your congregation.

Yours faithfully,
[… *clerk's signature …*]
Session Clerk, [……] Presbyterian Church
[DD/MM/YYYY]

Appendix 2

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Model Trust Deed For Church Site

To all whom these presents shall come
all of [Trustees or Trustee]
Send Greeting -

A. **Whereas** under and by virtue of the [Certificate of Title or Conveyance] 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 [Trustees or Trustee] as joint tenants

B. **And whereas** the said hereditaments do not belong to the said [Trustees or Trustee] beneficially but have been acquired by and become vested 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

1. the said [Trustees or Trustee] 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 Vic. 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**)
   (a) 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

   (b) 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 (herein referred to as **the said Congregation**,) and
   (c) to permit and suffer the Minister for the time being of the said Congregation together with the Elders and other office-bearers thereof –
      (i) 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
      (ii) 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.
2. **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

3. 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
4. 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
5. 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 which purposes the Assembly may vary from time to time and, in the absence of any such authorisation as to the purposes of such mortgage or sale, in or towards such purposes as the Assembly may in its discretion otherwise declare from time to time
6. 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
7. 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
8. 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
9. 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

10. 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
11. And further that three Trustees shall be held to be an actual quorum at any meeting duly convened and
12. 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
13. 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
14. 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), or in the case of any land and hereditaments and the buildings and erections thereon not held for the use of any Congregation, 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 as to disposition of the proceeds or otherwise (if any) as the Assembly may from time to time direct
15. Provided always, and notwithstanding anything hereinbefore contained, it is hereby further agreed and declared that should the said Congregation unite with another Congregation or more than one Congregation by way of a Basis of Union in accordance with the rules and regulations of the said Church to form a single Congregation, the Trustees or Trustee shall hold the said land and hereditaments and the fee simple and inheritance thereof described in the said Second Schedule –
    (a) in trust to sell the whole or so much of the said land and hereditaments, and the buildings and erections thereon, in either case, as the Assembly when approving the property arrangements dealt with in the Basis of Union has determined is surplus to the needs of the Congregation that results from the union, and has not determined is required for any alternate use by the said Church, in any manner and upon such conditions as to disposition of the proceeds or otherwise (if any) as the Assembly may direct; and
    (b) where the Assembly when approving the property arrangements dealt with in the Basis of Union has allocated property to the Congregation which results from the union, on the

same trusts as are constituted by the provisions of clauses 1 to 15 (both inclusive) of this Deed, substituting for any reference to the said Congregation a reference to the Congregation that results from the union of the said Congregation with another Congregation or Congregations; and

(c) otherwise where the Assembly when approving the property arrangements dealt with in the Basis of Union has determined the alternate use of any property not needed by the Congregation which results from the union, under the same trusts as are constituted by the provisions of clauses 1 to 15 (both inclusive) of this Deed.

The certificate of the Moderator as to the date of the union of the Congregations shall be conclusive evidence of that date for the purposes of this clause.

In witness whereof the said
have hereunto set their bands and seals the day of A.D., 20...

The First Schedule hereinbefore referred to
[Description of the Certificate of Title or Conveyance]

The Second Schedule hereinbefore referred to
[Description of the Land as in the Title]

Model Trust Deed For Manse Site

To all whom these presents shall come
all of [Trustees or Trustee]
Send Greeting -

A. **Whereas** under and by virtue of the [Certificate of Title or Conveyance] 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 [Trustees or Trustee] as joint tenants

B. **And whereas** the said hereditaments do not belong to the said [Trustees or Trustee] beneficially but have been acquired by and become vested 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

1. the said [Trustees or Trustee] 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 Vic. 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**)
   (a) 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
   (b) 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
   (c) and also to permit and suffer such Minister together with the Elders and other Office bearers of the said Congregation –
      (i) 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
      (ii) 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.
2. **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

3. 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
4. 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
5. 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 which purposes the Assembly may vary from time to time and, in the absence of any such authorisation as to the purposes of such mortgage or sale, in or towards such purposes as the Assembly may in its discretion otherwise declare from time to time
6. 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
7. 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
8. 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
9. 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

10. 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
11. And further that three Trustees shall be held to be an actual quorum at any meeting duly convened and
12. 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
13. 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
14. 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), or in the case of any land and hereditaments and the buildings and erections thereon not held for the use of any Congregation, 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 as to disposition of the proceeds or otherwise (if any) as the Assembly may from time to time direct
15. Provided always, and notwithstanding anything hereinbefore contained, it is hereby further agreed and declared that should the said Congregation unite with another Congregation or more than one Congregation by way of a Basis of Union in accordance with the rules and regulations of the said Church to form a single Congregation, the Trustees or Trustee shall hold the said land and hereditaments and the fee simple and inheritance thereof described in the said Second Schedule –
    (a) in trust to sell the whole or so much of the said land and hereditaments, and the buildings and erections thereon, in either case, as the Assembly when approving the property arrangements dealt with in the Basis of Union has determined is surplus to the needs of the Congregation that results from the union, and has not determined is required for any alternate use by the said Church, in any manner and upon such conditions as to disposition of the proceeds or otherwise (if any) as the Assembly may direct; and
    (b) where the Assembly when approving the property arrangements dealt with in the Basis of Union has allocated property to the Congregation which results from the union, on the

same trusts as are constituted by the provisions of clauses 1 to 15 (both inclusive) of this Deed, substituting for any reference to the said Congregation a reference to the Congregation that results from the union of the said Congregation with another Congregation or Congregations; and

(c) otherwise where the Assembly when approving the property arrangements dealt with in the Basis of Union has determined the alternate use of any property not needed by the Congregation which results from the union, under the same trusts as are constituted by the provisions of clauses 1 to 15 (both inclusive) of this Deed.

The certificate of the Moderator as to the date of the union of the Congregations shall be conclusive evidence of that date for the purposes of this clause.

In witness whereof the said
have hereunto set their bands and seals the day of A.D., 20...

The First Schedule hereinbefore referred to
[Description of the Certificate of Title or Conveyance]

The Second Schedule hereinbefore referred to
[Description of the Land as in the Title]

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.

1. 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 l0).

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 which are included in this Appendix.

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. 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 cooperate 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.

* Forms relating to the Nomination and Appointment of Trustees may be obtained from the Office of the General Assembly.

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.

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 11 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 calls 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.

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, 22, and 24 of the Act); also to give his consent in writing to dealings with church properties (see section 20), 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 (rule 11).

**** The Act may be accessed or download from:**

Presbyterian Trusts Act 1890 (legislation.vic.gov.au)

Rules Made Under The Act

Rules made by the General Assembly of the Presbyterian Church of Victoria under Sections 12, and 25 of the Presbyterian Trusts Act 1890, and advertised in the Government Gazette on December 12th, 1890, page 5062; on August 10th, 1977, page 2602; and on April 26th, 2018, page 778.

A. – Corporation Trustees.

1. The first members of the corporate body of trustees, which body is hereinafter called "The Corporation," shall be appointed by a resolution of the General Assembly in pursuance of section 3 of the said Act.

2.
   (1) On and after the rising of the House at the conclusion of the 1993 General Assembly the number of members of the Corporation shall be ten.

   (2) On and after the rising of the House at the conclusion of the 2010 General Assembly the members of the Corporation shall be the members of the Board of Investment and Finance of the General Assembly as elected in accordance with its Regulations for the time being, and

   (3) After the said fifteenth day of July, 1977, no persons shall continue to be a member of the Corporation –

      (i) pursuant to any resolution of the General Assembly made prior to the first day of July, 1977; or,

      (ii) after he has ceased to be a member of the said Board of Investment and Finance.

3. The fact that the membership of the Corporation has for any reason fallen below ten shall not invalidate any action proceeding or resolution of the Corporation so long as a quorum was present at any meeting at which such action or proceeding took place or resolution was adopted.

4. The General Assembly may remove any member of the Corporation who shall cease to be a member or adherent of the Presbyterian Church of Victoria, or who shall leave Victoria and remain absent without leave for six-months in succession, or who shall be absent without leave from six successive meetings of the Corporation, or who shall become incapable to act by reason of bodily or mental infirmity, or who shall become insolvent, or compound with his creditors, or who shall be guilty of any conduct rendering him, in the opinion of the said General Assembly, unfit to act as a trustee.

5. The General Assembly shall be the sole and final judge of the incapacity or unfitness to act of any trustee.

6. The seal of the Corporation shall be kept in the custody of the General Manager appointed pursuant to the regulations made by the General Assembly anent the Board of Investment and Finance, and there shall be two keys to the seal, one of which shall be kept by the chairman of the said Board, and the other by the General Manager; and the seal shall be affixed to documents only in pursuance of a resolution of the Corporation, or of a committee appointed by the Corporation from the trustees, with authority to act either generally or specially in the matter, of which committee three trustees shall form a quorum, and the affixing thereof shall be verified by two of the trustees, a law officer of the Church, and the said General Manager, provided that if the affixing of the seal shall be duly verified as hereinbefore provided, such verification shall be sufficient evidence that the affixing thereof was duly authorised by a resolution of the Corporation.

7. A reference in these rules to the holder of any office shall be deemed to include any person duly appointed in an acting or temporary capacity to perform the duties of that office.

8. The Corporation shall appoint one of its members to be chairman, and two other of its members to be vice-chairmen, and may at any time revoke such appointments. Meetings of the Corporation may be called at any time by or by the direction of the chairman, or in his absence by or by the direction of one of the vice-chairmen, and shall be called on a requisition by any three trustees.

9. Two days' notice of every meeting shall be given to the trustees.

10. Three trustees shall form a quorum at every such meeting.

B. – Rule Relating to the Consent of Moderator to Dealings with Property.

11. The consent of the Moderator to any transfer, conveyance, mortgage, exchange, or lease, under section 20, sub-section 1, of the said Act shall not be given unless a law agent of the Church shall first approve thereof.

C. – Rules Relating to Trustees of Congregational Property not vested in the Corporation.

12. Trustees of property not vested in the Corporation and not held under any Act of Parliament or deed containing any specific provision for the appointment and removal of trustees shall be appointed and vacancies filled up as follows:

13. The real property of each congregation is vested in trustees, whose powers and duties are defined in the Model Trust Deed. The number of trustees for any congregation is not less than three nor more than five. They are nominated by the congregation, who, at a meeting duly called for the purpose, select for the office the number of persons required, and transmit the list to the presbytery of the bounds by whom the appointment is made. The parties nominated must all be members or adherents of the Presbyterian Church of Victoria, and free from church scandal.

14. Trustees, after being nominated by the congregation, and before their appointment by the presbytery, shall subscribe a declaration agreeing to hold the property in trust for the Presbyterian Church of Victoria conformably to such rules as the Assembly may determine. This declaration when signed is forwarded to the clerk of presbytery to be kept by him in retenis.

15. Trustees after their appointment by the presbytery, and immediately after the property is vested in them, are required to subscribe a further declaration acknowledging the jurisdiction of the Presbyterian Church of Victoria over the property intrusted to their charge. This declaration on being subscribed by them is forwarded to the Clerk of the General Assembly, by whom it is deposited with the other documents of the Church that are to be kept in secure custody for the church.

16. Any such last-mentioned trustee may be removed by a resolution of the presbytery in which the property of which he is a trustee is situated, or of the General Assembly, on any of the following grounds:
    (a) That he has been called upon to resign by the congregation for which he is a trustee, which call has been approved and confirmed by the presbytery, and has refused or neglected to resign.

    (b) That he has ceased to be a member or adherent of the said congregation.

    (c) That he has removed his residence to a distance of 160 kilometres from the place of worship of the said congregation for at least twelve consecutive months.

    (d) That he has refused to exercise or execute any of the powers and authorities reposed in him as trustee when lawfully required so to do.

(e) That he has disobeyed or neglected or refused to carry out any order, instruction, or decision of the General Assembly or the said presbytery.

(f) That he has been declared by the General Assembly to have been guilty of conduct unbecoming a trustee.

17. Any such trustee may resign his trust.

18. Notice of the appointment of every new trustee and of the removal of any trustee of Church property shall be sent to the Moderator by the clerk of the presbytery making the appointment or removing such trustee within one week after such appointment or removal.

19. Notice of the death or resignation of any trustee shall be sent to the Moderator of the General Assembly and to the clerk of the presbytery by the clerk of the session or the minister of the congregation to which such trustee belonged within one week after such death or resignation becomes known to such clerk or minister.

Appeals Commission

1. Title

Under the powers conferred in Rule 5.35.1, there shall be a special commission of the General Assembly called the Appeals Commission ('the Commission').

2. Membership

The membership of the commission, appointed annually by the General Assembly, shall be: the Moderator (chairman), a past Moderator who is not the immediate-past moderator nominated by the Code and General Administration Committee, all presbytery clerks who are members of the General Assembly except that a presbytery may appoint as alternate a suitably experienced member of presbytery who is a member of the General Assembly, plus a parity minister or elder nominated by each presbytery from a session within its bounds who is also a member of the General Assembly.

3. Excluded from membership

The Clerk of Assembly, the Deputy Clerk, the Assistant to the Clerks and the immediate-past Moderator shall not be members of the Commission.

4. Secretary

The Clerks of the General Assembly shall act as clerks of the Commission.

5. Duties

The duties of the Commission shall be to deal with appeals and petitions airing grievances to the General Assembly.

6. Quorum

A quorum for the Commission shall be two-thirds of its membership.

7. Constitution

The Commission shall be constituted by the Moderator after notification from the Assembly Clerk.

8. Procedure

a) Before proceeding to deal with an appeal or petition the commission receives a report from the Conciliation Committee.

b) In all its procedure, the commission shall follow the rules of the Presbyterian Church of Victoria, particularly those related to appeals and petitions, including reports, recommendations and a suggested course of action in each case from the General Assembly's Special Judicial Committee (rules 5.55, 6.31(h) and 6.46.1(b)(vii) and the Standing Orders (ch. 7)).

c) Members of the commission are to remember that as the decision of the court is determined not only by the documents in the case but also by the pleadings at the bar, justice requires the pleadings at the bar to be heard by all those who vote in the case and that, in particular, no member ought to vote against either party who has not heard the pleadings on that side.

d) The commission shall report on its proceedings to and shall submit its minutes duly confirmed to the next General Assembly through the Assembly Clerk.

9. Right of appeal

Appellants, petitioners or respondents shall have the right to appeal decisions of the commission to the next General Assembly. Any appeal from the commission to the General Assembly shall be heard in accordance with rules of the Presbyterian Church of Victoria, particularly those related to appeals, including the Standing Orders (ch. 7). For the purposes of Section 11 of chapter 6 of the rules of the Presbyterian Church of Victoria in the context of an appeal from the Commission, any reference to the lower court shall be taken to be a reference to the commission.

Commission for Church Institutions

1. Title

Under the powers conferred in Rule 5.35.1, there shall be a special commission of the General Assembly called the Commission for Church Institutions ('the Commission').

2. Definition

For the purposes of these regulations, a Church Institution is any separately incorporated body which, by its rules, constitution or memorandum of association is connected to the church.

3. Membership

The membership of the Commission, appointed annually by the General Assembly, shall be the Moderator (chairman), Clerks of Assembly and thirteen members of the Assembly.

4. Secretary

The Clerks of the General Assembly shall act as clerks of the Commission.

5. Duties

The Commission shall exercise any of the powers of the General Assembly conferred upon it by constitutional documents of any Church Institution.

6. Quorum

A quorum of the Commission is seven members.

7. Constitution

The Commission shall be constituted by the Moderator after notification from the Assembly Clerk.

8. Procedure

The Commission shall meet as necessary to discharge its duties in respect of any Church Institution and subject to the time constraints and any other requirements imposed by the rules or constitution of that Institution. Subject always to any such requirements in respect of the appointment of persons to the governing council or board of a Church Institution and before making any such appointment, the Commission, by interviewing the nominee or by any other means it chooses to adopt, must satisfy itself of his or her suitability for appointment as proposed in terms of both character and qualifications. In particular, the Commission must be satisfied of the nominee's:

a) commitment to the rules or constitution of the applicable Church Institution and the trusts on which that Institution is held;
b) understanding of the role of the board or council in the governance of that Institution; and
c) where appropriate, Christian character and convictions.

9. Commission Decisions – final

A judgment or decision of the Commission within power and after regular procedure is treated by the next General Assembly as final.

General Assembly Committee Regulations

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1. Archives Committee

1. Title

There shall be a committee of the General Assembly entitled the Archives Committee (the committee).

2. Membership

The committee shall consist of the Clerk of Assembly, the PCV Archivist, and five other members appointed by the General Assembly, with the clerk as Convener.

3. Purpose

The purpose of the committee is to support, protect, preserve and grow the collection of material called the PCV Archives so as to glorify God's name and strengthen the whole church.

4. Duties

In fulfilling its purpose the committee shall:

a) support and encourage the PCV Archivist in his/her work;
b) place before the General Assembly, and the wider church where appropriate, the financial necessities for managing the PCV Archives;
c) actively encourage the church to provide a permanent home for the PCV Archives;
d) promote the value of preserving the record of the church's story in an archival form that is secure, accessible and researchable;
e) promote the value of researching the PCV Archives, in order to trace the hand of God in his work in the church;
f) have oversight of the archival management process (including all relevant policies and protocols); and
g) encourage congregations, boards, sessions, presbyteries and other church organisations to deposit relevant records with the PCV Archives immediately following the seven-year mark

2. Australian Presbyterian World Mission (Victoria) Committee

1. Title

There shall be a committee of the General Assembly entitled the Australian Presbyterian World Mission (Victoria) Committee, known as 'APWM Victoria', hereafter referred to as the committee.

2. Membership

The committee shall consist of 12 members, including a convener, appointed by the General Assembly, from:

a) ten members nominated by the General Assembly; and
b) two members nominated by the PWMU State Council.

3. Function

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 (PCA 'Code', ch. 10.1), known as APWM National. APWM Victoria works in concert with APWM National to fulfil the task of 'world mission' in Victoria.

4. Duties

The committee is responsible for:

a) promoting the work of APWM National 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 APWM National, potential candidates for short and long-term missionary service with approved partner churches or as APWM Associates, and interviewing and approving potential candidates with partner agencies, in accordance with the general lines of policy laid down by APWM National;
c) encouraging and maintaining partner relationships with approved overseas partner churches and partner agencies and, where appropriate, seeking out new partnerships for gospel work always in co-operation with and fully informing APWM National;
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 APWM National.

5. Meetings

The committee shall meet regularly to fulfil these duties, at least five times a year.

3. Ballot Committee

1. Title

There shall be a committee of the General Assembly entitled the Ballot Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of five members, including a convener, appointed by the General Assembly or the Commission of Assembly.

3. Duties

The committee shall conduct all ballots arising during the sitting of the General Assembly or the Commission of Assembly.

4. Regulations

The following regulations shall apply except where otherwise specifically stated:

a) Appointment of Assembly officials (rule 5.19)

- i) the committee authorised by the General 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 sitting on the day on which the ballot is to be held;
- ii) 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 authorised by the General Assembly to receive them as soon as possible, and not later than the closing of the evening sitting prior to the day on which the ballot is to be held;
- iii) the ballot shall be by preferential voting;
- iv) 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 General 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 General Assembly of the result of the ballot in terms of the one who accepts the office.

b) Appointment of Assembly Committee members (rule 5.23)

- i) Unless otherwise specifically stated:
  - A. where there is more than one candidate to be elected, the nominees, to the number required, receiving the highest number of votes are elected;
  - B. where there is only one candidate to be elected, the nominee receiving the highest number of votes is elected;
  - C. the ballot shall be by first past the post voting.
- ii) Where absolute majority voting is specified:
  - A. debate is permitted;
  - B. voting shall be by optional preferential ballot;
  - C. a nominee, including a sole nominee, shall be elected only upon receiving an absolute majority of votes;
  - D. absolute majority means more than 50% of votes of the total number of ballot papers lodged, including blank ballots.
  - E. the ballot paper should state that not ranking a nominee indicates withholding support.

4. Board of Investment and Finance

1. Title

There shall be a committee of the General Assembly entitled the Board of Investment and Finance, hereafter referred to as the BIF.

2. Membership

a) the BIF shall consist of ten persons elected and appointed by the General Assembly and such appointees shall form the membership of The Presbyterian Church of Victoria Trusts Corporation;
b) members of the BIF 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 BIF, the Selection Committee shall bring nominations to the General Assembly each year for the election of new BIF members.

3. Chairman

The BIF shall elect one of its members as chairman at its December meeting who shall hold office for a 12-month term and be eligible for re-election.

4. Meetings

The chairman shall convene a meeting of the BIF at least once a month except in the month of January.

5. Duties

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 carry out the duties described in regulations 6-17 of these regulations.

6. Financial administration

The BIF shall:

a) administer the financial affairs of and act as Treasurer of the General Assembly; and
b) be responsible for the maintenance of all accounting records; and
c) publish audited accounts for the General Assembly and The Presbyterian Church of Victoria Trusts Corporation annually.

7. General Assembly office

The BIF shall:

a) maintain an office of the General Assembly;
b) 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 BIF. If required, the General Manager shall attend meetings of the Board;
c) determine the salaries and conditions of employment of the General Manager and other staff and make adjustments thereto from time to time.

8. Committee staff appointments

The BIF shall:

a) consider all proposed appointments of office and other staff by committees of the General Assembly; and
b) determine, after consultation with the committee, the proposed salary and conditions of employment of such staff; and
c) approve the appointment provided that it is satisfied that the proposal is:
    i) in accordance with the committee's regulations; and
    ii) financially viable.

9. General Assembly budget

The BIF shall:

a) present to the Commission of Assembly each year for its approval a recommended budget for the forthcoming year disclosing:
   i) the estimated expenditure of all General Assembly committees, including a division between capital expenditure and non-capital expenditure;
   ii) the estimated receipts of all General Assembly committees.

b) carry out its duties with respect to the preparation of the budget by:
   i) requiring from each General Assembly committee in the prescribed form not later than 28 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 BIF may thereafter require any General Assembly committee to provide such additional information in relation to any item as the BIF shall consider necessary to assist in its review;
   ii) requiring any General 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 BIF which:
      1) In the case of expenditure not exceeding 10% of the committee's total budgeted expenditure as approved by the General 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 General 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 General Assembly for approval.

10. General Assembly Rate

The BIF shall present to each Commission of Assembly a proposal to fix an Assembly Rate payable by congregations to assist in defraying the costs of the Assembly.

11. Committee expenditure

The BIF shall:

a) oversee the expenditure of all General 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 BIF under clause 9(b)(ii) and approved in accordance with the provisions of that clause;

b) take steps to prevent committees from incurring expenditure beyond their means or in unauthorised ways.

12. General Mission Program

The BIF shall:

a) present to the General Assembly or to a Commission thereof each year for approval a mission program for the church 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 charges 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) the allocation to presbyteries of amounts based on the formula referred to in regulation 12(a)(ii), which in total equal the amount of the program referred to in regulation 12(a)(i);

iv) the distribution of the total amount of the GMP to the relevant committees of the General Assembly and/or to any other organisations within or outside the church which the General Assembly has approved for financial support;

b) in assessing the amount of money to be sought from charges under (a) above, observe the following guiding principles:
   i) General Assembly committees are to fund all proposals of support for ministries related to their committee responsibilities from their allocated committee funds;
   ii) without weakening guiding principle (i), the GMP is for the support of General Assembly committees with limited or zero committee funds;
   iii) in general, the expansion of the GMP levy on congregations is to be resisted;

c) for the purpose of determining its recommendations to be submitted to the General Assembly or Commission of the Assembly:
   i) require each committee of the General Assembly which desires to apply for a distribution from the GMP to prepare in a form approved by the BIF a budget for the ensuing year clearly indicating the amount sought by that committee from the GMP, supplemented by a submission supporting the application, such budget to be provided to the BIF by a specified date;
   ii) 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 GMP, clearly indicating the amount sought by that committee from the GMP, where necessary supplemented by a submission supporting the application;
   iii) at its discretion, confer, with any General Assembly committee or its convener for the purpose of clarifying any item in the budget submitted by that committee;
   iv) at its discretion, reduce or increase the amount sought by any General Assembly committee, or decline to include any amount for that committee;
   v) at its discretion, from time to time, require each presbytery to supply to it by a specified date, such financial and other information relating to the several charges or a specific charge within its bounds, as it may deem necessary for it to prepare the formula referred to in regulation 12(a)(ii);

d) encourage presbyteries and charges to fully subscribe the amounts allocated to them under the GMP;

e) include in its report to the General Assembly each year a table listing all charges and their respective annual contributions to the GMP during the preceding financial year.

13. Capital Fund

The BIF shall administer the Capital Fund.

Purpose

a) The purpose of the Capital Fund is to:
   i) lend money to congregations seeking funds for capital projects including the purchase of property and erection, extension or renovation of buildings;
   ii) 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;
   iii) make any such loans at a rate of interest more favourable than the prevailing rate of bank interest;
   iv) 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 contribution to the property development fund.

Resources

b) The Capital Fund may be resourced from:
   i) transfer of the funds administered by the Capital Fund Committee up to 31 March, 2006;
   ii) deposits and/or grants by any congregation or other church body minded to help the wider church by this means.

Administration

c) The BIF may do all things it considers necessary to promote the purposes of the Capital Fund, including:
   i) setting interest rates to be paid on deposits in the fund;
   ii) setting interest rates on loans from the fund;
   iii) assessing the financial viability of potential borrowers and declining to lend money if considered prudent to do so;
   iv) assessing any amount which may be available for grants and determining an equitable basis for distribution of same;
   v) determining conditions that may be applied to loans from the fund.

14. Property management

The BIF shall manage property held in trust for the purposes of the church, the management of which has not been vested by the General Assembly in some other committee or body.

15. Deceased congregation

The BIF 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.

16. Sale, mortgages, leases, transfers etc.

a) a sale, lease or mortgage shall not be effected without the consent of the General Assembly or Commission of Assembly, provided that the 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 General 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.

17. Handling of the proceeds of the sale of church property Oct 2021 min 69.9

Preamble

All church property not held under any other formal declaration of trust is held upon trust for the Presbyterian Church of Victoria under the Model Trust Deeds pursuant to the Presbyterian Trusts Act 1890 for the charitable purposes of the church. The Model Trust Deeds provide the basis upon which a congregation may be given rights of occupancy and use of property held under these deeds. This regulation does not limit the operation and effect of these trust deeds, and to the extent of any inconsistency, the provisions of the trust deeds prevail.

Consequently, the Model Trust Deeds set out the basis upon which any property (including the proceeds of the disposition of that property) may be held and dealt with by the Presbyterian Church of Victoria for its charitable purposes.

Existing Congregations

a) When in accordance with clause 5 of the Model Trust Deeds any land owned by or vested in trustees for the church is sold, the whole of the proceeds shall be paid to the BIF, which shall:
   i) to the extent that the General Assembly has authorised the sale for a particular purpose or purposes, pay the balance of the proceeds as directed by the General Assembly to be applied in or towards the purpose or purposes for which it authorised the sale; or
   ii) to the extent that the General Assembly has authorised the sale without having approved a particular purpose or purposes for such sale, forward:
      A. 20% of the balance of the proceeds to be held by The Trusts Corporation of the Presbyterian Church of Victoria ('the Trusts Corporation') in a sinking fund for the general purposes of the church; and
      B. 80% of the balance of the proceeds to be held by the Trusts Corporation in a Sites Reserve Account associated with the congregation which directed the sale until the application of such funds is approved by the General Assembly.

b) Notwithstanding that funds held in a Sites Reserve Account by operation of clause 17(a)(i) are held for the charitable purposes of the church, a congregation or other church body that by operation of clause 17(a)(i):
   i) holds funds; or
   ii) for which such funds are held by the Trusts Corporation in a Sites Reserve Account;
   may petition the General Assembly to alter the purpose or purposes for which the Assembly authorised the sale, provided that any such petition by a congregation must be through the presbytery and with its approval.

c) Notwithstanding that funds held in a Sites Reserve Account by operation of clause 17(a)(ii) are held for the charitable purposes of the church, a congregation associated with such funds may:
   i) seek approval to apply such funds in whole or in part for any purpose or purposes that will serve the cause of the gospel and the building up of the church:
      A. in the case of expenditure not greater than $75,000 for any single application and up to a limit of $150,000 in any 12 month period, from the presbytery; or
      B. in the case of expenditure greater than $75,000 or exceeding $150,000 in any 12 month period, from both the presbytery and the General Assembly; and

   should such approval be granted, make application to the Trusts Corporation for the release of the said funds to be applied in or towards the purpose or purposes for which the approval was granted;
   or
   ii) through the presbytery and with its approval petition the General Assembly to:
      A. declare a purpose or purposes for which the funds are to be applied; or
      B. alter the purpose or purposes declared by the Assembly under clause 17(c)(ii)(A) or any other regulation current at the time.

Deceased Congregations

d) Where a congregation has ceased to exist and when, as a result, land owned or vested in trustees for the church is at the direction of the General Assembly sold in accordance with clause 14 of the Model Trust Deeds, the whole of the proceeds shall be paid to the BIF.

e) Unless the General Assembly has otherwise directed, the BIF shall:
   i) forward:
      A. 20% of the balance of the proceeds to be held by the Trusts Corporation in a sinking fund for the general purposes of the church; and
      B. 80% of the balance of the proceeds to be held by the Trusts Corporation in a Sites Reserve Account until the application of the funds in whole or in part is approved by the General Assembly by the operation of clauses 17(e)(i) or 17(e)(ii); and
   ii) notify the presbytery of the deceased congregation of the amount available by operation of clause 17(e)(i)(B).

f) Once notified by the BIF under clause 17(e)(ii), the presbytery shall inform all the congregations within its bounds that, within any time limits established by the presbytery, any congregation may seek approval to apply such funds in whole or in part for any purpose or purposes that will serve the cause of the gospel and the building up of the church:
   i) in the case of expenditure not greater than $75,000 for any single application and up to a limit of $150,000 in any 12 month period, from the presbytery; or
   ii) in the case of expenditure greater than $75,000 or exceeding $150,000 in any 12 month period, from both the presbytery and the General Assembly.

g) Having considered any such applications the presbytery shall inform:
   i) any congregation granted presbytery approval in accordance with clause 17(f)(i), that it must make application to the Trusts Corporation for the release of the said funds to be applied in or towards the purpose or purposes for which the approval was granted; or
   ii) any congregation granted presbytery approval in accordance with clause 17(f)(ii), that it must also obtain the approval of the General Assembly for its proposed application of the funds before it can make application to the Trusts Corporation for the release of the said funds to be applied in or towards the purpose or purposes for which the approval was granted.

Other circumstances

h) Where land owned or vested in trustees for the church is sold on behalf of the General Assembly in accordance with clause 14 of the Model Trust Deeds in circumstances other than those to which clause 17(d) applies, the whole of the proceeds shall be paid to the BIF, which shall, unless the General Assembly has otherwise directed:

i) pay the balance of the proceeds as may be directed by the General Assembly to be applied in or towards the purpose or purposes for which it authorised the sale; or

ii) where the General Assembly authorised the sale without having approved a particular purpose or purposes for such sale, forward:

A. 20% of the balance of the proceeds to be held by the Trusts Corporation in a sinking fund for the general purposes of the church; and

B. 80% of the balance of the proceeds to be held by the Trusts Corporation in a Sites Reserve Account until the General Assembly authorises the application of such funds in whole or in part for some purpose or purposes.

5. Building and Property Committee [Oct 2021 min 69.6]

1. Title

There shall be a committee of the General Assembly entitled the Building and Property Committee (the committee).

2. Membership

The committee shall consist of five members, including a convener, appointed by the General Assembly.

3. Appointment of Church Architect

The committee shall submit to the General Assembly from time to time the name of a suitably qualified person with a current Working With Children Check for appointment by it as Church Architect. In the event of a vacancy occurring between General Assemblies, the vacancy shall be filled by the Selection Committee until the next General Assembly.

4. Duties – Church Architect

The Church Architect:

a) may advise and assist boards:
   i) with church and manse building matters, including the preparation of plans and specifications of proposed new congregational buildings or alterations to congregational buildings; and/or
   ii) in completing to the satisfaction of the committee plans and specifications of proposed new congregational buildings or of alterations to congregational buildings referred to him by the committee;

on such contractual terms as they agree.

b) shall advise and assist the committee with applications for the approval of proposed new buildings or alterations to buildings by boards referred to him by the committee, with the cost to be borne by the board.

5. Duties – Committee

The committee shall:

a) i) consider
   A. plans and specifications of proposed new congregational buildings or alterations to congregational buildings;
   B. floor plans, pre-purchase condition inspection reports from qualified inspectors and other reports as required by the committee in connection with any proposed purchase of any building by a congregation for the use of the congregation;

   submitted to it in accordance with rule 2.20 of the Code; and
   ii) 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) or the proposed purchase; and
   ii) if satisfied:
   A. that the proposed works, if constructed in accordance with the plans and specifications submitted, will:
      1. meet the needs of the particular congregation; and
      2. comply with the principles approved by the General Assembly, with such variations as the committee may in any special case approve; and
   B. that the site on which the proposed works are to be constructed is:
      1. suitable in area, situation and character to the needs of the particular congregation; and
      2. laid out in such a manner as to ensure its full, proper and economic utilisation;

   approve the plans and specifications; or
   C. in the case of the proposed purchase of a building for the use of the congregation:

1. that the building meets the needs of the congregation or is able to be adapted to meet the needs of the congregation; and
2. that the cost of any maintenance or remedial works to make the building suitable for the needs of the congregation has been costed and able to be funded by the congregation; and
3. that the building complies with the principles approved by the General Assembly, with such variations as the committee may in any special case approve.

approve the proposed purchase.

b) i) administer the General Assembly's Manse Design Manual; and

ii) submit to the General Assembly for approval from time to time any alterations necessary to keep the Manual in line with best practice.

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 and with completed checklists obtainable from the committee for either in principle or final approval as the case may require. 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, the number of members and adherents of the congregation;
d) anticipated cost and method of funding the proposed works;
e) plans (including a site plan) and 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.

8. Retention of plans and specifications

The committee shall encourage every board to retain in the permanent records of the congregation all plans and specifications approved by the committee, together with plans showing the location of underground services including electricity cables and gas, water and sewerage pipes, discovered and/or installed during construction.

6. Business Committee

1. Title

There shall be a committee of the General Assembly entitled the Business Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of:

a) four members of the General Assembly, including a convener, appointed by the General Assembly;

b) the clerks of the General Assembly, Procurator and Law Agent; and

c) during the sittings of the General Assembly, the clerks of all presbyteries under its jurisdiction.

The convener shall not be the convener of any other General Assembly committee during his term of office. He is to be appointed for three years and, notwithstanding anything to the contrary in the regulations of the General Assembly, he shall be eligible for re-election.

No convener of any committee reporting directly to the General Assembly shall be eligible for appointment to the committee.

3. Duties

The committee shall:

a) 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;

b) receive all papers proposed to be submitted to the Assembly (except appeals, petitions, and references, for which see rule 5.54.2);

c) decide whether papers sent to it 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;

d) not transmit papers containing proposals which seem to it incompetent, or which are in language it considers disrespectful;

e) not 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 it is in a position to guide the General Assembly should such guidance be requested;

f) through its convener, 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;

g) 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;

h) 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. The consideration of this report shall be the first matter submitted to the Assembly after the rolls have been adjusted;

i) meet from day to day during the sittings of the Assembly at the close of each sitting and report at each evening sitting the items of business it proposes to have taken up on the following day;

j) 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. Change or Suppression (Conversion) Practices Prohibition Act Committee

1. Title

There shall be a committee of the General Assembly entitled the Change or Suppression (Conversion) Practices Prohibition Act 2021 Committee (the committee).

2. Membership

The committee shall consist of

c) four members of the General Assembly, including a convener, appointed by the General Assembly;

d) the Moderator, the Assembly Clerk and the Convener of the Church and Nation Committee.

3. Duties

The committee shall:

a) i) determine the eligibility of members of the PCV subject of a complaint under the Change or Suppression (Conversion) Practices Prohibition Act 2021 (the Act) for support by the church in accordance with clause 2 of the PCV 'Protocols for the support of members subject of a complaint under the Act and their families and congregations' (the Protocols); or
ii) refer a question of eligibility to the General Assembly for determination;

b) allocate legal and/or financial support to eligible members in accordance with clause 6 of the Protocols;

c) provide training to the members of the PCV regarding bearing Christian witness in the context of the Act;

d) monitor the implementation and operation of the Act;

e) report to the following General Assembly or Commission of Assembly as the case may require on its handling of the matters referred to in (a) and (b) above, such reports to be confidential to the members of the Assembly and kept in a Record Apart; and

f) report to the General Assembly on matters relevant to the implementation and operation of the Act.

8. Church Planting Committee

1. Title

There shall be a committee of the General Assembly called the Church Planting Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of seven members, including a convener, appointed by the General Assembly.

3. Object

The object of the committee is to glorify God by promoting and facilitating, in conjunction with presbyteries, the establishment of new congregations through evangelism (an activity formerly carried out by a committee of the General Assembly known as the Home Mission Committee).

4. Function

The committee shall:

a) encourage and assist presbyteries to establish new congregations;
b) develop and maintain strategies for the establishment of new congregations;
c) identify areas for new congregations;
d) seek, identify and accredit ministers and licentiates as church planters;
e) recommend to presbyteries accredited church planters for appointment to church plant charges;
f) under the oversight of the presbytery coach and mentor church planters appointed to church plant charges;
g) fund newly formed congregations (see regulation 8) and other activities and programs that serve the object of the committee; and
h) administer the Property Development Fund.

5. Employed Officer

The committee shall, when occasion warrants, bring to the General Assembly the name of a suitably gifted person for appointment as the Church Planter Officer. The Church Planter Officer will work under the committee according to such job description as shall be approved from time to time by the General Assembly.

6. Accreditation of ministers and licentiates as church planters

a) Church planters are ministers and licentiates accredited by the committee as church planters;
b) Ministers and licentiates seeking accreditation as church planters shall:
    i) make a formal application for accreditation to the committee on the prescribed form;
    ii) provide the committee with a current police check and a current Working With Children Check; and
    iii) provide the committee with an assessment of his suitability for employment prepared by a medical practitioner;
c) The committee shall assess or cause to be assessed applicants for accreditation using the Presbyterian Church in America Assessment process as modified by Geneva Push;
d) Applicants who are assessed as suitable to be church planters and who have:
    i) a satisfactory police record check;
    ii) a current Working With Children Check; and
    iii) completed all PCV Safe Church requirements for a person in leadership;

    may be accredited by the committee as church planters.

7. Church Planting Grants

To the limits that funds are available, the committee may at its discretion make grants from its funds:

a) to subsidise newly formed congregations other than home mission charges and special interest congregations for up to five years; and

b) for the purchase of property for the congregations within the scope of clause (a) beyond the five year limit.

8. Conditions of grant

a) applications for grants shall be made on the prescribed form to the committee through the presbytery and with the presbytery's approval (see rule 4.83); and

b) the committee shall regularly review all subsidy grants with a view to ensuring that congregations become financially independent of the committee as soon as possible.

9. Clerkship Committee

1. Title

There shall be a committee of the General Assembly called the Clerkship Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of:

a) a convener (who shall be a past moderator of the General Assembly) appointed by the General Assembly for a three-year term; and

b) the Moderator, the Chairman of the Board of Investment and Finance (or his deputy) and three clerks of presbyteries appointed by the General Assembly.

3. Definitions

In these regulations:

The Assembly means the General Assembly of Victoria;

The Clerk means the Assembly Clerk and shall also mean, where appropriate, the Deputy Clerk.

4. Purpose

The purpose of the committee shall be to

a) provide counsel, pastoral care and support to the clerk;

b) administer the clerk's terms of settlement;

c) provide a body from whom the clerk can seek advice between meetings of the General Assembly;

d) receive annual reports from the clerk on the performance of duties as determined by the General Assembly and specified in the 'Statement of Duties' as published by the General Assembly from time to time;

e) recommend to the General Assembly, in consultation with the BIF, the remuneration to be paid to the clerk;

f) receive and determine any requests for leave made by the clerk;

g) appoint an acting clerk whenever the clerk is on leave, ill or otherwise unable to perform the duties of his office;

h) perform the role of the Clerkship Review Committee as specified in the terms of settlement for the Assembly Clerk; this review shall include:

   i) the roles and specific duties of the Clerk;

   ii) the performance of the Clerk during his time in office;

   iii) the terms of settlement of the Clerk; and

   iv) the reappointment of the Clerk.

5. Frequency of meeting

The committee shall only meet as and when required but shall meet at least once during the year prior to the meeting of the General Assembly for that year.

6. Nomination procedure for Clerk of Assembly

When the need arises to appoint a new Clerk of Assembly, the committee shall:

a) in consultation with the Code and General Administration Committee, draft a proposed job description and proposed terms of settlement for submission to the General Assembly or Commission of Assembly, and then:

b) unless otherwise directed by the General Assembly or Commission of Assembly, inform all presbyteries of the pending vacancy and announce it in any official publication of the church at least three months before a subsequent meeting of the General Assembly or Commission of Assembly at which the appointment is to be made;

c) receive:

   i) any presbytery nomination or nominations with the consent of the nominee to fill the vacancy; or

ii) any application from any eligible person to fill the vacancy; or
iii) any nomination by the committee itself with the consent of the nominee to fill the vacancy;

noting that only these persons are eligible for appointment (rule 5.19.3(b));

d) interview the nominees;
e) report to the General Assembly or Commission of Assembly the names and qualifications of the persons referred to in (c) and the proposed terms of appointment; and
f) bring to the General Assembly or Commission of Assembly a nomination for appointment as Clerk of Assembly.

7. Nomination procedure for Deputy Clerk of Assembly or Assistant to the Clerks

When the need arises to appoint a Deputy Clerk of Assembly or an Assistant to the Clerks, the committee shall:

a) in consultation with the Code and General Administration Committee, draft a proposed job description for submission to the General Assembly or Commission of Assembly, and then:
b) inform all presbyteries of the pending vacancy and announce it in any official publication of the church at least three months before a subsequent meeting of the General Assembly or Commission of Assembly at which the appointment is to be made;
c) receive:
   i) any presbytery nomination or nominations with the consent of the nominee to fill the vacancy; or
   ii) any application from any eligible person to fill the vacancy; or
   iii) any nomination by the committee itself with the consent of the nominee to fill the vacancy;
   iv) any nomination by the Clerk with the consent of the nominee to fill the vacancy;

   noting that only these persons are eligible for appointment (rule 5.19.3(b));
d) interview together with the Clerk of Assembly the nominees;
e) report to the General Assembly or Commission of Assembly the names and qualifications of the persons referred to in (c); and
f) taking into account any preference the Clerk of Assembly may have in the matter, bring to the General Assembly or Commission of Assembly a nomination for appointment as Deputy Clerk of Assembly or Assistant to the Clerks as the case might be.

10. Code and General Administration Committee

1. Title

There shall be a committee of the General Assembly entitled the Code and General Administration Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of:

a) three members appointed by the General Assembly; and

b) the clerks of the General Assembly (with Assembly Clerk as convener), the Business Convener, the Law Agent, the Procurator and the Chairman of the Trusts Corporation. The Chairman of the Trusts Corporation may appoint another member of the Trusts Corporation in his place.

3. Quorum

Four members, one of whom must be the Assembly Clerk, constitute a quorum of the committee.

4. Duties

The duties of the committee shall be to:

a) deal with all matters referred to it by the General Assembly in terms of its instruction;

b) discuss and report to the General Assembly upon matters which concern the organisation and work of the church as a whole;

c) suggest to the General 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 General Assembly and its committees;

d) take necessary action to keep the Code in line with the changing policy of the church;

e) remit to presbyteries proposed changes in rule and report to the General Assembly on their return;

f) receive and consider overtures and report to the General Assembly any bearing they may have on the Code;

g) supply to presbyteries, sessions and conveners of committees on request:

   i) a considered opinion on the interpretation of rules or regulations;

   ii) guidance on matters of procedure;

h) be consulted by any committee contemplating changes or additions to its regulations before such changes or additions are proposed to the General Assembly.

11. Conciliation Committee

1. Title

There shall be a committee of the General Assembly named the Conciliation Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of the immediate past moderator (convener) and three ministers and three elders, appointed by the General Assembly representing at least four presbyteries. If any member of the committee is involved in a dispute that is to come before the committee, then the moderator may appoint an alternate.

3. Purpose and scope

a) The purpose of the committee is to seek to bring about the timely resolution of disputes through mediation as a means of reducing demand on the General Assembly.

b) Except as may otherwise be directed by the General Assembly from time to time, disputes arising from within the Code of Discipline shall not be referred to the committee.

4. Powers and functions

Subject to regulation 3(b), the powers and functions of the committee shall be to:

a) receive appeals (and petitions that air grievances) from the Clerk of Assembly, along with all relevant documents;

b) invite parties to resolve their dispute through mediation, prior to the hearing of the appeals (or petitions);

c) either conduct mediation between parties, or assist parties to come before mutually agreed mediators;

d) report to the General Assembly on each case.

5. Excluded power

The committee is not empowered to determine an appeal or petition.

6. Confidentiality

Subject to the reporting function of the committee, the work of the committee is at all times conducted in private and therefore all papers transmitted to and generated by the committee in the course of its duties are considered confidential.

7. Participation

While parties to a dispute are strongly encouraged to meet with the committee, such meeting is not compulsory and the committee shall have no power to compel a party's attendance.

12. Defence Force Chaplaincy Committee

1. Title

There shall be a committee of the General Assembly entitled the Defence Force Chaplaincy Committee.

2. Membership

The committee shall consist of:

a) three members appointed by the General Assembly; and

b) all full-time and part-time Australian Defence Force ('ADF') chaplains serving in Victoria who are within the jurisdiction of the church.

The convener shall be appointed by the General Assembly from the committee members.

3. Duties

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.

4. Requirements of defence chaplains

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.

5. Temporarily in full-time service

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 for by rule 4.52.1) shall make provision for the carrying on of the full work of their charges and shall arrange commensurate payments for their board. The terms, fully detailed, shall be reported to the presbytery for approval.

6. Chaplains and their status during war

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 4.104. In special cases the presbytery may hold the resignation, 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 4.2(f)).

13. Exit Students Committee

1. Title

There shall be a committee of the General Assembly entitled the Exit Students Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of:

a) the convener of the Ministry Development Committee or his representative appointed from the MDC (convener); (GAV 2017, min 74.7)
b) the Ministry Development Officer;
c) the Principal of the Presbyterian Theological College, or his faculty representative;
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); and
g) a representative of each candidate's presbytery (preferably the convener of the presbytery's candidates committee or equivalent).

3. Function

The sole function of the committee is the placement of exit students for ministry in charges where there is a reasonable prospect of obtaining a settlement, except for the possible involvement as indicated in regulation 8 below.

4. Applications

Applications shall not be considered by the Exit Students Committee unless they have prior approval by presbytery and the Ministry Development Committee.

5. Access to reports

The Exit Students Committee shall have access to all reports concerning the exit students and also of such charges as have been approved by the Ministry Development Committee as suitable to receive a student.

6. Consultation with students

Prior to appointment, the Exit Students Committee shall consult with each student concerned.

7. Communication of decisions

The Exit Students Committee shall communicate decisions regarding appointments directly with each student concerned.

8. Reception of call by placed licentiate

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.

9. Failure to place

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.

10. Removal expenses

Removal expenses of exit students appointed to a charge shall be borne by the charge.

14. Gospel, Church and Nation Committee

1. Title

There shall be a committee of the General Assembly entitled the Gospel, Church and Nation Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of ten members, including a convener, appointed by the General Assembly.

3. Duties

The committee shall:

a) consider all matters referred to it by the General 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 General Assembly.

4. Public interface of the church on matters of social and ethical concern

a) the General Assembly recognises that from time to time the moderator, the Assembly Clerk and the convener of the 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 General Assembly provided that such resolutions have not been superseded;

c) the officers of the General Assembly named in regulation 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 regulation 4(b), above, these officers as necessary, and time permitting, will confer with the executive of the 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.

5. Executive

a) the 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; and

   iii) in accord with regulation 4 above, to advise the officers of the General Assembly when speaking on behalf of the General Assembly in relation to matters of social and ethical concern;

b) all activities of the executive including any guidance offered to officers of the General 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.

15. Health and Community Chaplaincy Committee

1. Title

There shall be a committee of the General Assembly entitled the Health and Community Chaplaincy Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of ten persons, including a convener, appointed by the General Assembly.

3. Duties

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.

4. Committee as executive

The committee shall act as the executive authority of the church for the nomination or appointment (as the case may be) oversight and discharge of Presbyterian chaplains to the institutions, services or organisations referred to above, and shall notify the presbytery of all such appointments and discharges.

5. Chaplains

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 committee it shall nominate to this authority, and shall report the subsequent appointment to the General Assembly;

b) in all other cases the committee shall have power to appoint and when the appointment is for full-time, it shall report the appointment to the General Assembly.

6. Joint appointments

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 as outlined in regulation 3.

7. Other workers (GAV 2017, min 74.4)

The committee may appoint, according to need:

a) persons to give administrative assistance to the committee for any of its nominated duties;

b) such other workers as it sees fit, to labour under its direction in the institutions, services or organisations referred to in regulation 3;

c) a Pastoral Support Worker for ministry wives.

8. Special collections

The committee shall recommend to Boards of Management the taking of a special collection on Good Friday each year (or such other date as is convenient to the charge) to support the work of the committee.

9. Tertiary Chaplaincy

The committee shall:

a) receive reports from tertiary chaplains/campus workers who are communicants or adherents of the PCV and deal with all matters relating to their work;
b) support and contribute to the funding of tertiary chaplains/campus workers who are communicants or adherents of the PCV;
c) report to the General Assembly on the work of the tertiary chaplains/campus workers.

16. Maintenance of the Ministry Committee

1. Title

There shall be a committee of the General Assembly entitled the Maintenance of the Ministry Committee (the committee).

2. Membership

The committee shall consist of five members, including a convener, appointed by the General Assembly.

3. Duties

The committee shall:

a) report to the General Assembly or Commission of Assembly as appropriate:
   i) on all matters connected with the maintenance of the ministry, making such recommendations thereto as it sees fit from time to time.
   ii) the actual dollar ($) amounts derived from the operation of regulation 4(e) and 6 of these regulations;
   iii) with a proposed way forward for determining Minimum Ministerial Stipend (MMS) rates should two consecutive annual decreases in the 'Earnings; Males; Full Time; Adult; Ordinary time earnings; Victoria' occur (see regulation 4(e) of these regulations);
   iv) any matters related to Long Service Leave;

b) declare Terms of Settlement, submitted via ARMS, by the presbytery as:
   i) approved by the congregation(s) of the charge and the presbytery; and
   ii) certified by the presbytery that all financial requirements including the Terms of Settlement can be met by the charge.

c) Administer the Long Service Leave Fund.

4. Definitions

a) **Stipend** is the regular amount contributed to the support of an inducted or appointed minister, licentiate or home missionary by the congregation(s) of a charge and is comprised of taxable stipend and non-cash benefits. The actual dollar ($) figure shall be a multiple of 12.

b) **Taxable Stipend** is paid to an inducted or appointed minister, licentiate or home missionary and is subject to PAYG withholding.

c) **Non-cash benefits** are services or things paid for by the congregation/s of a charge on behalf of an inducted or appointed minister, licentiate or home missionary; such benefits are tax-exempt when paid on behalf of a 'religious practitioner' as defined by TR2019/3 in accordance with s.57 of the *Fringe Benefits Tax Assessment Act 1986*.

d) The **Non-Cash Benefit** (NCB) shall be an integer percentage of the Stipend, up to a maximum of 40%. The actual dollar ($) figure shall be rounded down to the nearest multiple of 12.

e) **The Minimum Ministerial Stipend** (MMS) to be provided for an inducted or appointed minister or licentiate in any financial year is 61% of the 'Earnings; Males; Full Time; Adult; Ordinary time earnings; Victoria' as published by the Australian Bureau of Statistics for the November of the preceding tax year (ABS cat. no. 6302.0; table 13B, series id. A85006425W) except where this will result in a reduction in the MMS, when it remains unchanged for that financial year, with the actual dollar ($) figure rounded down to the nearest multiple of 12.

f) **The Minimum Home Missionary Stipend** (HMMS) to be provided for a home missionary is (with the actual dollar ($) figure rounded down to the nearest multiple of 12):
   i) 90% of the MMS for appointees who have not completed Ministry Development Committee (MDC) prescribed Home Missionary Training (HMT);

ii) 95% of the MMS for appointees who have completed HMT with less than seven years of ministry service;

iii) 100% of the MMS for appointees who have completed HMT with seven or more years of ministry service.

5. Terms of Settlement

a) **General provisions**

i) Terms of Settlement (TOS) are the conditions specified by the General Assembly for the settlement of or the continuance of the settlement of a minister, licentiate or home missionary in a pastoral office in a charge for the period 1 July - 30 June each year.

ii) Terms of Settlement are not consideration for services rendered but material maintenance and support provided by the congregation(s) of a charge to enable a minister, licentiate or home missionary to serve God in pastoral office in the charge.

iii) Induction or appointment to pastoral office in a charge is on the basis of these Terms of Settlement as accepted by the inductee or appointee prior to his induction or appointment. However, this process is not intended to create any legal employer – employee relationship; induction or appointment is to pastoral office, not to the status of an employee of the presbytery or of the congregation(s) of the charge or of the church.

iv) Leave of absence from pastoral duties and Long Service Leave is provided by the church for ministers, licentiates and home missionaries serving as spiritual appointees in accordance with the Ministers Long Service Leave and LSL Fund Regulations. The provision of such leave under those regulations to those serving as spiritual appointees is intended to ensure their best health and well-being, and to prevent burnout and because in its absence those persons would not qualify for long service leave under secular law.

b) **Minimum Terms of Settlement (full-time)**

The Minimum Terms of Settlement (MTS) for full-time ministry must include the promise by the congregation/s of a charge of:

i) all removal costs of an inductee or appointee's family and goods to his new place of residence, except where the presbytery approves a variation in special circumstances;

ii) monetary support not less than the MMS (as defined in 4(e)) for ministers or licentiates, or the HMMS (as defined in 2(f)) for home missionaries;

iii) an exempt fringe benefit as determined by the operation of regulation 6(c) below based on annual distance of church-related vehicular travel in excess of 5,000 km supported by log-book entries;

iv) rent free occupation of a suitable dwelling in the locality of the church building or place of worship or an amount equivalent to rent as an additional non-cash benefit if the inductee or appointee lives in his own home;

v) direct payment of or reimbursement for expenses necessarily incurred in carrying out his pastoral duties (other than the travel referred to in regulation 4(c) below), including, but not limited to, telephone rental, internet/NBN and all church calls, stationery, printing, copying and postage;

vi) leave of absence from his pastoral duties for five weeks annually, being non-cumulative unless approved by the session and the presbytery, including pulpit supply on five Sundays;

vii) leave of absence from his pastoral duties for the purpose of study for seven days annually, being non-cumulative, including one Sunday's pulpit supply, subject to the prior approval by presbytery of the leave and the proposed study program;

viii) superannuation contributions as determined by the operation of regulation 6(d) below.

c) **Minimum Terms of Settlement (part–time)**

The Minimum Terms of Settlement for part-time ministry shall be the full-time requirements listed in regulation 5(b) above, applied *pro rata* according to the appointee's Full Time Equivalent (FTE), with the exception of:

i) removal costs (3(b)(i) and the travel benefit (3(b)(iii), which shall be provided in full;

ii) annual leave (3(b)(vi) and study leave (3(b)(vii), which shall be applied *pro rata* but rounded up to the nearest full day.

6. Financial Schedules (Rates and Calculations)

a) Honoraria

i) Business Convener	2% of the MMS
ii) Assistant to the Clerks	3% of the MMS
iii) Deputy Clerk	6% of the MMS
iv) State Moderator	10% of the MMS

b) **The Supply Preaching Fees** in any financial year are, rounded to the nearest dollar ($):

i) 0.25% of MMS for one service;

ii) 0.30% of MMS for two services with the same sermon;

iii) 0.35% of MMS for three services with the same sermon;

iv) 0.45% of MMS for two or more services with more than one sermon.

c) **The Travel benefit** in any financial year is 75% of the Australian Tax Office's 'cents per kilometre method' rate for the previous tax year, with the actual dollar ($) figure rounded to the nearest cent;

d) The minimum rate of **Superannuation Contribution** is equal to the Government's Super Guarantee percentage plus 5%, which percentage is to be calculated on the Stipend, with the actual dollar ($) figure rounded up to the nearest multiple of 12.

7. Declaration of Terms of Settlement

The committee shall carefully examine proposed Terms of Settlement forwarded to it by presbyteries and consider any accompanying recommendations. It may make such further enquiries as it deems fit, and may refer part or all of the proposed Terms of Settlement back to a presbytery for further negotiations with the charge. Where the committee is satisfied that there is likely to be sufficient income to meet expenditure and that the proposed Terms of Settlement are equal to or in excess of the minimum it shall declare the Terms of Settlement and inform the presbytery of its decision, which shall be final.

8. Part-time ministries (see also rule 4.71 and 4.82.2(b))

The committee may approve Terms of Settlement for part-time ministries in charges provided that:

a) it is satisfied:

i) that the objects of the ministry and the welfare of the charge are being properly served; and

ii) that the minister will not suffer hardship; and

b) the presbytery expresses the working time of the minister as percentage and allows adequate time for the minister's preparations.

Such arrangements may only be approved for one year and must be reviewed and approved annually by the presbytery and the committee.

9. Additional review

The committee may at any time require relevant financial information in respect of any charge.

10. Discretionary powers of committee

Notwithstanding the provisions of these regulations, the committee shall have discretionary powers to deal with exceptional cases not provided for therein, provided that the committee shall report annually any use of these discretionary powers to the General Assembly.

16A. Ministers Long Service Leave and LSL Fund Regulations

1. Purpose

These regulations:

a) provide a regulatory framework for long service leave for inducted ministers in the PCV where secular statutory provisions may not apply;

b) define entitlements and benefits for appointed ministers, licentiates and home missionaries of the church and certain ministers serving as missionaries in connection with the PCV; and

c) specify the grant available from the PCV Ministers Long Service Leave Fund and conditions attached to responsible church bodies accessing that funding.

2. Relationship to State Long Service Leave legislation

These regulations are not intended to annul, vary or exclude any provision of the *Long Service Leave Act 2018 (Vic)*. To the extent that they are more favourable than the provisions of the *Long Service Leave Act 2018* (*Vic)* these regulations shall prevail.

3. Definitions

In these regulations:

a) 'service' means employment in

i) any of the categories of service listed in 3 (b);
or

ii) any other category of pastoral ministry immediately followed by employment in any of the categories of service listed in regulation 3(b);

b) 'responsible body' means a church body obliged to provide long service leave for persons to whom these regulations apply, namely:

i) in the case of:

A. a minister inducted into or appointed to a charge; or

B. a minister or a licentiate appointed as an assistant to a minister of a charge; or

C. a licentiate or home missionary appointed to a charge;

the charge, with the session responsible for administrative matters;

ii) in the case of a minister accredited by APWM (VIC) serving as a Partner Church Missionary under the auspices of APWM (National), APWM(Vic);

iii) in the case of a minister, licentiate or home missionary employed by a committee of the General Assembly, that committee;

c) 'the committee' means the Maintenance of the Ministry Committee.

Conditions of Long Service Leave

4. Entitlement to leave

Every person at any time after completing seven years of continuous service within the scope of regulation 3(a) in one or more of the categories of service listed in regulation 3(b) is entitled to an amount of long service leave on ordinary pay equal to $1/40^{th}$ of his total period of continuous service less any period of long service leave taken during that period. Part-time service shall be calculated on a pro-rata basis according to the terms of the appointment, and recorded as a full-time equivalent value. In the case of a minister, licentiate or home missionary inducted into or appointed to a charge, 'on ordinary pay' means 'in accordance with his terms of settlement as approved'.

5. Obligation to pay

While a person to whom these regulations apply is on long service leave the responsible body is responsible to pay in full his remuneration.

6. Continuous service

Continuous service is service undertaken on a continuous basis for or in connection with the

Presbyterian Church of Victoria within the scope of regulation 3(a). For the purpose of these regulations:

a) A person's service is taken to be continuous despite an absence from work caused by the person taking:
   i) annual leave;
   ii) study leave;
   iii) long service leave;
   iv) leave from work because of illness or injury;
   v) carer's leave;
   vi) paid or unpaid parental leave;
   vii) compassionate leave, or
   viii) any other form of paid or authorised unpaid leave in accordance with that person's employment.

b) A person's service is taken to be continuous despite failure by the responsible body to pay the Levy (see regulation 21) on one or more occasion.

c) A person's service is taken to be continuous despite an absence from work caused by termination of the person's appointment at the initiative of the responsible body, or the person, if the person is reinstated within 12 weeks.

7. Calculation of entitlement

For the purpose of calculating the length of a person's period of continuous service, the following periods of absence are taken to be periods of service:

a) a period of paid leave;

b) a period of unpaid leave up to 52 weeks, or any period longer than 52 weeks if the leave is provided for under the person's employment agreement.

8. Records of service

The length of a person's period of continuous service shall be calculated on the basis of records of service kept by the committee and provided by:

a) in the case of a minister inducted into or appointed to a charge or a licentiate or home missionary appointed to a charge, the inducting or appointing presbytery; or

b) in the case of a minister appointed as an assistant to a minister of a charge, the appointing minister; or

c) in the case of a minister employed by a committee of the General Assembly, the employing committee; or

d) in the case of a minister accredited by APWM (VIC) serving as a Partner Church Missionary under the auspices of APWM (National), APWM (National).

The person is responsible for satisfying himself that the required information is provided to the committee as required by this regulation and is correctly recorded. In the case of any dispute regarding entitlement, the records held by the committee are final.

9. Annual leave and public holidays

Long service leave does not include any public holiday occurring, or annual leave taken, during the period when the long service leave is taken.

10. Accumulation of leave

Persons entitled to long service leave shall not without the approval of the responsible body and the committee allow their leave entitlement to exceed thirteen weeks except that in the case of a person moving within the Presbyterian Church of Victoria from one service to a new service, the person shall not without the approval of the new responsible body and the committee commence in the new service with a leave entitlement exceeding six weeks.

11. Direction to take leave

A presbytery may, in response to a petition by a responsible body or on its own initiative, taking into account the health of workers and the good of those persons who they serve, direct a person in the categories of service listed in regulation 3(b) under its jurisdiction to take long service leave at a

specified time and for a specified period by giving the person at least 12 weeks written notice.

12. Timely taking of leave

To facilitate the timely taking of long service leave the committee may:

a) Notify persons who have completed 7 years of continuous service in one or more of the categories of service listed in regulation 3(b) of the person's long service leave entitlement under these regulations and encourage the person to take some or all of this leave without unnecessary delay.

b) In relation to any person who has accumulated a long service leave entitlement under these regulations of thirteen weeks, notify that person and their responsible body of the extent of that entitlement and encourage that person to reduce his leave entitlement to less than thirteen weeks without unnecessary delay.

c) In the case of persons with a leave entitlement of more than thirteen weeks without the approval of the responsible body and the committee, encourage that person to take sufficient leave to reduce his entitlement to less than thirteen weeks.

13. Approval of leave

Application for the approval of the taking of long service leave is made to the responsible body. The responsible body, having satisfied itself by consultation with the committee that the applicant is entitled to the leave:

i) may approve the leave sought; and

ii) if it has approved the leave sought, must then inform the committee and the Church Office of the leave approved in order that the leave taken may be recorded and that the responsible body, if entitled, may receive a grant from the Fund as provided for in regulation 22. The responsible body must also inform the presbytery of leave approved.

14. Portability of leave

The committee may enter into reciprocal arrangements with the other State churches to provide for portability of long service leave.

15. Resignation or retirement

A person who resigns or retires from his service shall be paid the entitlement of any long service leave to which he is entitled.

16. Death

If a person dies during service, any long service leave entitlement shall be paid to his estate.

The Long Service Leave Fund

17. The Fund

There shall be a fund of the General Assembly called the PCV Ministers Long Service Leave Fund (the Fund).

18. Administration of the Fund

The Fund shall be administered by the committee.

19. Purpose of the Fund

The purpose of the Fund shall be to provide monies to assist a responsible body to meet its financial long service leave obligations to those persons to whom these regulations apply.

20. Long Service Leave Levy

Contributions to the Fund shall be by a Long Service Leave Levy (the Levy). The Levy shall be set annually by the General Assembly or Commission of Assembly at a level sufficient to ensure that the Fund retains sufficient monies to meet all its commitments.

21. Payment of the Levy

The Levy shall be paid annually by every responsible body for every person for whom it is obliged to provide long service leave as follows;

a) where the person is engaged as at 1 July on a full-time basis, the responsible body shall pay the levy in full;

b) where the person is engaged as at 1 July on a part-time basis, the responsible body shall pay that percentage of the levy equivalent to the percentage of full-time working time on which the person is engaged;

c) where the person's engagement commences after 1 July, the responsible body shall pay the levy from the date of the person's commencement on a pro rata basis based on the number of days remaining until 30 June next.

22. Grants from the Fund

a) Every responsible body that has paid the Levy annually for each person during his service in any of the categories of service listed in regulation 3(b) for which it is responsible is eligible for a grant from the Fund towards the remuneration to be paid by that responsible body to a person for the period of that person's long service leave, provided that where the person's long service leave entitlement arises from service as defined by regulation 3(a)(ii), the grant from the Fund shall be calculated only in respect of the person's period of service in a category of service listed in regulation 3(b).

b) The amount of the grant to which the responsible body is eligible shall be based on the declared minimum remuneration for ministers as at 1 July of the financial year in which the taking of leave commences.

c) Nothing in this regulation 22 is intended to affect the remuneration to which a person who is entitled to an amount of long service leave is to be paid in accordance with regulation 4.

23. Commencement

These regulations shall operate from 1 January 2021.

24. Transitional

a) Long service leave entitlement on the basis of service prior to the commencement of these regulations and eligibility for a grant from the Fund towards the remuneration to be paid for such long service leave shall be according to the regulations current at the time of that prior service.

b) Notwithstanding the repeal of Long Service Leave (regulations 20-30) PCV Code 2020, persons described by regulation 21(e) of those regulations, namely 'church workers, however titled, acting in a pastoral and/or teaching role, and engaged by the presbytery according to a BIF approved contract', shall remain entitled to long service leave in accordance with and from the commencement of these regulations while he is employed in their current position, provided that:

   i) satisfactory evidence of his engagement in accordance with this sub regulation is lodged with the committee within six months of the commencement of these regulations; and

   ii) if the relevant responsible body is to be eligible for a grant from the Fund, that body pays the Levy during the period of his employment.

17. METRO Committee

1. Title

There shall be a committee of the General Assembly entitled the METRO Committee (Ministry, Equipping, Training and Recruiting Organisation), hereafter referred to as the committee.

2. Membership

The committee shall consist of eight members, including a convener, appointed by the General Assembly.

3. Purpose

The purpose of the 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 church 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.

4. Duties

Subject to all the rules and regulations of the church, the duties of the committee shall be to ensure that the stated purposes are fulfilled to the glory of God and the edification of the church.

5. Employees

The committee may appoint, under the provision of Rule 5.32, an administrative assistant.

18. Ministry Development Committee

1. Title

There shall be a committee of the General Assembly entitled the Ministry Development Committee (the committee).

2. Membership

The committee shall consist of seven members, including a convener, appointed by the General Assembly.

3. Purpose

The purpose of the committee is to bring glory to God as it actively engages people within the PCV in the development of biblically healthy gospel ministries so that local Presbyterian congregations experience spiritual health and growth and are better equipped to fulfil the great commission.

4. Scope

The committee, in partnership with presbyteries (who have primary oversight and responsibility for congregations within their bounds), engages with people in pastoral, appointment and home mission charges and with special interest congregations of any age. The committee does not partner with presbyteries in church planting work.

5. Duties

To achieve the stated purpose the committee shall use its God given resources to:

a) advance biblically based ministry practices within the PCV that will foster church revitalisation and mission;

b) develop and promote suitable vocational training resources that equip people within the PCV for gospel ministry and mission;

c) advance and develop an effective home mission program;
This will include, but is not limited to, the committee
   i) proactively identifying, recruiting, and accrediting home missionaries for service;
   ii) providing avenues of training for serving home missionaries including the occasional provision of book grants and study grants for approved courses to defray costs and travel expenses;
   iii) collaborating with presbyteries and sessions, to assist with the development of ministry and mission plans for home mission charges to experience increasing health and growth;
   iv) collaborating with presbyteries and sessions to help provide ministry reviews, charge assessments, and strategic thinking for the health and growth of home mission charges;
   v) collaborating with presbyteries and sessions to help facilitate the appointment of Home Missionaries.

d) administer ministry development grants from funds received as distributions from The Scots' Church Properties Trust for Home Mission and Church Extension in accordance with regulations 7 and 8;

e) administer evangelism grants within the PCV.

6. Ministry Development Officer

The committee shall, when occasion warrants, bring to the General Assembly the name of a suitably gifted person for appointment as the Ministry Development Officer (MDO). The MDO will be accountable to the committee and work under a General Assembly approved job description to actively prosecute the purpose and function of the committee.

7. Ministry Development Grants

To the limit of available funds, the committee may make annual ministry development grants (MDGs) to eligible charges. The primary purpose of a MDG is to supplement a charge's finances for an approved

gospel worker to lead the development of biblically healthy ministry and mission in a charge. The committee from its funds may also provide MDGs for other secondary purposes such as:

a) to supplement finances in a home mission or appointment charge so that the terms of settlement for a home missionary, licentiate, or minister can be met for ministry and mission development;
b) for the support of a second worker;
c) for the support of a cross-cultural worker;
d) for the support of ministry and mission in Special Interest charges; and
e) for capital grants, to assist with the purchase of land and/or buildings or the carrying out of building works or renovations which will enable a charge to enhance, develop or extend their gospel ministry and mission.

8. Conditions of Ministry Development Grants

The following conditions apply to ministry development grants made by the committee:

a) grants to charges are made annually within the limits of funds available;
b) MDGs are open to home mission and appointment charges;
c) MDGs are open to pastoral charges for second worker and cross-cultural worker grants according to published guidelines;
d) the committee may make grants to a charge for up to ten consecutive years, after which the ten-year rule described in Code rule 4.83.2 shall be followed;
e) MDGs are not to be confused with an annual Sustentation Grant (reg 9);
f) all MDG applications shall be made on the prescribed forms and submitted with the approval of the presbytery (see rule 4.83);
g) MDGs are limited and will not exceed 50% of the minimum terms of settlement for a home missionary, licentiate, or minister in any given year;
h) MDGs are subject to the development and implementation of a ministry and mission plan for the charge;
i) MDG applications are to be lodged on or before the 13th of May each year;
j) MDG applications must be presented using financial year accounting; and
k) MDGs are subject to all other published guidelines provided by the committee in any given year.

9. Evangelism Grants (Noble Trust)

Within the limits of funds available, the committee may make grants that:

a) support evangelism by charges, or presbyteries for presbytery wide evangelism according to published guidelines;
b) support university evangelism directly associated with a PCV charge; or
c) support the evangelism training of candidates for the ministry.

Applications must be made on the prescribed forms.

10. Grant Reports

The committee shall report annually to the General Assembly all relevant information on the administration of grants awarded in the relevant reporting period.

11. Home Missionaries and Home Mission Appointments

a) **Definition**

A home missionary is a suitably qualified and accredited man who is not a minister, licentiate or candidate for the ministry who may be appointed by a presbytery to a home mission charge for leadership in gospel ministry and mission as part of the home mission program, (rule 4.73).

b) **Application**

i) complete and submit the published committee application forms;
ii) request his presbytery, session and minister to send letters of recommendation directly to the committee before the application is fully processed;
iii) provide the committee with three additional current referees;
iv) be interviewed by the committee with (if applicable) his wife present; and

v) provide proof of permanent residency in, or citizenship, of Australia; or that he holds a valid working visa allowing him to reside and work in Australia.

c) **Accreditation**

Before accrediting anyone as a home missionary, the committee must:

i) by interviewing the applicant and by any other means it chooses to adopt, satisfy itself of:

A. the applicant's Christian character and conviction and his sense of divine call;
B. his satisfactory length of membership in and service to the Presbyterian Church of Australia, which should not be less than 12 months;
C. his subscription to the Westminster Confession of Faith as read in the light of the Declaratory Statement;
D. his attainment to a sufficient level of theological understanding;
E. his owning and acceptance of the purity of worship as practised in the Presbyterian Church of Victoria;
F. his owning of the Presbyterian form of government as founded on the Word of God and agreeable thereto and his commitment to firmly and constantly adhere to, and to the utmost of his power, to assert, maintain and defend the same;
G. his right motivation for gospel ministry, namely, zeal for the glory of God, love to the Lord Jesus Christ, and a desire to save souls;
H. his willingness and ability to undertake such further study as may be directed by the presbytery in consultation with the committee;
I. his ability in preaching and public speaking;
J. his capacity for making acceptable contacts with people;
K. his good health as assessed by a medical practitioner;
L. his having a satisfactory police record check;
M. his having a current Working with Children Check;
N. his having completed all PCV Safe Church requirements for a person in leadership; and
O. if the applicant is a candidate for the ministry, his application having the approval of the Theological Education Committee.

ii) by requiring the applicant to undergo psychological testing and assessment to be arranged by the committee at its expense and administered by a mental health professional external to the PCV, satisfy itself of the applicant's suitability to undertake work involving children as a home missionary.

d) **Appointment**

Presbyteries with oversight of a home mission charge are responsible for appointing home missionaries. When making such appointments a presbytery must:

i) ensure that the home missionary's Terms of Settlement are approved.
ii) notify the committee when the appointment commences;
iii) seek approval from the committee for removal expenses to be paid by the committee prior to transition; and
iv) inform the home missionary that the committee may from time to time, for the purpose of vocational training and professional development, make suitable grants for books and for prescribed courses of study or approved course of study met all or part of the associated costs including travel expenses.

e) **Oversight**

Home missionaries in the course of their duty shall be under the oversight of the presbytery within whose bounds they are working. Additionally, the Ministry Development Officer will engage home missionaries on a regular basis to provide on-site, one-to-one training and advice as may be required or requested.

14. Staff

The committee may appoint staff, under the provision of rule 5.32, as it considers necessary to achieve its purpose under regulation 3 above.

19. Presbyterian Youth and Children Committee

Title

There shall be a committee of the General Assembly entitled the Presbyterian Youth and Children Committee (the committee).

1. Membership

The committee shall consist of seven members, including a convener, appointed by the General Assembly.

2. Purpose

The committee shall engage in making and nurturing disciples of the Lord Jesus among youth and children in Victoria.

3. Duties

The committee shall:

a) oversee state-level PCV youth and children's ministry in Victoria;
b) engage in the training and making of disciples primarily through residential events; and
c) provide advice and training to congregations as requested.

4. Youth and Children's Worker

The committee shall direct the Youth and Children's Worker appointed by the General Assembly (see rule 5.19), who shall work under its direction to lead the operation of state-level PCV youth and children's ministry in Victoria.

5. Employees

The committee may appoint such other persons as it sees fit to support the Youth and Children's Worker or the committee in its work.

20. Safe Church Committee

1. Title

There shall be a committee of the General Assembly entitled Safe Church Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of six members, including a convener, appointed by the General Assembly.

3. Meets in private

The committee meets in private unless it determines otherwise.

4. Purpose

The purpose of the committee is to:

a) assist and encourage the church in its commitment to ensuring that all of its congregations and organisations are safe in respect of everyone within them, specifically helping the church to:
   i) protect and care for the young and the vulnerable in our church;
   ii) care for the victims of abuse and the hurting;
   iii) implement and adhere to the Safe Church Policy and Code of Conduct;
   iv) comply with all federal and state laws relevant to this matter;

b) initiate care for a particular victim where the committee considers this to be appropriate.

5. Duties

The committee shall:

a) have oversight of the Safe Church Unit and its employees;

b) encourage and support the work of the Safe Church Unit;

c) advise the Safe Church Unit on any matter that bears on the church's compliance with federal and state laws insofar as they pertain to the purpose of the committee;

d) advise the Assembly on any matter that bears on the church's compliance with Federal and State laws insofar as they pertain to the purpose of the committee and bring recommendations to update the Safe Church Policy and procedures in response to the legislation;

e) advise the relevant courts of the church of:
   i) any instance of material noncompliance with the PCV Safe Church Policy, Code of Conduct and/or the Policy, Procedure and Practice Manual; and
   ii) any action required to be taken by any congregation or organisation:
      1) to comply with federal or state law or liability insurance policies;
      2) to implement and adhere to the PCV Safe Church Policy, Code of Conduct and/or the Policy, Procedure and Practice Manual; or
      3) to mitigate risk to the young and the vulnerable;

f) through the Safe Church Unit, in each instance that the church is required by law to appoint an external investigator in respect of matters within the purpose of the committee, appoint such external investigator and notify the Clerk and the Board of Investment and Finance accordingly. Such external investigator will be given the full cooperation (by committees, presbyteries, sessions, individuals etc.) as if appointed by the General Assembly to investigate.

6. Employees

The committee may appoint, under the provision of Rule 5.32, according to need the Safe Church Facilitator; persons to give administrative assistance to the Safe Church Facilitator; such other workers it considers to be necessary to achieve its purpose under regulation 4 above.

7. Panel of Reference

There shall be a sub-committee entitled Panel of Reference, consisting of at least 3 members, whose principal duty is to consult with the Safe Church Facilitator in reference to particular reports and

allegations of abuse and to provide advice on related procedure in such cases. The Safe Church Committee shall appoint the membership of the Panel, from members of the committee plus co-opted members appointed under the provision of Rule 5.26.

21. Selection Committee

1. Title

There shall be a committee of the General Assembly entitled the Selection Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of seven members of the General Assembly, including a convener, nominated by the Code and General Administration Committee (naming a convener), published in the White Book and appointed by the General Assembly annually, two of whom shall be from non-metropolitan presbyteries.

3. Duties

The committee shall:

a) unless otherwise expressly provided for in the rules or regulations of the General Assembly, nominate to the General Assembly the members and conveners of all General Assembly committees (which term herein includes boards and councils) and publish these nominations in the White Book;

b) receive late nominations from committees after the publication of the White Book, provided that notice of these nominations has been given in writing to the convener not later than ten days prior to the day of the opening service of the General Assembly;

c) receive other such nominations made by committees and/or members of the General Assembly, provided that notice of these nominations has been given in writing to the convener not later than noon on Tuesday of the General Assembly and submit any such nominations for determination and appointment by ballot at 12:15pm on the Wednesday of the General Assembly;

d) as far as possible, consult with the committees concerned prior to nominating members and or conveners;

e) obtain, in the case of nominations of new members of any committee, if possible, the consent of nominees;

f) after consultation with the committee concerned, fill any casual vacancy on the committee or the convenership thereof up to the next meeting of the General Assembly;

g) ensure, whether nominations are made by the committee itself or by members of the General Assembly during the week the General Assembly meets, that except for those holding office 'ex officio':

   i) no minister shall be a member of more than four committees other than ad hoc committees;

   ii) for committees of eight or more members, there shall be a maximum of three members from a single charge;

   iii) for committees of seven or less members, there shall be a maximum of two members from a single charge;

h) where a ballot becomes necessary, mark the names of the retiring members of the committee concerned with an asterisk; and circulate to members of the Assembly a brief statement of the qualifications of all the nominees and their church affiliation prepared by the Assembly Clerk;

i) where directed by the General Assembly, nominate special committees, ad hoc committees and commissions;

j) when nominations are required for the position of Moderator-General:

   i) 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; and

   ii) submit names of nominees to the General Assembly for determination by ballot;

k) bring General Assembly of Australia committee or commission nominations to the General Assembly of Victoria for approval, or if necessary by reason of timing, make nominations on behalf of the Assembly;

l) revise nominations to meetings of the General Assembly of Australia in the following circumstances:

   i) the Moderator is nominated for a second term (i.e. is also Moderator Designate);

ii) the Moderator Designate is an elder;

iii) the number of 'Sanctioned Charges' in the Presbyterian Church of Victoria changes resulting in a differing number of commissioners being eligible under GAA 'Code' 1.4;

m) fill any vacancies or casual vacancies that may arise before any meeting of the General Assembly of Australia.

22. Social Services Committee

1. Title

There shall be a committee of the General Assembly entitled the Social Services Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of seven members, including a convener, appointed by the General Assembly.

3. Duties

The committee shall be responsible to the General Assembly for the planning, development, administration and oversight of all social service activities (other than Kirkbrae Presbyterian Homes) sanctioned by the General 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

4. Ineligibility of membership

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.

5. Congregations and social service activities

Any congregation of the church 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 and of the Trusts Corporation and the approval of the Social Services Committee before proceeding. The committee shall report to the General Assembly giving reasons for its approval or disapproval, and in the case of an approval stating the terms and conditions of such approval.

23. State News Committee

1. Title

There shall be a committee of the General Assembly entitled the State News Committee, hereafter referred to as the committee.

2. Membership

The committee shall consist of five members (at least two ministers), including a convener, appointed by the General Assembly.

3. Purpose

The committee shall from time to time produce a printed publication to inform and encourage the Presbyterian Church of Victoria, containing general news items as well as articles and viewpoints from individuals, congregations, committees or courts within the church and even beyond the church. Such items may be published when deemed by the committee to be of interest to the people of the church and pertinent to and supportive of the church's mission. Such items may also be published on the Presbyterian Church of Victoria website and through the Presbyterian Church of Victoria email list.

4. Quorum

Three members constitute a quorum for financial and policy-making purposes, or two members for editorial purposes.

5. Co-opted assistance

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.

6. Editorial oversight

Editorial oversight of the publication rests with the committee or with any other party nominated by the committee for that purpose. Notwithstanding the appointment of an editor, the ultimate responsibility for the content, presentation and publication remains with the committee.

7. Committee Appointments

The committee may appoint or contract, under the provision of Rule 5.32, according to need:

a) the Editor;

b) such other workers it considers to be necessary to achieve its purpose under regulation 3 above.

8. Advertising

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 a matter for periodic review, the committee shall decide to what extent advertising should contribute to offsetting the production costs of the publication.

9. Equipment

The committee may purchase any equipment (including computer software) it deems 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.

24. Theological Education Committee

1. Title

There shall be a committee of the General Assembly entitled the Theological Education Committee, hereafter referred to as the committee.

2. Membership

a) **Composition:** the committee shall consist of nine members:
   i) four Group A members, including a convener, who are members of the General Assembly at the time of appointment;
   ii) three Group B members, who are communicants of the church, who may also be members of the General Assembly; and
   iii) two Group C *ex officio* members, namely the Principal, and one Faculty member appointed by the Faculty, who may not vote except as provided for in regulation 8(b) below, and to whom clauses 2(b)–2(g) do not apply.

b) **Eligibility:** to be eligible for nomination, an individual must:
   i) be at least 18 years old;
   ii) consent to serve;
   iii) agree to support the Purpose of the Presbyterian Theological College and comply with the committee's regulations and policies; and
   iv) sign, as required by the committee, any forms associated with its membership policy including those concerning personal safety, child protection, criminal convictions, and conflicts of interest.

c) **Nomination:** in accordance with rule 5.23 and notwithstanding Selection Committee regulations 3(b) and 3(c), no nomination may be placed before the Assembly by the Selection Committee unless it has been received at least 30 days before the Assembly and the committee has been consulted.

d) **Appointment:** members including the convener are appointed:
   i) by the General Assembly, in accordance with rules 5.21–23; and
   ii) if a ballot is required, by absolute majority voting as provided for in Ballot Committee regulation 4(b)(ii).

e) **Term limit (members):** members serve five-year terms and may be reappointed once for a consecutive second five-year term, for a maximum of ten consecutive years unless the General Assembly grants an extension (see rule 5.25).

f) **Term limit (convener):** the convener shall not hold office for more than seven consecutive years unless the General Assembly grants an extension (see rule 5.24).

g) **Casual vacancies:** casual vacancies that arise between General Assemblies shall be filled by the Selection Committee after the committee has confirmed the suitability of the nominee.

h) **Induction:** new members shall be inducted following a procedure determined by the committee.

3. Ceasing to be a member

A person ceases to be a member of the committee:

a) **Resignation:** when the member:
   i) resigns by written notice to the committee (see rule 5.28); the resignation taking effect on the date specified in the notice or, if no date is specified, when the committee receives it; or
   ii) is absent from committee meetings for three months or three consecutive meetings without sufficient reason, and is accordingly considered to have resigned (see rule 5.27.2);

b) **Incapacity:** if the member dies, or is physically or mentally incapable of fulfilling the duties of member as determined by the committee;

c) **Disqualification:** if the member:
   i) no longer supports the Purpose of the Presbyterian Theological College or has failed to give a declaration or undertaking required by the committee;

ii) is convicted of an offence involving dishonesty, or of an offence punishable by imprisonment for 12 months or more;
iii) becomes bankrupt or enters a formal insolvency arrangement with creditors;
iv) is suspended or deposed from office under the Code of Discipline; or
v) ceases to be a communicant of the church; or

d) **Removal:** if the member is removed by resolution of the General Assembly, or of a body authorised by it to make such a resolution.

4. Duties

The committee shall:

a) provide and promote the best quality theological education;
b) govern the affairs of the Presbyterian Theological College (hereafter referred to as the College);
c) provide for the implementation of the courses of training of the General Assembly of Australia;
d) recommend and oversee candidates for the ministry of the Presbyterian Church of Australia;
e) report, with recommendations, to the General Assembly or its Commission on all matters concerning theological education and the affairs and wellbeing of the College;
f) oversee the appointment of the College Principal and lecturers and their terms of appointment;
g) employ staff for the College, as necessary;
h) seek and receive financial support from within the church and from other sources;
i) administer scholarships and bursaries; and
j) promote and make provision for the training of deacons and administer the funds of the former Diaconal Committee.

5. Office bearers

a) **Secretary and treasurer:** the committee shall annually appoint a secretary and a **treasurer** from its Groups A and B members.
b) **Other office bearers:** the committee may from time to time appoint such other office bearers as it may determine and terminate their appointments as it sees fit.
c) **Acting convener:** if the circumstances warrant, the convener may appoint a Group A member as acting convener.

6. Meetings

a) **Frequency:** the **committee** shall meet at least six times a year.
b) **Convening:** meetings are arranged by the secretary:
   i) at the request of the convener or acting convener; or
   ii) on the requisition of three or more members.
c) **Notice:** notice of a meeting shall be given to all members as follows:
   i) ordinarily, at least seven days; or
   ii) where the convener considers the business requires immediate action, one day, provided that two-thirds of the members consent to the shorter notice.
d) **Quorum:** the quorum for a meeting is three members drawn from Groups A and B (see rule 5.20.3(a)), one of whom shall be the convener or the acting convener.

7. Member payments

Committee members:

a) are not entitled to be paid any fees, remuneration, or honoraria for undertaking the ordinary duties of a member (see rule 5.30(b));
b) may be paid for:
   i) travel and expenses properly incurred for attendance at committee meetings or in the work of the committee; and
   ii) goods or services supplied to the College outside the scope of a member's ordinary duties; such payments shall be made:
      A. in good faith;
      B. when not contrary to relevant civil law;
      C. with prior committee approval; and

D. up to a fair and reasonable amount or at a rate more favourable to the College.

8. Candidates for the Ministry (see also rules 4.31, 4.34)

a) **Preparation:** a person contemplating candidating for the work of the office of the ministry of **word** and sacrament in the Presbyterian Church of Australia prepares for interview and assessment by the committee by:
   i) notifying his own minister;
   ii) conferring with the Principal at the College;
   iii) seeking the advice of the clerk of the presbytery having jurisdiction over him, who shall guide him in the preparation of any application he may choose to make for acceptance as a candidate for the office of the ministry.

b) **Voting:** Group C members may vote on all matters relating to the recommendation and oversight of candidates.

c) **Committee interview:** when a presbytery notifies the committee that it has approved such an application, the 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.

d) **Termination:** in the event of a candidate at any stage of his course proving himself unsatisfactory, the committee may institute proceedings with a view to the presbytery, acting in consultation with the committee, terminating his candidature.

9. Purpose of the College

The College exists to advance the Christian faith by training:

a) men for the ministry of the word and sacraments within the Presbyterian Church of Australia;
b) men for the eldership within the Presbyterian Church of Victoria;
c) men and women for diaconal and other Christian ministry and service within the Presbyterian Church of Australia and the Presbyterian Church of Victoria;
d) men and women for Christian ministry and service within churches other than those within the Presbyterian Church of Australia; and
e) men and women in the knowledge of the scriptures of the Old and New Testaments and Christian theology and practice;

only in accordance with:

f) the objective supernatural historic facts of Christianity, especially the Incarnation, the atoning life and death, and the resurrection and ascension of the Lord Jesus Christ, and his bestowment of his Holy Spirit;
g) the doctrinal standards of the Presbyterian Church of Australia;
h) the inerrancy of scripture as taught in the Westminster Confession of Faith; and
i) any training requirements of the General Assembly of the Presbyterian Church of Australia and the General Assembly of the Presbyterian Church of Victoria.

10. The Faculty

The Faculty consists of the Principal and the full-time lecturers, and shall:

a) be responsible for:
   i) the work of the classes, the oversight 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 College; and
   ii) ensuring that the regulations and decisions of the College Committee of the General Assembly of Australia are fulfilled; and

b) report:
   i) regularly through the Principal to the committee; and
   ii) annually to the General Assembly by means of an addendum to the committee report.

11. The Principal

a) **Duties:** the Principal shall:
   i) be a lecturer at the College;
   ii) shall have authority to preside over all meetings of the College;

iii) be responsible for the co-ordination of the work of the College;
iv) manage the College's finances within the approved budget;
v) undertake any responsibilities the committee delegates as the executive of the committee;
vi) represent the College to the church; and
vii) place the needs and claims of the College before the church as a whole.

b) **Vice-Principal:** the General Assembly may, on the recommendation of the committee and after consultation with the Faculty, appoint a Vice-Principal to act as deputy to the Principal.

c) **Acting Principal:** the committee may, if the circumstances warrant, appoint an Acting Principal from the Faculty.

12. Principal and lecturer appointments

a) **Principal and full-time lecturer appointments**

i) **Position description:** for the **appointment** of a Principal or a full-time lecturer, the committee shall secure the approval of the General Assembly of:
   A. a position description; and
   B. terms of appointment, including remuneration, accommodation, and benefits, and in accordance with any relevant employment award;

ii) **Search process:** the committee shall:
   A. call for applications by advertisement;
   B. consider the applications;
   C. consult the Faculty;
   D. satisfy itself that the recommended person will meet the requirements of any tertiary educational consortium of which the College is a member; and
   E. submit its recommendation together with any shortlisted applications to the General Assembly.

iii) **General Assembly appointment:** the General Assembly shall:
   A. determine whether to appoint the recommended person to the position;
   B. conduct the vote by ballot in accordance with Ballot Committee regulations; and
   C. if a motion to appoint is disapproved:
      1. direct the committee to call for further applications; and/or
      2. direct the committee to present a new position description for approval.

iv) **Initial term:** the initial appointment to a position shall be:
   A. ten years for a Principal;
   B. seven years for a full-time lecturer;
   or as otherwise permitted or required by civil law.

v) **Review:** before an appointment expires, the committee shall review the work of the appointee.
   A. The review shall normally take the form of personal interview(s) with the appointee, consultation with Faculty members (and, in the case of a lecturer, especially with the Principal), a review of any of his publications, and visitation in class to sample his teaching gifts.
   B. Following a satisfactory review and with the concurrence of the appointee, the committee shall recommend to the General Assembly that he be reappointed.

vi) **Subsequent term:** a subsequent appointment shall be for the same term, or such lesser period as may be negotiated, or as otherwise permitted or required by civil law.

b) **Part-time and casual lecturers**

For the appointment of part-time and casual lecturers, the committee shall:

i) **Process: determine** a position description and selection process;
ii) **Terms:** determine the terms of appointment subject to budgetary provision and in accordance with any relevant employment award;
iii) **Assembly appointment:** where a part-time position is half-time or above, submit its recommendation to the General Assembly, which shall:
   A. determine whether to appoint the recommended person to the position; and

B. conduct the vote by ballot in accordance with Ballot Committee regulations;

iv) **Committee appointment:** appoint part-time lecturers below half-time and casual lecturers, and may delegate this appointment authority to the Faculty.

13. Lecturer leave

a) **Professional development leave**: where professional development leave forms part of the terms of appointment of a lecturer, the committee shall be responsible for the administration connected with the taking of such leave.

b) **Long service leave**: the conditions and terms of long service leave for lecturers shall be the same as for ministers of the church 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.

14. Visit of the Moderator

During his term of office, the Moderator of the General Assembly shall visit the College to bring a message of encouragement from the General Assembly.

15. Budget

a) **Budget variation:** further to and notwithstanding Board of Investment and Finance (BIF) regulations 9(b)(ii) and 11(a), the committee may approve expenditure not included in the budget approved by the Commission of Assembly or General Assembly provided that the expenditure:

i) is funded:

A. by a reallocation of approved expenditure amounts;

B. from a forecast actual total surplus at the time of approval, where the expenditure does not reduce that surplus below $20,000; or

C. from a forecast trust surplus at the time of approval, where the expenditure does not exceed that surplus;

ii) does not create a new ongoing budget commitment;

iii) is not contrary to the terms of the trust, where financed by a trust;

iv) is consistent with the committee's regulations; and

v) is notified to the General Manager.

b) **Surplus allocation:** at the end of a financial year, the committee may allocate any actual total surplus to:

i) its existing trusts or funds, other than those for scholarships and bursaries; and/or

ii) new special development or project funds, the purposes of which are specified at the time of allocation;

provided that:

iii) the total surplus is not reduced below $20,000; and

iv) the allocation is notified to the General Manager.

16. Special Collections

The committee may annually recommend to Boards of Management the taking up of a special collection:

a) **Student support:** to fund **scholarships** and bursaries for students at the College; and

b) **College Sunday:** to support the work of the College;

such collections to be held in accordance with the *Presbyterian Trusts Act 1890* and used for the purposes for which they are collected.

17. Policies

a) **Constitutional Compendium:** the committee may compile and utilise a Constitutional Compendium document that consolidates constitutive rules and **regulations** together with such supplementary policies and procedures as the committee determines.

b) **Policy Register:** the committee may adopt and approve such policies and procedures for the governance and operation of the College as it determines or as required.

25. Women's Ministries Victoria Committee

1. Title

There shall be a committee of the General Assembly entitled the Women's Ministries Victoria Committee (the committee).

2. Membership

The committee shall consist of seven members including a convener, appointed by the General Assembly.

3. Purpose

The purpose of the committee is to support and grow women's ministries within the church, with women's ministries being defined as 'intentional gospel ministries by women to and for women', to assist women within the PCV to grow towards maturity in Christ, and to reach out to the community with the gospel and so strengthen the whole church.

4. Principles

The committee is committed to the complementarian view of Christian ministry, that men and women are created by God as equal in dignity and value to work together but with distinct roles in church and family life and in partnership as workers in the gospel for the maturing of the saints, the growing of the church and the furthering of the kingdom of God in the world, consistent with the *GAA Statement on Sex, Gender and Marriage* as adopted by the PCV (Blue Book 2019, min 67), and as contained in the WMPCA communication (GAA Blue Book 2024, min 131).

5. Duties

The committee shall:

a) promote the ministry of women on a complementarian basis;
b) provide, support and encourage ministry to nurture, disciple and encourage women in the Presbyterian Church of Victoria in the gospel;
c) provide training and support to the women of the church through conferences, resources (online and other resources) and events;
d) promote community among women in the PCV;
e) in association with the Presbyterian Theological College and METRO Committee, provide clear pathways for women in the PCV to develop their teaching, writing and other gifts for ministry;
f) assist women's organisations within the PCV to work together in training and equipping women for effective gospel ministries on a complementarian basis;
g) promote effective networking among women within the PCV;
h) support and resource women's ministries groups in congregations of the PCV;
i) provide a forum to discuss issues relevant to the place and role of women in the congregations of the PCV, women's ministry leaders, employed women's ministry workers and ministry wives;
j) oversee the employment of a Women's Ministries Facilitator and any other support persons employed by the committee from time to time.

6. Women's ministries support personnel

The committee may appoint:

a) a Women's Ministries Facilitator, who shall work under its direction to facilitate, develop and encourage women's ministries within the PCV;
b) such other persons as it sees fit to support the Women's Ministries Facilitator or the committee in its work.

Supplementary Policies and General Assembly Decisions

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1. Conflict of Interest Policy [Oct 2021, min. 92]

1. Purpose

The purpose of this policy is to enable the courts, committees, organisations, boards and congregations of the Presbyterian Church of Victoria (PCV) to effectively manage any actual, potential or perceived conflicts of interest in a way that is 'honourable not only in the Lord's sight but also in the sight of man' (2 Cor 8:21).

2. Scope

This policy applies:

a) to all persons under the jurisdiction of the PCV, especially in regard to their role as members or employees of courts, committees, organisations, boards or congregations of the PCV; and

b) in connection with all business of the PCV including, without limitation, all business conducted in responding to or arising from complaints of child sexual abuse.

3. Objectives

The objectives of this policy are to:

a) encourage the highest possible standards of honesty, transparency and integrity in every aspect of the life of the PCV;

b) guide courts, committees, organisations, boards and congregations of the PCV in the effective identification, disclosure and management of actual, potential or perceived conflicts of interest; and

c) honour God's name by guarding the reputation of the PCV in the eyes of the world and protecting the rights of all.

In order to ensure that these objectives are achieved:

d) individuals to whom this policy applies must:

   i) exhibit the highest possible standards of honesty, transparency and integrity;

   ii) act responsibly by disclosing the existence of all actual, potential or perceived conflicts of interest that may exist in relation to their work for the church; and

   iii) not make decisions for personal promotion or gain, or for the purpose of furthering another financial or non-financial interest.

e) courts, committees, organisations, boards and congregations of the PCV must:

   i) take cognisance of any conflict of interest, whether disclosed by any of its members or employees or otherwise determined by it; and

   ii) effectively manage any such conflict of interest in accordance with this policy.

4. Definition of conflict of interest

a) A conflict of interest arises where the interests of an individual are different from, and conflict with, the interests of a court, committee, organisation, board or congregation of the PCV of which the individual is a member or employee. A conflict of interest exists when it is likely that the individual could be influenced, or could be perceived to be influenced, by a personal interest in carrying out his or her duties, over and above the interests of the PCV. For the purposes of this policy, a reference to a conflict of interest (whether financial or other) includes:

   i) an actual conflict of interest;

   ii) a potential conflict of interest; and

   iii) an appearance of a conflict of interest (i.e. a perceived conflict of interest).

b) Personal interests which may give rise to a conflict of interest include direct interests, as well as the interests of family, or any other party (such as a friend, associate or organisation) with whom the person may be involved or to whom the person has loyalty or owes duty.

5. Policy statement

a) Every member or employee of a court, committee, organisation, board and congregation must ensure that any conflict of interest (defined above) is fully declared to the applicable entity.

b) Every court, committee, organisation, board and congregation where a conflict of interest has been declared or determined must:
   i) ensure that the conflict of interest does not interfere with the proper or fair outcome of the business of that entity;
   ii) manage the conflict of interest in accordance with this policy; and
   iii) respond to any breach of this policy according to church law.

6. Monitoring and review

The General Assembly shall monitor compliance with this policy throughout the PCV and review this policy on an annual basis to ensure that the policy is operating effectively. Until the establishment of a Risk Committee (or an alternate body for this purpose), the Clerks of Assembly, acting collectively, shall report to each General Assembly on the operation of this policy.

7. Managing conflicts of interest

A. Conflicts of interest of members or employees of a court, committee, organisation, board or congregation

a) Except where a conflict of interest has been declared by a conflicted person and he/she has voluntarily withdrawn from the meeting, once any conflict of interest has been declared or otherwise determined to exist (for example, after its being brought to light by a non-conflicted person), the court, committee, organisation, board or congregation, excluding the conflicted person, must decide whether or not the conflicted person is permitted to do any or all of the following:
   i) vote on the matter;
   ii) participate in any debate; and
   iii) be present during the debate and the voting.

b) Any decision taken under clause 7A(a) is to be by a majority of votes of those members of the court, committee, organisation, board or congregation present and entitled to vote at the meeting, excluding the conflicted person.

c) Any action under this clause including a declaration of a conflict of interest by a conflicted person and his/her voluntary withdrawal from a meeting and the result of any vote must be recorded in the minutes of the meeting.

B. Matters to be considered

For the purposes of a decision under clause 7A(a), the following must be considered:

a) determining what is right is to be followed rather than what is comfortable or expedient;

b) whether proper management of the conflict of interest demands the exclusion of the conflicted person;

c) the extent to which the conflict of interest may impair the conflicted person's capacity to impartially participate in decision-making or discharge their duties; and

d) the extent to which the conflicted person's participation may adversely affect PCV's reputation and the honour of God's name.

8. Matters relating to congregations

Within a congregational meeting there remains the possibility of a conflict of interest as defined by this policy, without limitation, in such matters as:

a) its approval of the annual financial statements, or appointment of an auditor during the regular business of the ACM; or

b) determining a Call or the Terms of Settlement, or its approval of a new construction proposal at a special meeting.

Congregations are advised to either invite prior to the meeting declarations of conflict of interest in writing from their members in relation to any item/s of business on the proposed agenda or to pause at the commencement of any meeting for the chairman to ask: 'Is there anyone who ought to declare a Conflict of Interest, as defined by the PCV Conflict of Interest Policy in relation to the business of this meeting?'

9. Matters relating to boards of management

Within a board of management meeting there remains the possibility of a conflict of interest as defined by this policy, without limitation in such matters as the counting and banking of plate offerings, awarding of contracts (whether big or small) to workers for jobs of repair, building or maintenance. In all matters, a board member must ensure that he/she:

a) does not make improper use of information acquired as a member;
b) does not divulge business to anyone outside board membership (rule 2.39.5); and
c) does not allow personal interests, or the interests of any family or associated persons, to conflict with the interests of the congregation or the PCV as a whole.

Boards of management are advised to either invite prior to the meeting declarations of conflict of interest in writing from their members in relation to any item/s of business on the proposed agenda or to pause at the commencement of any meeting for the chairman to ask: 'Is there any member of this board who ought to declare a Conflict of Interest, as defined by the PCV Conflict of Interest Policy in relation to the business of this meeting?'

10. Matters relating to courts of the church or their committees

Within the business of a court, commission or committee of the church there remains the possibility of a conflict of interest as defined by this policy relating to its business. While not being comprehensive or prescriptive, at least the following must be considered:

a) for a committee of the General Assembly, consider rule 5.30;
b) for a court of the church, a member must ensure that he/she:
    i) does not make improper use of information acquired as a member;
    ii) does not divulge business to anyone not present whenever meeting in private is determined (bearing in mind rule 3.9.1);
    iii) does not allow personal interests, or the interests of any family or associated persons, to conflict with the interests of the court or the PCV as a whole; and
    iv) does not take part in debate or vote whenever his own appointment or re-appointment (including licensing, call, induction, ordination) is being considered; but may take part in discussion if invited to do so by a unanimous decision by all other members of the meeting.

Courts and committees of the church are advised to either invite prior to the meeting declarations of conflict of interest in writing from their members in relation to any item/s of business on the proposed agenda or to pause at the commencement of any meeting for the moderator/chairman to ask: 'Is there any member of this meeting who ought to declare a Conflict of Interest, as defined by the PCV Conflict of Interest Policy in relation to the business of this meeting?'

11. Compliance with this policy

If a court, committee or board has a reason to believe that a person subject to the policy has failed to comply with it, it must investigate the circumstances. If it is found that this person has failed to disclose a conflict of interest, the court, committee or board may take appropriate action to remedy the situation. If a person suspects that a member of the court, committee, organisation, board or congregation has failed to disclose a conflict of interest, it is that person's responsibility to notify the moderator or chairman as soon as practicable.

2. Gifts, Benefits and Hospitality Policy [Oct 2022, min. 102]

1. Purpose

The purpose of this Policy is to guide General Assembly office bearers and committee members in receiving and giving gifts, benefits and hospitality in the performance of their duties.

2. Policy principles

a) General Assembly office bearers and committee members must:
   i) not solicit for themselves or others, gifts, benefits or hospitality;
   ii) not accept gifts, benefits or hospitality:
      - that could be perceived as influencing them in performing their duties; or
      - from persons with whom they are likely to make business decisions;
   iii) refuse all offers of gifts, benefits and hospitality which:
      - are money, items used in a similar way to money, or items easily converted to money;
      - may adversely affect their standing as a workplace participant or which may bring the PCV into disrepute; or
      - are non-token offers without a legitimate business benefit.
   iv) refuse bribes or inducements and report inducements and bribery attempts to the Clerk of Assembly or his delegate (who must report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission);
   v) ensure that when they provide any gift, benefit or hospitality:
      - it is provided for a business purpose of and in connection with the PCV or otherwise promotes and supports the interests of the PCV; and
      - any costs are proportionate to the benefits obtained for PCV and would be considered reasonable in terms of community expectations.
   vi) ensure that when they provide hospitality, individuals demonstrate professionalism in their conduct, and uphold their obligation to extend a duty of care to other participants.

b) conveners of General Assembly committees are accountable for:
   i) overseeing management of committee members' acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice; and
   ii) promoting awareness of this Policy among the members of their committees.

3. Definitions

In this Policy:

a) '**business associate'** means an individual or body with whom the church organisation has, or plans to establish, some form of business relationship;
b) '**benefit**' means any form of preferential treatment, privileged access favour, or other advantage offered to an individual (including but not limited to invitations to sporting, cultural or social events, access to discounts and loyalty programs or promises of a new job);
c) '**gift**' means a free or discounted item or service and any item or service that would generally be seen by the public as a gift;
d) '**hospitality**' means the friendly reception and entertainment of guests. This may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation;
e) '**legitimate business benefit'** means a gift, benefit or hospitality that may further the conduct of official business or other legitimate goals of the PCV;
f) '**register**' means a record of all declarable gifts, benefits and hospitality;
g) '**token offer**' means a gift, benefit or hospitality worth not more than $50;
h) '**non-token offer**' means a gift, benefit or hospitality worth more than $50.

4. Management of offers of gifts, benefits and hospitality

This section sets out the process for accepting and declining offers of gifts, benefits and hospitality by General Assembly office bearers and committee members and recording the same. Any exceptions to this process must have the prior written approval of the Clerk of Assembly or his delegate, or, where the Clerk is seeking an exception, the Deputy Clerk.

a) **Acceptance risks**

When deciding whether to accept an offer, individuals must first consider if the offer could be perceived as influencing them in performing their duties, or lead to reputational damage, taking into account that the more valuable the offer, the more likely that a risk exists.

Figure 1. GIFT test

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me? Could the person or organisation benefit from a decision I make?
I	Influence	Is he/she seeking to gain an advantage or influence my decisions or actions? Does its timing coincide with a decision I am about to make?
F	Favour	Is he/she seeking a favour in return for the gift, benefit or hospitality? Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust? What would my colleagues, family, friends or the general public think of this gift?

b) **Refusing offers**

Individuals must consider the GIFT test at Figure 1 and the requirements below to help decide whether to refuse an offer.

Individuals must refuse offers:

i) likely to influence them, or be perceived to influence them, in the course of their duties;

ii) which could bring them, their committee or the PCV into disrepute;

iii) made by a person or organisation about which they will likely make or influence a decision, particularly offers made:
- by a current or prospective supplier; or
- during a procurement or tender process by someone involved in the process.

iv) likely to be a bribe or inducement to make a decision or act in a particular way;

v) that extend to their relatives or friends;

vi) of money, or used in a similar way to money, or something easily converted to money;

vii) where, in relation to hospitality and events, their committee or the PCV will already be sufficiently represented to meet its business needs;

viii) where acceptance could be perceived as endorsement of a product or service, or acceptance would unfairly advantage the sponsor in future procurement decisions; or

ix) made in secret.

If an individual considers he or she has been offered a bribe or inducement, the offer must be reported to the Clerk of Assembly who must report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-corruption Commission.

c) **Accepting offers**

i) **Token offers**

Individuals may generally accept token offers without approval or declaring the offer on the General Assembly's register, as long as the offer does not influence them in performing their duties or is not likely to lead to reputational damage.

ii) **Non-token offers**

Individuals may only accept non-token offers if they have a legitimate business benefit. All accepted non-token offers must be approved in writing by the committee convener or Clerk of Assembly, recorded in the gifts, benefits and hospitality register and be consistent with the following requirements:

- it is not likely to influence them, or be perceived to influence them, in the course of their duties or have the potential to bring the individual, their committee or the PCV into disrepute; and
- there is a legitimate business reason for acceptance, it is offered in the course of the individual's official duties, relates to the individual's responsibilities and has a benefit to their committee or the PCV.

Individuals may be offered a non-token gift or hospitality where there is no opportunity to seek written approval from the convener of their committee or the Clerk of Assembly prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, the individual must seek approval within five business days. Where the gift could influence an individual, or be perceived to influence an individual, in the course of his or her duties, the committee convener or Clerk of Assembly (as the case may be) must either return the gift or transfer ownership to the PCV to mitigate this risk.

iii) **Recording non-token offers of gifts, benefits and hospitality**

All non-token offers, whether accepted or declined, must be recorded in the General Assembly's gifts, benefits and hospitality register. The business reason for accepting the non-token offer must be recorded in the register with sufficient detail to link the acceptance to the individual's work functions and benefit to their committee or to the PCV. Individuals must consider the following examples of acceptable and unacceptable levels of detail to be included in the General Assembly's register when recording the business reason:

Unacceptable

- 'Networking'
- 'Maintaining stakeholder relationships'

Acceptable

- 'Individual is responsible for evaluating and reporting on the outcomes of the committee's sponsorship of Event A. Individual attended Event A in an official capacity and reported back to the committee on the event.'
- 'Individual presented to a visiting international delegation. The delegation presented the individual with a cultural item worth an estimated $200. Declining the gift would have caused offence. The gift was accepted on behalf of the PCV.'

Access to the register is restricted on a need to access basis under the supervision of the Clerk of Assembly.

d) **Reporting by the Clerk of Assembly**

The Clerk must report annually to the General Assembly on the administration and quality control of this Policy and the register. The report must include analysis of gifts, benefits and hospitality risks (including multiple offers from the same source and offers from business associates), risk mitigation measures and any proposed improvements.

e) **Ownership of gifts given to individuals**

i) Non-token gifts with a legitimate business benefit accepted by an individual for his/her work or contribution may be retained by the individual where the gift is not likely to bring them or the PCV into disrepute, and where the Clerk of Assembly or their supervising committee has provided written approval.

ii) Official gifts or any gift of cultural significance or significant value must be transferred to the PCV.

f) **Repeat offers**

Given that repeat offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence an individual, individuals must refuse repeat offers from the same source if they may lead to reputational damage.

5. Management of the provision of gifts, benefits and hospitality

This section sets out the requirements for the provision of gifts, benefits and hospitality by General Assembly office bearers and committee members.

Figure 2. HOST test

H	Hospitality	To whom is the gift or hospitality being provided? Will recipients be external business associates, or individuals within the PCV?
O	Objectives	For what purpose will hospitality be provided? Is the hospitality being provided to further the conduct of official business and likely to promote and support the PCV's objectives?
S	Spend	Will church funds be spent? What type of hospitality will be provided? Will the costs incurred be proportionate to the benefits obtained?
T	Trust	Will public trust be enhanced or diminished? Could the rationale for providing the gift or hospitality be publicly explained? Have records in relation to it been kept in accordance with reporting and recording procedures?

Requirements for providing gifts, benefits and hospitality

Gifts, benefits and hospitality may be provided when welcoming guests, to facilitate the development of business relationships, to further church business outcomes and to celebrate achievements. When deciding whether to provide gifts, benefits or hospitality or the type of gift, benefit or hospitality to provide, individuals must ensure that:

a) any gift, benefit or hospitality provided furthers the conduct of official business or other legitimate church goals, or promotes and the interests of the PCV; and

b) any costs are proportionate to the benefits obtained for the PCV, and would be considered reasonable in terms of community expectations.

It is expected that the instances where gifts, benefits and hospitality may be provided would rarely arise. It is advisable to seek the prior approval of the Clerk of Assembly as far as is it is practical.

6. Reporting breaches of this Policy

Individuals who consider that gifts, benefits and hospitality by General Assembly office bearers or committee members may not have been declared or are not being appropriately managed must notify the Clerk of Assembly, or, where it involves the Clerk of Assembly, the Deputy Clerk. Individuals who believe they have observed corrupt conduct in their colleagues may also make a protected disclosure directly to the Independent Broad-based Anti-corruption Commission (IBAC).

7. Advice on the application of this Policy

Individuals unsure about accepting a gift benefit or hospitality or any other aspect of the application of this Policy should ask the Clerk of Assembly for advice.

3. Code of Conduct for members of the church in the context of the Change or Suppression (Conversion) Practices Prohibition Act [Oct 2023, min. 47]

1. Statement of faith

In adopting this Code of Conduct the Presbyterian Church of Victoria (the church) affirms that the gospel calls all people including those who are same-sex attracted or gender confused to salvation through repentance towards God and faith in the Lord Jesus Christ.

2. Purposes

The purposes of this Code of Conduct are to:

a) encourage members of the church to preach and teach the whole counsel of God, including in relation to sexuality and gender, with courage, boldness and wisdom;

b) assist members of the church to be faithful to the teaching of the church and wise in their witness to God's will for human flourishing in the areas of sexuality and gender in the context of the Change or Suppression (Conversion) Practices Prohibition Act 2021 (the Act);

c) minimise any risk to members of the church of their being subject to proceedings under the Act for their continued faithfulness to the Lord Jesus Christ and gospel of his grace and to be able to mount a reasoned defence if they are;

d) protect the church from possible consequences of ill-advised conduct by its members in these matters.

3. Definitions

Words and phrases in this Code have the following meaning:

a) the **Teaching of the church** is that set forth in the church's:

   i) **Supreme Standard**: the Scriptures of the Old and New Testaments; and

   ii) **Subordinate Standard**: the Westminster Confession of Faith (1646), as amended from time to time by the General Assembly of Australia, read in the light of the Declaratory Statement contained in the Basis of Union (1901); and

   iii) **subsidiary statements and codes;** including (but not limited to) the PCV Statement on Sex, Gender and Marriage, the PCV Safe Church Policy and the PCV Safe Church Code of Conduct as interpreted by the courts of the church.

b) **gender** describes the physical, social and psychological expression of a person's sex; gender is an expression of sex and is not independent of it.

c) **gender confusion** is where a person considers that their biological sex and/or associated physical characteristics do not align with their construct of gender identity.

d) **gender identity** is a theoretical concept that involves a person's subjective conception of self-identity that a person manifests in self-description, appearance, behaviour and mannerisms that may or may not correspond to the person's biological sex or to societal sex-based norms, expectations and stereotypes.

e) **marriage** is a union of a husband and a wife, to the exclusion of all others, voluntarily entered into for life, which for the good order of society is established by a public commitment.

f) **sex or biological sex** means the immutable biological identity of each person of either being male or female which is determined by a person's chromosomes (XX for female and XY for male~~s~~) and reproductive function.

g) **sexual attraction** means a person's sexual desire or attraction towards one or both sexes and is either heterosexual (opposite sex attraction), homosexual (same-sex attraction) or bisexual (attraction to both sexes).

h) **sexual orientation** means a person's subjective conception of identity based on their sexual attraction.

4. General principles

The general principles undergirding faithfulness to the teaching of the church in this context are:

a) every person who has saving faith in Christ, including persons whose personal trials and afflictions (form within or without) include same-sex attraction or gender confusion, is a

member of the Christian church, beloved by God as his child, and rightfully a loved member of a congregation;

b) holiness is the goal of the Christian life, not identifying as heterosexual or identifying with one's biological sex or entering into marriage;

c) every person must at all times be treated with respect, courtesy, compassion and thoughtful love as befits one made in the image of God;

d) the gospel commands of repentance towards God and faith in the Lord Jesus Christ for salvation are not medical advice or therapy intended to alter or change a person's sexual orientation or gender identity.

5. Setting an example

In order to reinforce preaching and teaching and especially preaching and teaching in relation to sexual expression, under this Code of Conduct every member of the church must:

a) commit themselves to living sexually pure lives, which means faithfulness in marriage and chastity if they are unmarried;

b) avoid all forms of pornography, acknowledging that sexual sin includes the indulging of lust in the heart and mind[1]; and

c) reject the hypocrisy that tolerates opposite sex sin while condemning same-sex sin.

6. Preaching and/or teaching

At all times and in all places:

a) preaching and/or teaching on sex, gender and marriage by any member of the church must be consistent with the teaching of the church and especially with the following affirmations of the church's Statement on Sex, Gender and Marriage:
   i) the only place for sexual activity is within marriage; and
   ii) all sexual activity outside marriage falls under the category of sexual immorality;

b) the preaching and/or teaching regarding sexual attraction and gender by members of the church must be consistent with the following affirmations:
   i) the goodness of God's creation and of sexual activity within marriage;
   ii) the corruption of human nature due to the Fall and our personal sinful rebellion against God and his holy law;
   iii) that God offers full and free forgiveness of every and any sin to every person upon condition of repentance towards God and faith in the Lord Jesus Christ;
   iv) that everyone who repents and believes is welcomed by God and has a place as his adopted child in the church; and
   v) that the command to repent and believe is also a call to follow the Lord Jesus in obedience to him in all things, including our thoughts, desires, words and actions in the areas of sexuality and gender;

c) the preaching and/or teaching regarding same-sex attraction for a believer by members of the church must be consistent with the following affirmations:
   i) that temptations to same-sex desires[2] or sexual activity are only some of the many temptations believers may face;
   ii) that the inclination to sin and our disordered desires are themselves sinful;
   iii) that temptation to a sin is not the same as engaging in the sin;
   iv) the teaching of the Westminster Confession of Faith on Sanctification[3]; and
   v) the scriptural assurance of forgiveness of sins.[4]

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[1] Matthew 5:27-30

[2] James 1:12-15

[3] PCA - Westminster Confession of Faith – Chapter 13 - Of Sanctification

[4] e.g. 1 John 1:5-10

7. Faithful Christian witness

Faithful Christian witness to persons regarding sexual attraction or gender confusion may sometimes require members of the church to bring the gospel commands of repentance and faith to individuals and/or to pray for individuals in terms that might within the loose definitions of the Act be considered change or suppression practices. The church does not accept that it is a breach of the Act to engage in a faithful Christian witness of these gospel commands to any person including those who experience same-sex attraction or gender confusion.

8. Wisdom in Christian witness

Wisdom in Christian witness to same-sex attracted or gender confused persons in the context of the Act means that:

a) prior to engaging in such witness, every member of the church must take every reasonable step to be well-informed in regard to the teaching of the church, the Act and to wise ways of presenting that teaching;

b) in bringing the gospel commands of repentance towards God and faith in the Lord Jesus to a person and/or praying for a person for whom gender identity or sexual orientation is known to be a relevant issue, every member of the church must:

  i) remember that as they encourage, exhort, admonish, rebuke, correct and seek to persuade from the scriptures they must rely on the inner transformative work of the Holy Spirit to bring about change and so reject the use of coercion or secret shameful ways[5]; and

  ii) in any discussion of sexuality or gender, make clear without necessarily using any form of words that change in sexual behaviour or gender expression is not the focus of Christian witness; rather the goal is to lead people to trust and obey the Lord Jesus Christ in all areas of life;

c) every member of the church with whom a conversation regarding sexual attraction and/or gender confusion is initiated must make every reasonable effort to discern whether the person initiating the conversation is a sincere seeker after truth, and:

  i) in the case of a sincere seeker:

    A. if the person is a believer, the member could gently and lovingly appeal to that person to do what they know God would have them do consistent with the teaching of the church; or

    B. if the person is not a believer, the member could gently and lovingly present the gospel in trustful dependence upon God; or

  ii) in the case of a person whose sincerity is not clear the member could state the teaching of the church on the matter without directing it at the person, pray privately for the person and leave the outcome in the hands of God;

d) every member of the church who holds a gospel conversation about sexual attraction and/or gender confusion (as in (b) or (c) above) that might give rise to an allegation of the exercise of a change or suppression practice as defined by the Act must:

  i) make as full a written record of the conversation as is possible, either during the conversation or immediately following it (or, if that is not possible, as soon as possible thereafter) preferably in the form set out in Appendix A of this Code of Conduct; and

  ii) retain that documentation as a confidential, secure and permanent record.

9. Counselling and pastoral care

Members of the church must:

a) when counselling unbelievers, present the teaching of the scriptures in such a way as to show that the focus of Christian witness is directed towards faith in the Lord Jesus Christ, to find in him forgiveness of sins and power to live an increasingly transformed life pleasing to God.

b) when counselling believers, present the commands of scripture in the context of the scriptural teaching of what it means for a believer to be 'in Christ' and the enabling and empowering work of the Holy Spirit, so as to make it clear that the believer is to work out his or her salvation because God is at work in them;

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[5] 2 Corinthians 4:1-2

provided that the principles in this Code of Conduct do not regulate the clinical practices of members of the church who are health care professionals.

Appendix A

PRESBYTERIAN CHURCH OF VICTORIA
SEXUALITY OR GENDER CONVERSATION RECORD

MEMBER 1:	DATE:
MEMBER 2	DATE:
PERSON:	TIME:

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1. Please give details of the sexuality and/or gender issue that arose with the above person.

2. Did you advise the person that you cannot provide medical advice, therapy or counselling about sexual orientation or gender identity? Did you advise that you are not trying to change or suppress the person's sexual orientation or gender identity? Give details.
   ☐ Yes ☐ No

3. Did you pray with the person about the gender and/or sexuality issue? Please give details.
   ☐ Yes ☐ No

4. Write down any other observations or concerns

Signed by:	Signed by:
Member 1	Member 2
Date:	Date:

Appendix B

Practices that the VEOHRC has advised would be considered illegal under the Act include:[6]

IMPORTANT NOTE: The PCV does not accept that these practices are in fact prohibited by the Act. However, the VEOHRC is the government body that oversees and enforces the Act and has prepared this list as guidance as to their interpretation of conduct that is prohibited under the Act. It is reasonable to expect that VEOHRC would use its powers (investigation, education, compulsion and sanction) against a person who they consider has engaged in this conduct.

- a religious leader meeting one-on-one and pressuring a member of their congregation to suppress and ignore their feelings of same-sex attraction by practising celibacy
- running a peer-to-peer support group designed to coach a person who is exploring their gender identity to accept the sex they were assigned at birth
- a psychiatrist stating to their adult patient that their gender identity is a mental illness and proposing a long-term treatment plan to maintain the sex they were assigned at birth, while withholding information about other services that will affirm the patient's gender identity
- a parent refusing to support their child's request for medical treatment that will enable them to prevent physical changes from puberty that do not align with the child's gender identity and denying their child access to any health care services that would affirm their child's gender identity
- an adult child repeatedly denigrating an elderly parent's sexual orientation, including by telling them it is wrong to be same-sex attracted and that they must change, or the adult child will no longer support them
- a person repeatedly leaving pamphlets in the mailbox of their trans neighbour that state that it is wrong to transition their gender and that everyone's gender expression should match the sex they were assigned at birth. The pamphlet includes contact details of programs and professionals who claim to be able to change a person's gender identity to the sex they were assigned at birth.
- a religious leader tells a member of their congregation that they will be excommunicated if they continue their same-sex relationship and prohibited from returning as long as that relationship continues
- a teacher telling a student that God does not accept them unless they keep the sex they were assigned at birth and dress accordingly, and offering to meet with the child weekly to counsel them on how to be acceptable to God
- a parent sending their child away from Victoria to a conversion therapy camp that makes a false claim that they can 'cure' the child of being gay.

[6] Have you experienced a change or suppression practice? | Victorian Equal Opportunity and Human Rights Commission

4. Protocols for the Support of Members Subject of a Complaint under the Change or Suppression (Conversion) Practices Prohibition Act and Their Families and Congregations [Oct 2022, min. 129]

1. General

The PCV will support as far as possible its members (communicants or adherents) who become subject of a complaint under the Act and their families and/or their congregations.

2. Eligibility

a) A member of the PCV who is subject to a complaint under the Act is eligible for support by the church provided that he or she:
   i) was a member of the PCV at the time of the alleged offence;
   ii) has complied with the PCV Code of Conduct on this issue; and
   iii) has satisfactorily completed the training offered by the PCV regarding bearing Christian witness in the context of the Act.

b) Notwithstanding the above, the Committee shall have the discretion to consider each application for support on its merits.

c) Eligibility for support shall be determined by the Change or Suppression (Conversion) Practices Prohibition Act 2021 Committee or by the General Assembly.

3. Support for members

a) An eligible member subject to a complaint under the Act is entitled to pastoral support from:
   i) their minister, or their session or presbytery; and/or
   ii) the Clerk of Assembly or his Deputy or the Assistant to the Clerks as appropriate and according to their availability; and
   iii) other gifted persons set apart by the Assembly for this purpose.

b) An eligible member subject to a complaint under the Act may be entitled to:
   i) legal support from and through the Law Agent; and/or
   ii) financial support towards any legal costs and any financial penalty or penalties imposed upon the member as a result of the complaint from funds set aside for this purpose by the General Assembly.

4. Support for families and congregations

Family members of an eligible member subject to a complaint under the Act and members of his or her congregation are entitled to the same pastoral support as is the member.

5. Accessing support

An eligible member subject to a complaint under the Act may apply to access support:

a) in the case of pastoral support, by application to his or her minister or the clerk of the relevant session or presbytery; and

b) in the case of legal and/or financial support, by application to the Assembly Clerk.

6. Allocation of legal and/or financial support

The allocation of legal and/or financial support to an eligible member subject to a complaint under the Act shall be determined by the Change or Suppression (Conversion) Practices Prohibition Act 2021 Committee, which must, in allocating such support, take into account:

a) the circumstances of the member and especially his or her ability to fund the demands placed upon him or her; and

b) the General Assembly funds available for this purpose.

5. Internet Presence and Email Use - Policy, Guidelines and Protocols [Oct 2016, min. 83]

POLICY

Preamble

God created the world and made us stewards of its resources. Then, during the history of redemption, he gives some of us certain resources to share the good news of his rescue plan with others. One historical incarnation of this allocation of resources is the Presbyterian Church of Victoria (PCV), including, for example, its office bearers, computers, websites and social media. In God's sovereignty, he has placed the PCV into 21st century Australia, where most people have some sort of access to the Internet and social media. In order to better present the good news of Jesus Christ online and in order to be better stewards of the various resources he has blessed us with, we have this policy governing our online presence.

1. The purpose of this policy is to govern our online presence and direct resources to that end.
2. The ultimate aim of this policy is to have an online presence that brings glory to God through making Jesus Christ known and being good stewards of our technological resources.
3. Online resources should be curated and organised in such a way that outsiders form a positive impression of the Presbyterian Church, while those inside the church have easy access to all necessary information.
4. An Online Coordinator is delegated by the Assembly to be responsible for implementing this policy, setting guidelines and protocols.
5. These guidelines include the PCV website, the PCV email news network, email addresses, social media and all the associated design and technical support requirements as well as job descriptions.
6. The protocols cover privacy, security and appropriate use of email addresses.
7. The Online Coordinator sets a budget and determines the content of the PCV website and social media.
8. The Online Coordinator is responsible for bringing that budget or any changes to this policy to the Assembly for approval.
9. The Online Coordinator works with the PCV Safe Church Facilitator and Privacy Officer to ensure these PCV protocols are up-to-date and appropriate.

GUIDELINES

The Online Coordinator, the Clerk of Assembly (GAV, 2014, min 66):

1. requests and allocates the budget (initial setup, annual maintenance, logo refresh, photography, design etc.);
2. has overall supervision of all tasks outlined below;
3. is finally responsible for implementation and adherence to the 'Policy' and 'Protocols';
4. may select and convene a task-force working group to advise and assist him.

Members of the task-force working group advising and assisting the Online Coordinator may be, from time to time:

1. Network Administrator: the technical behind-the-scenes person;
   a) manages:
      i) the email system;
      ii) PCV domain names and associated hosting;
      iii) troubleshooting of website and email;
      iv) security controls and procedures;
   b) reports regularly to the Online Coordinator.

2. Website and Social Media Publisher:
   a) updates the PCV website;
   b) organises for items to be published on Social Media by:
      i) keeping an events calendar up to date as information arises or as requested by the Clerks of Assembly;
      ii) updating the news section of the website with news and events relevant to the PCV;
      iii) ensuring all contact details and links are current;
      iv) soliciting and organising the publishing of content to social media;

c) reports regularly to the Online Coordinator.

3. PCV Email Network Operator:

a) operates the PCV Email Network according to the PCV Email Network protocol;
b) reports regularly to the Online Coordinator.

Additional persons, not necessarily part of the task-force working group:

a) Social Media Moderators:

There are currently four channels of Social Media, namely: Facebook, Twitter, You Tube and Google Plus:

a) the Online Coordinator designates a responsible person for each channel (this person could be a staff-member, minister or volunteer);
b) this person is then responsible for monitoring comments, publishing material as directed and referring inquiries or problems as they arise to the Online Coordinator.

b) Photographer, video editor, designer etc:

There will be persons who are requested to complete specific tasks, from time to time, as directed by the Online Coordinator.

Further Aspects and Definitions

Websites

Domain names owned by the PCV or connected to the PCV:

pcv.org.au
pcvic.org (owned by Michael Wharton, currently pointing to pcv.org.au)

Email

Office bearers are given exclusive access to an appropriate email address for the duration of their service. e.g. officeholder@pcv.org.au

All current ministers or home missionaries automatically receive a pcv.org.au email address, which either redirects to their current email address or is connected, if they have so requested, to a mailbox. e.g. fred.nurks@pcv.org.au

It is a requirement that office bearers and ministers / home missionaries by virtue of their role agree to and adhere to the Safe Church Policy and Privacy Policy of the PCV while using a pcv.org.au email address. All current ministers, home missionaries and office bearers who receive and send emails containing personally identifiable and/or sensitive information about individuals in the course of fulfilling their roles must use an email address that is not accessible to anyone other than themselves (for example, no shared email addresses with spouses are to be used by current ministers, home missionaries and office bearers when using email relating to personally identifiable and/or sensitive information about individuals). For a definition of 'personally identifiable and/or sensitive information', see section 1 of the PCV Privacy Policy.

Simple step by step set up instructions for those using a mailbox will be provided, on request:

1. that explain how Outlook or Mail can use the PCV email address;
2. that explain how users of Gmail or Yahoo can use the PCV email address.

Social Media

Facebook = the main portal of interaction for most people online;
Twitter = a rolling journalistic feed of information, useful during events;
You Tube = a place for posting training videos;
Google Plus = a less used and more technical social media feed.

Because these social media channels officially represent the PCV it is best for the content to come from a single source. However, comments will need moderation and inquiries will need responding to, so volunteer moderators will be needed to monitor each channel.

PCV Email network:

1. to receive and distribute information relevant to the PCV;
2. the Network Operator makes decisions as to whether submitted content is relevant and appropriate for distribution according to the PCV Email network Protocol, consulting with the Clerk of Assembly when necessary.

PROTOCOLS

1. Protocol for PCV Email Network (amended from GAV 2003, min. 82):

a) 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.
b) The operator shall ensure that the email distribution list is kept strictly private.
c) When a person joins the list, the operator shall send him or her a copy of this protocol by email.
d) Members can unsubscribe at any time by clicking on 'click here to unsubscribe' at the bottom of a list email.
e) The purpose of the list is to distribute information of general interest to members and friends of the church, including news from congregations, presbyteries and assembly committees concerning ordinations, inductions, special meetings and events etc.
f) Persons submitting items of a personal nature relating to other persons (for example, prayer requests, or change of contact details) must first obtain the prior approval of any persons named (or, if they are unable to give that consent, of their next of kin), and must then advise the operator that this approval has been obtained when submitting such items for distribution. Without this advice such items will not be distributed.
g) 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'.
h) Users are requested to avoid posts that are likely to be controversial. The network is for dissemination of information, not for debate.
i) 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.
j) All items must be approved by the operator. 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, who shall have the final say in what is posted.
k) Users should send messages as plain, unformatted text. 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.

2. PCV Email Protocol (for users of a PCV Email address)

User Responsibilities

When using the email or Social Media users must at all times:

a) Respect the privacy and personal rights of others.
b) Take all reasonable steps to ensure copyright is not infringed.
c) Take all reasonable care not to plagiarise another person's work; or defame another person.
d) Not forward or otherwise copy a personal email (except with permission of the author) or an email which contains personal information or an opinion about a person whose identity is apparent (except with permission of that person).
e) Not send forged messages, or obtain or use someone else's email address or password without proper authorisation.
f) Not send mass distribution bulk messages and/or advertising without direct approval of the Online Coordinator.
g) Not send SPAM (refer Relevant Australian Legislation). The user must ensure that the recipient(s) of the intended email have consented to receive such email(s).
h) Not harass, intimidate or threaten another person/s.
i) Not send sexually explicit material, even if it is believed that the receiver will not object. Remember, the intended receiver may not be the only person to access the communication.

j) Adhere to the PCV Safe Church practices as set out in PCV Safe Church Policy, Guidelines and Protocols document.

Standards Required When Using Email
Appropriate standards of civility should be used when using your official PCV email address to communicate with your colleagues, congregation or members of the public, or any other message recipients. When using the email or messaging system users must not send emails that violate PCV Safe Church practices. Email should not be assumed to be a private medium. Be conscious that anything you write in email can be forwarded (accidentally or otherwise), misaddressed or otherwise accessed by people it was not intended for.

Forwarding of Emails – Privacy and Ownership of Copyright
The PCV owns copyright in all email correspondence created by office holders in relation to their employment duties.

Copyright in work-related email will not be infringed by forwarding a message to another office holder or interested party on a need-to-know basis. However, care must be taken if an email contains personal information. Under the Privacy and Data Protection Act 2014 No.60 (VIC), 'Personal Information means information or an opinion, whether true or not, about a person whose identity is apparent'. This kind of information must not be forwarded or copied without prior permission from the person who is the subject of the personal information.

Copyright in a personal/non-work related email belongs to the writer of the message. A personal email must never be copied or forwarded without permission of the writer.

Copyright will be infringed if you send, without permission of the copyright owner, an audio or video file, music charts/lyrics, commercial photographs, journal article or report to another person using email.

Commercial Usage Prohibited
The private commercial use of your official PCV email address for email and messaging is not allowed. Email must not be used for private commercial purposes unless permission is granted by the Online Coordinator.

Forwarding of emails after contract expiry or end-date
Your official PCV email access will cease on expiration of employment with the PCV or office. An option to forward email to another external email account for professional or work-related reasons must be authorised by the Online Coordinator and shall not exceed 6 months.

PCV Social Media Protocol
The protocol that describes what type of content is posted and how comments are moderated on PCV Social Media Channels:

a) Appropriate content posted by PCV (e.g. articles, videos, links etc.) for social media is determined according to the PCV Internet Policy, Guidelines and Protocols document.
b) Comments are moderated according to PCV Safe Church and Privacy Policy and will be deleted if they are determined by the appointed Social Media Moderator as not upholding the ethos of the PCV.
c) Privacy – written permission (in either digital or paper format) from persons concerned is required before posting a public photo or video of them on social media. Personally identifiable and sensitive information relating to individuals (i.e. residential addresses, email addresses, phone numbers, date of birth, etc.) should not be made public without written permission (in either digital or paper format).
d) For further guidance, see the Safe Church Social Media Guidelines.

6. Relations with Other Religions [Oct 2009, min. 27]

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 min 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 min 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.

7. Equality Statement [Oct 2012, min. 27]

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.

8. Nomination Procedure for Moderator-Designate

1. Nomination

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.

2. Consent

In making their nominations the presbytery will obtain the consent of the persons to be nominated.

3. Notification

The Clerk of Assembly will notify the Commission of Assembly of the persons nominated and prepare an appropriate ballot paper.

4. Election of Moderator-Designate

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.

5. Nomination inoperative

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.

6. Expenses for Moderator

The 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.

7. Robes of Moderator

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.

9. Property Development Fund Regulations

1. Title

There shall be a fund called the Property Development Fund (the Fund).

2. Fund administration

The Fund shall be administered by the Church Planting Committee (the committee).

3. Purpose

The purpose of the fund shall be:

a) to fund the purchase of meeting places and manses on behalf of newly established congregations; and

b) to fund the purchase of property on behalf of the committee where the establishment of a congregation is reasonably anticipated; with such property to be held under the provisions of the Model Trust Deeds as may be applicable in a manner consistent with the Code.

4. Use of the Fund for the purchase of property

Monies in the Fund may be applied towards the purchase of property on behalf of the committee provided that:

a) in planning the purchase the committee acts in consultation with the presbytery;

b) the committee reasonably anticipates the establishment of a congregation in the area in which the property is located; and

c) the presbytery has approved expansion in that area.

10. Memorandum of Understanding – Employment of METRO trainees [Oct 2024, min. 59.6]

Memorandum of Understanding (**MOU**)
Between
The Presbyterian Church of Victoria of 156 Collins Street Melbourne VIC 3000 (PCV)
and
MTS Limited of Suite 5.40, Level 5,34 Macmahon Street Hurstville NSW 2220 (MTS)

This MOU supersedes all existing MOUs signed between PCV (including the METRO Committee of the PCV) and MTS Limited

1. Purpose

a. The PCV, and MTS each desire to further develop the training of gospel workers through ministry apprenticeships and the sharing of resources, for the vital task of gospel ministry;

b. PCV currently undertakes this endeavour through the METRO Committee (Ministry, Equipping, Training and Recruiting Organisation) of the PCV **(METRO)**. Through METRO, PCV appoints ministry apprentices **(METRO Apprentices)**;

c. This MOU is intended to facilitate a partnership between MTS and PCV whereby, under the terms set out in this MOU, MTS will provide to PCV access to its Apprentice Pathways Training Program **(the Program)** to enable the PCV to prepare METRO apprentices for ministries within the PCV and beyond.

d. The National Director of MTS and the Convener of METRO have been authorised by MTS and PCV respectively, to enter into this MOU and to act on their behalf in relation to all matters arising under this MOU.

e. MTS and PCV will use their best endeavours to ensure that the matters agreed upon and specified in this MOU are supported and implemented.

f. This MOU allows the parties to work in partnership and draws on the parties' experience and support networks to further this significant gospel initiative.

2. Initiative

a. MTS grants to PCV for the term of this MOU, the right to access and use the Program for training and equipping men and women to be grown in the areas of personal godliness, theological reflection & ministry skills.

b. The rights attaching to the grant set out in clause 2a are subject to the following conditions:
   i PCV maintains its autonomy over the application process for and appointment of METRO Apprentices.
   ii It will not be compulsory for METRO Apprentices to attend MTS apprentice training days, annual apprentice conference (GB) and annual recruiting conference however PCV will look to take advantage of and promote the MTS apprentice training days, annual apprentice conference (G8) and the annual recruiting conference and will encourage METRO Apprentices to participate in such events.
   iii PCV will appoint its own coaches *I* apprentice trainers **(METRO Trainers)** and will require that any METRO Trainers adhere to the MTS coaching / apprentice training framework as set out in the Program.
   iv PCV is permitted to promote *Presbyterian Theological College of Victoria* at MTS events as mutually agreed with the MTS National Director from time to time.
   v PCV will encourage METRO Apprentices into ministry within the Presbyterian Church as

appropriate.

c. MTS grants to PCV for the term of this MOU, the right to access its 'Passing the Baton Workshops' free of charge together with other MTS online training resources.

d. Where appropriate PCV is permitted to promote the METRO apprenticeship program at events at which MTS is also present.

e. MTS will establish and maintain tax-deductible and non-tax-deductible gift funds dedicated for the receipt of monies for the sponsorship and support of METRO Apprentices.

f. MTS will provide receipts to donors and maintain detailed financial records of all donations received in connection with the sponsorship and support of METRO Apprentices and report these to PCV on a monthly basis.

g. MTS will manage scholarship payments to METRO Apprentices through an industry standard payroll system in accordance with a payment schedule agreed between the parties and the respective METRO Apprentices.

3. Funding and Term

a. This MOU will commence on 1 January 2025 and will continue in effect for a term of sixty (60) months **(Term).**

b. PCV will make a Marketing Support contribution to MTS of $5,000 per annum **(Contribution)**, payable in the following instalments in each year of the Term:
   i. $2,500 on or before 30 May; and
   ii. $2,500 on or before 31 October
   or as may otherwise be agreed between the parties from time to time.

c. The Term may be extended by the parties' mutual agreement in writing. In the event that the Term is extended in accordance with this clause 3c PCV would contribute to MTS for resources used if required.

d. Either party may elect to end this MOU on the giving of 3 months' written notice. If the MOU is ended in accordance with this clause 3d:
   i. Any instalment of the Contribution due on or before the MOU is ended remain due and payable in accordance with this MOU;
   by notice given by MTS, then PCV is permitted access to such of the Program as may be critically necessary for the PCV to maintain its METRO apprenticeship program.
   any and all monies held by MTS to the credit of PCV in the gift funds provided for under this MOU, to the extent that such monies are not payable to MTS under this MOU, must be remitted to PCV to be applied by the PCV to the METRO apprenticeship program

e. This MOU may be varied only by written agreement between the parties.

f. The parties will conduct a review of the partnership established by this MOU on or around twenty four (24) months after its commencement to be arranged by mutual agreement.

_____
Signed:
Date:
Convener
METRO
for and on behalf of PCV

_____
Signed:
Date:

Ben Pfahlert
National Director
for and on behalf of MTS Limited

11. Policy: Recording deaths and jubilees [Oct 2021, min. 99]

1. Determine that in the matter of recording ministerial and elders deaths in the opening session of each General Assembly, the acceptance of such names for a memorial minute shall be determined by the following principles:
   a) a minister or home missionary who has served in paid pastoral work within the PCV;
   b) an elder who has served for a significant time as a member of the General Assembly and his or her name is submitted to the Clerk of Assembly 30 days prior to the meeting and only upon recommendation of the presbytery of the bounds.
2. Determine that in the matter of recording jubilees and other milestones in the lives of ministers, home missionaries, and elders in the opening session of each General Assembly, the acceptance of such names for mention shall be determined by the following principles:
   a) a person's length of service shall be not less than 40 years, following the pattern of 40, 50, 60, etc (commonly called 'noughty' celebrations) unless for exceptional or compassionate reasons;
   b) the person is willing to be present at the Assembly meeting unless for exceptional or compassionate reasons;
   c) the person's name is submitted to the Clerk of Assembly 30 days prior to the meeting and only upon recommendation of the presbytery of the bounds.

12. Sex, Gender and Marriage Statement [Oct 2023, min. 33]

1. Preamble

The Presbyterian Church of Australia seeks to be faithful to God by holding to the teaching of Scripture in faith and life. Our Subordinate Standard affirms the biblical teaching that God created us male and female (WCF 4.2) and that marriage is to be between one man and one woman (WCF 24.1). This statement presents the Church's understanding of humanity in relation to sex, marriage and gender, based on the teaching of Scripture.

This statement uses the terms 'sex' and 'gender' as is common in contemporary discussion. Sex is the binary differentiation of humans as male or female by chromosomes, hormones and the reproductive organs which makes possible reproduction. Gender refers to a person's self-understanding, social identity and social presentation. The position of this statement is that a person's gender should be determined by their sex.

In this statement the Church:

- expresses its joy in God our Creator and his good order of creation;
- expresses its grief over the effects of our Fall into sin in distorting God's good order;
- expresses its faith in the Lord Jesus Christ our Redeemer and Saviour;
- expresses its hope in God's promise of a new creation in which righteousness dwells; and
- reaffirms its commitment to serving Christ, his church and his world in the area of sex, gender and marriage.

2. We rejoice in God our Creator and his good order of creation

2.1 All people are made in God's image (Gen 1:26-27; Declaratory Statement §4) and have a common dignity and worth. No one should be mocked, hated, or bullied.

2.2 God established a good order in his creation (WCF 5.1) in which humans were either male or female (Gen 1:27; 5:2; WCF 5.2), sharing a common humanity (Gen 2:23), but distinguished biologically through their capacity to conceive children together through sexual intercourse (Gen 2:24; 4:1). These differences should be recognised and celebrated. Men and women are equally created in God's image and are to express their gender in complementary relationships, especially in a loving marriage (Gen 2:18; Deut 22:5; 1Co 11:14-15; Eph 5:22-33; Col 3:18-21; 1 Tim 2:12-14) and also within leadership in the household of God (1 Cor 14:29–35; 1 Tim 2:11–3:7; Titus 1:6–9).

2.3 In God's good order, human beings have been created with a biological sex (male or female) with different genetic, chromosomal and anatomical characteristics (Gen 1:27; 2:24; 4:1; WCF 5.2) which determines gender identity (self-recognition of being either a man or a woman) and gendered roles in relationships (for example being either a husband or a wife, Gen 2:24-25). While the Bible does not closely prescribe expression of gender (for example tastes, clothing, personality traits etc), Christians should express themselves in godly ways which do not mislead others in their culture as to their sex and gender (Deut 22:5; 1 Cor 11: 2-16).

2.4 Marriage is a union of a husband and a wife, to the exclusion of all others, voluntarily entered into for life (WCF 24.1), which for the good order of society is established by a public commitment. It is a sign of the love that exists between Christ and his church (Eph. 5:24–33). The purpose of marriage is lifelong love, intimacy and companionship, to provide the most favourable and stable environment to reproduce and nurture children, and to promote the health and stability of society (Gen 2:18; Ecc 4:9-11; Deut 6:1-7; Eph 6:1-4; Prov14:1; Pss 127 & 128; WCF 24.2). In the unity and partnership of marriage the husband is the head of the wife. A husband is to love his wife as Christ loved the church, and a wife is to submit to her husband (Gen 2:18; Eph 5:21–30). Marriage is the only proper setting for sexual activity. It is the divinely ordained environment for the raising and nurturing of children.

2.5 Married couples are commanded by God to be faithful. All sexual activity outside of marriage is prohibited (Ex 20:14; 22:19; Lev 19:29; Deut 5:18; 22:13-21; 1Co 6:9-10; Heb 13:4; Rev 21:8; 22:15), as is abuse and violence within marriage (1 Pet 3:7). Divorce is prohibited, except on proper grounds (Mal 2:15; Mt 19:4-8; Mk 10:6-9; 1Co 7:10-14; WCF 24.5-6).

3. We mourn the effects of the Fall and our own sin as they distort God's good order

3.1 The fall of Adam rendered all humanity guilty and subject to God's eternal punishment (Rom 5:12-19). It corrupted us and the created order. 'Our first parents … fell from their original righteousness and communion with God, and so became dead in sin, and wholly defiled in all the faculties and parts of

soul and body', and 'the same death in sin and corrupted nature' was 'conveyed to all their posterity descending from them by ordinary generation' (WCF 6.1-3). As a consequence, all humans turn away from God, refuse to obey him, and worship created things instead (Rom 1:25) — including marriage and sexual experiences — and seek to establish sexual and gender identities apart from God and his order (Rom 1:26-27). All humans face struggle, distress and distortion in our experiences of gender and sexuality and marriage.

3.2 From the Fall, human sin and God's curse have disordered and frustrated God's good creation pattern (Gen 3:14-19; Rom 8:19-21). Humans have sought to make sense of their world and establish their identities apart from God (Prov 1:7; 12:23; Rom 1:21-29; 7:5,14-18; Eph 4:22). Relationships between husband and wife are spoiled (Gen 3:7,12,16; 4:19,23), spouses are abusive and unfaithful in marriage and marriages end in divorce (Dt 21:13-14; Mal 2:10-16; Mt 19:4-8; 1Co 7:10 -14). Women are oppressed (Ge 34:7-31; Deut 22:28–29; Jdg 19:22-20:7; 2Sa 13:1-32; Zec 14:2; 1 Pet 3:7). Polygamy and polyandry are both corruptions of God's good pattern of marriage (Gen 4:19; 29:30; 30:1; Dt 21:15-17; 17:17; 1 Ki 16:31; 1Co 7:2; 1Ti 3:2). Men and women are tempted to, and participate in, sexual immorality (Ge 39:6-12; 2Sa 11:2-5; Mt 5:27-28; 1 Pe 4:3; 2 Pe 2:14-18) including, adultery (Ex 20:14; Lev 18:20; Dt 5:18; Pr 22:14; 30:20; Mt 19:18; Jas 2:11), pre-marital sex (Dt 22:13-21, 23; Matt 1:19;), polyamory, homosexual sex (Lev 18:22; 20:13; Rom 1:18-32; 1 Cor 6:9-10; 1 Tim 1:9-10), incest (Lev 18:6-18; 20:17,19; Dt 22:30; 27:20,22-23; Eze 22:11), and rape (Ge 19:4-9; Dt 22:25-29; Lev 18:22; 20:13; Jdg 19:22-28; 20:4-5; 2 Sa 13:14-20). A further effect of sin is that men and women transgress the boundaries of their sex (Deut 22:5; 1 Cor 6:9; 1 Cor 11:4-5, 13-15).

3.3 One consequence of the Fall is that some people are born with conditions in which their sex organs are not easily characterised as either male or female, or their sex organs are not consistent with their sex chromosomes (sometimes called intersex conditions or disorders of sex development). These are often physically uncomfortable and emotionally distressing conditions.

3.4 A further consequence of the Fall is that some people experience their gender to be different to their sex (sometimes called gender incongruence, gender identity disorder or gender dysphoria). This is often a very distressing and confusing experience.

3.5 People who suffer from these conditions and experiences are equally made in God's image and share in the common dignity and worth of all human beings. However, these conditions do not constitute a third sex or gender, nor do they contradict the truth that in his originally good creation, God has established a binary sexual order for human beings. Binary biological sex remains the basis on which we understand these experiences.

3.6 All forms of sexual immorality are sin, as is marital unfaithfulness through violence, or desertion. Jesus condemns all sexual immorality, teaching that sin begins prior to any such act, in the corruption of heart and eye (2 Sam 11) with a lustful, covetous look, a redirecting of desires, emotions and fantasies (Matt 5:27-28; Prov 6:23-29; Jer 5:8).

3.7 People are tempted to turn from God's good order and break his commands in all aspects of sexual life and gender, as is the case in all other areas of human life after the Fall. Temptations to sin can arise externally to ourselves, as Jesus experienced (Matt 4:1-11). For all fallen human beings, temptations also arise from their sinful nature and external temptations appeal to their corrupted desires. The corrupted nature and all the covetous desires that proceed from it, including involuntary or pre-conscious attractions towards ends contrary to God's law, are truly and properly sin and we are culpable for them (2 Peter 3:3; 1 Jn 2:16-17; WCF 6:4-6). We are all prone to living out these sinful desires in thought, word and deed (Jam 1:13-15). All sexual temptations are to be resisted and are desires which should be mortified (Gal 5:24). There is a pastorally significant moral difference between experiencing sinful desires and seeking to mortify them, as opposed to cultivating desires into actions (James 1:14-15).

3.8 Christians who do not struggle with gender incongruence or same-sex attraction can possess unwarranted self-righteousness ignoring their own sinful desires, their need to repent and their need for mercy in Christ. Everyone's expression of sexuality and gender has sinful aspects, and all desire for sexual activity outside the boundaries of marriage is illicit.

3.9 Modern Western culture has developed in a framework in which God is not relevant to understanding the world or shaping ethics. This has promoted a culture which views each person as free to determine their own identity and moral framework; and assumes that diversity, including gender and sexual diversity, is a good in itself; and that pleasure and comfort are primary. This culture does not acknowledge the existence of God's good creational order and often celebrates changes which

transgress that order. It also presents temptations through sexualised advertising, pornography and social pressures in friendships and in employment and educational contexts.

3.10 The church, in seeking to teach and apply the biblical view of sex, gender and marriage has often failed to acknowledge our own sin and has caused undue hurt. We have failed to adequately understand the struggles of others; and, in doing so, have prevented the gospel being heard by those who, like us, are in desperate need of salvation and secure identity in Christ. As a church we are accountable to the Lord Jesus for our treatment of others, especially those who are young in the faith (Matt 18:6; 1 Pet 4:17).

4. We look to Christ for redemption, proclaim him as Lord and Saviour and seek to live for him in ways consistent with God's good order

4.1 In his incarnation, God the Son took on human nature to redeem people from sin, to heal them from corruption and reconcile them to God, and to restore God's good order to creation. He achieved this by his life, death, resurrection and ascension (Jn 3:16-21; Eph 1:3-10; 1 Pet 1:1-9; WCF 8).

4.2 The gospel, which proclaims Christ as the Saviour for all who trust him, is offered to all people (Isa 57:19; Acts 2:39; Rom 1:5; 3:24; 1 Tim 2:4). Everyone who comes to Christ is welcomed by him and included in his salvation (John 6:37). In Christ, his people find their true humanity and a new identity, irrespective of their gender, sexuality, marital status, family background, social status or ethnicity. They are restored to the image of God in Christ and united with each other in him (Rom 10:12; 1Co 12:13; Gal 2:20; Eph 2:10, 15; 4:22-24; Col 3:10-11). Christ is the answer to the underlying problems for all people — including those facing sexual temptation, the consequences of sexual sin, broken and difficult marriages, loneliness, shame, and gender confusion.

4.3 Christ calls all people, though lost in sin, to come to him to be reconciled to God and discover their true humanity in his service. By his Spirit working through his Word and prayer, God draws sinners to him, transforming our rebellion into love and reordering our desires and deeds to conform to Christ. By his Spirit, he enables us to grieve and hate our sinful nature and to recognise and repent of particular sins, particularly (Lk 3:10-14; Rom 8:3-9; WCF 10.1, 13.1, 15.5). Truthfully and humbly naming sin and calling people to repentance are not harmful because of God's gracious mercy and the sanctifying power and promised fullness of life in Christ (John 10:10; Acts 2:38, 2 Cor 7:10).

4.4 By his Spirit, all believers must struggle against sin and constantly turn to Christ, putting to death the sinful nature with its particular sins (Rom 6:11-14; WCF 13, 15:5). The Spirit helps us to humbly speak the truth in love and encourage one another to grow in Christ (Eph 4:15-16). We should exercise wisdom in choosing language that articulates the truth about ourselves, naming our sins but not being named by them (1 Cor. 6:9–11). Christians should flee sin (Gen 39:6b-12; Matt 5:27-30; 1 Cor 6:18; Rom 6:11-12; 1 Pet 1:14; 2:11), and hence be careful to avoid legitimising sin by using descriptions that either downplay or even celebrate temptation.

4.5 God does not promise to heal all broken bodies or human relationships, nor to end temptation, nor remove homosexual attraction, gender confusion or other burdens in this life. Neither does he say that sinful desires are fixed and can never be changed. He promises that, because we are his chosen, redeemed and sanctified children, his grace will be sufficient in all our trials (2 Cor. 12:9) and his Spirit will bear rich fruit in every aspect of our lives (Gal 5:13-25). He also promises that on the return of Christ all his people will receive resurrected and restored bodies and enjoy full communion with him in a world of righteousness freed from curse and frustration (Rom 8:20-24; 2 Pet 3:13; Rev 21:1-5).

4.6 An unmarried person who is a follower of Jesus Christ is called to live faithfully for him in chastity. Singleness is a proper and honourable Christian calling, since it was the calling of the Lord Jesus himself (Matt 19:12; 1 Cor. 7:32–35; 1 Tim 5:5).

4.7 Married couples who follow Jesus Christ are called to live together faithfully as husband and wife, loving and serving one another. Husbands are to love their wives as Christ loved the church, and wives are to submit to their husbands (Col. 3:18–19; Eph. 5:22–33; Tit 2:4-5; 1 Pet 3:1-7). Parents are to love their children and raise them in the training and instruction of the Lord (Gen 18:19; Deut 6:7; Col 3:21; Eph 6:4). Children are to honour and obey their parents (Ex 20:12; Deut 5:16; Pr 6:20; Col 3:20; Eph 6:1-2).

4.8 An intersex person who is a follower of Jesus Christ should embrace their biological sex insofar as it may be known. Surgical treatment to enable this may be appropriate, though it is not morally necessary.

4.9 A person who experiences gender incongruence and who is a follower of Jesus Christ should accept their body as inherent to their personhood, given to them by God, and seek to reconcile their understanding and presentation of their gender according to this fundamental truth. Learning to live consistently with this may be an on-going and difficult process, yet, as with all Christians, their union with Christ through his Spirit will lead them to grow in grace.

4.10 Both the desire for, and the act of, sexual relations with a person of the same sex are sinful (Romans 1:26-27; 1 Cor 6:9-11). Such desires should be rejected and mortified, as a Christian seeks "to put on the new self, created to be like God in true righteousness and holiness" (Eph 4:24). The good news for those who experience same-sex attraction (as indeed for all sexual sinners) is that in Christ they can be known and identified not according to their sexual impulses but as beloved children of God, forgiven and justified, freed from guilt and shame, set apart for growth in Christlikeness and good works, secure in resurrection life, and precious brothers and sisters in Christ.

4.11 Faithful proclamation of the gospel requires the church to give a clear public witness in word and action to the righteousness of God, the nature and consequences of human sin, including its impact on the curse and frustration of the fallen creation, and God's free offer of grace in the Lord Jesus (Jn 16:8; Acts 2:23, 17:16-17, 30-31; Rom 1:18-3:20). The church presents God's good order and his moral law to the wider society, in part for the sake of the common good which is promoted by a recognition of the moral law. The church is not called to provide moral discipline for society (1 Cor 5:9–10), nor to seek moral reformation of society apart from gospel ministry. The priority of its mission is to proclaim Christ and to call people to salvation in him.

5. We live in eager expectation of God's new creation

5.1. The Lord has promised at his return a new creation where righteousness will dwell, and his people will enjoy glorious freedom in his presence, and he will wipe away all their tears (Rom 8:21; 2 Pet 3:13; Rev 21:1-5; WCF 33.2). So, we live in hope, longing for and praying for the day when we shall be fully conformed to Christ and the created order will be gloriously transformed, healed of all disorder and corruption. In the presence of the Triune God, God's people will be given the fullness of their new identity in Christ (1 Cor 13:12; 1 John 3:2; Rev 22:4-5).

5.2. In the new creation, marriage and sexuality will reach their fulfillment in the marriage of Christ the lamb to his people (Rev 19:7; 21:2). Jesus declares there will be no marriage at the resurrection, which means that marriage is temporal, and not an 'ultimate' relationship for humanity, but one that points to this ultimate fulfillment (Matt 22:30). We do not know the details of how bodies will be transformed and how that will reflect sex or intersex conditions. The bodies of God's people will be glorified and made to be like Christ (1 Cor. 15:35–53; Phil 3:20-21; 1 Jn 3:2).

5.3. Only then will God's people be freed from temptation and able to love him perfectly and freely (WCF 9.5).

6. We commit ourselves to serving Christ, his church and his world in the area of sex, marriage and gender

6.1. As the Church addresses issues of sex, gender and marriage in its teaching and pastoral ministry it should teach and act in consistency with the understanding set out in this statement in prayerful dependence upon the Holy Spirit.

6.2. It is important to differentiate between cultural trends and movements, and the situation of individuals. The Church should identify for its members, and for the society, false views about marriage, sex and gender. It should do so in a way that is gracious, compassionate and engaging, and which offers life lived for Christ as a genuine alternative. It should treat those who are influenced by these movements as victims in need of compassion and, like all people, sinners in need of repentance. The Church should remain sensitive to congregation members who may struggle with gender or sexuality issues.

6.3. The deeply personal nature of sex, gender and marriage makes teaching about these areas, and the provision of pastoral care, particularly complex. We should seek to be informed as well as possible, to welcome advice from those with relevant personal and professional experience and constantly to seek wisdom from the Lord.

6.4. Good pastoral care will involve determining with those concerned, in light of the teaching of Scripture, how they can live faithfully in Christ. It will involve supporting them in this and, in love, holding them accountable for their actions. It may involve helping them access the services of appropriate professionals who should share a view of sex, gender and marriage consistent with this statement.

6.5. We should seek to build churches in which people of all ages grow together in the gospel, and which share the gospel of God's love in Christ. Our churches should aim to reinforce, enrich and model identity in Christ in contrast to the idolatrous identities of the world. Churches should seek to model faithfulness in marriage and singleness, and to support single people, couples moving toward marriage and married couples to live godly lives and to serve Christ together. The Church should be a community in which people can be honest about their temptations and pain and receive compassionate support from fellow believers as they seek to live faithfully.

6.6. The Church teaches that a marriage can only end in divorce when the marriage covenant is broken (Matt. 19:3–9, WCF 14.4-5). It should seek to support marriages and encourage reconciliation where possible (1 Cor 7:10-11).

6.7. The Church teaches that God opposes abuse and violence in marriage and in the family. He particularly warns husbands to be considerate to their wives and treat them with respect (Eph 5:28–30; 1 Pet 3:7). Acts of domestic violence and abuse are heinous sins. In providing pastoral care, church leaders should be alert for signs of domestic and family violence, and teaching in churches should address these issues. Domestic violence may be a valid ground for divorce, along with adultery and desertion (WCF 24:6).

6.8. No office bearer of the Church shall solemnise or bless a union between two people other than that between a man and a woman who have no legal impediment to marriage.

6.9. Biological or natal sex is the relevant basis on which the church makes decisions about qualifications for marriage, church membership and church office.

6.10. The Church will not ordain any person who is involved in a sexual relationship outside of a marriage between a man and a woman. No church officer nor anyone in a position of leadership or responsibility within the Church should be involved in such a relationship.

6.11. All schools, training colleges, aged care facilities, charitable organisations, and other ministries and institutions operated by, in connection with, or under the authority or control of the Church are to operate in a manner, and for purposes, consistent with the understanding of sex, gender and marriage set out in this statement. Church property is only to be used in a manner and for purposes consistent with that understanding.

13. Manse Design Manual [Oct 2022, min. 53]

1. General

1.1 Introduction

This manual is designed to provide guidance to persons engaged by a congregation to design or alter a manse. It also provides guidance to congregations and others who wish to purchase an existing property and convert it to a manse.

The primary objectives of the manual are:

- To clearly document the PCV requirements for the design of a manse or the upgrade of a manse that will be owned by the PCV or the local congregation.
- To ensure that the design of the manse recognises that the manse is to be both a home and an office. Therefore, it is essential that these often competing elements of manse life are considered so that the work and the family life conducted within the manse do not negatively impact each other.
- To provide guidance for the three elements of the manse being the work zone, family zone and shared zone.
- To recognise and deal with various issues such as sustainability and affordability.

1.2 Format of the Manual

The manual has been formulated to include objectives to assist the designer to understand what the clause is aiming to achieve. This is followed by a set of requirements which if adopted, will meet the objectives. The manual provides the designer with flexibility in that if they believe that there is another way of achieving the objective, they can document compelling arguments why the Committee should vary the requirements of the manual and submit these with the plans and specifications when seeking approval from the Committee. The Committee will then assess whether they believe the reasoning is sound and has considered all relevant matters and decide whether it believes the variation to the requirements of the manual is to be approved or not.

1.3 Application of Manual

This manual applies to the

- Design of a manse: refer Clauses 2 – 5 below
- Upgrade of an existing Manse: refer Clause 6 below
- Purchase of an existing property for a Manse: refer Clause 7 below

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
2. Design of Manse – General Requirements **2.1 Objectives** • To provide congregations and designers with clear guidance regarding the design of a manse recognising that a manse consists of three zones being the work zone, the family zone and the shared zone. • To design each zone within the manse so that the activities undertaken in each zone do not negatively impact on activities being undertaken in the other zones. • To design each zone to maximise the use of that zone for the purpose it is being provided. • To ensure that maintenance requirements are considered at the design stage. • To ensure that value for money, affordability, sustainability and cost of living are considered at the design stage. • The manse should be located within a reasonable distance to the church so that valuable ministry time is not wasted travelling to and from the manse to the church. • Where the manse is located on the church property there must be clear delineation between the portion of the property that has been allocated to manse use and that which has been allocated to church use.				
2.2	**General Requirements** The design/layout of the manse should be functional, low maintenance, energy efficient, family friendly and achieve the intent and purpose of the manse design manual.			
2.3	**Location** If the manse is on the same land title as the church, it should preferably be a separate building fenced off from the church with separate private entrance and garden.	Consider	N/A	Consider
	If the manse is attached to the church buildings, it must not be linked internally and must have a separate private entrance and private garden.	Mandatory	N/A	N/A
	If the manse is on a separate land title it should preferably be located within 2 kilometres of the church.	Consider	Consider	N/A
2.4 2.4.1	**Sustainability** **General Objective** The Building Code of Australia has mandatory minimum energy rating standards that the manse design will be required to satisfy. The following guidance is provided towards meeting these standards as well as facilitating lower energy costs, reduced maintenance, and increased level of comfort for the occupants			
2.4.2	**North Light** Maximise north light to living areas where possible, while noting that the living areas should also provide access to the garden.	Mandatory	Not mandatory	Consider
2.4.3	**Solar Panels** This is not mandatory under current building standards,	Consider	Consider	Consider

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
	however the installation of a 5kw solar panels system is encouraged.			
2.4.4	**Lighting** Do not use recessed down lights beneath rooves as these create holes in the ceiling insulation through which heat can escape, consequently diminishing thermal performance.	Strongly encouraged	Consider	Strongly encouraged
2.5	**Heating** Provide efficient and economical form of heating to all habitable rooms and the work zone. It is suggested that congregations consider heat pump hot water services. They are more expensive to install but have significantly reduced electricity consumption and consequently provide energy and cost savings in the longer term.	Mandatory	Strongly encouraged	Strongly encouraged
2.6	**Cooling** Provide an effective and efficient air-conditioning system to cool the air in the work zone, shared zone and living area within the family zone.	Strongly encouraged	Strongly encouraged	Strongly encouraged
2.7	**Car parking and storage** Provide onsite parking for a minimum of two cars, both preferably covered with a minimum requirement of one being covered.	Mandatory	Strongly encouraged	Consider
	Provide an enclosed storage facility for garden equipment, tools, work bench and general storage of not less than 4.5m^2 area to be provided with a minimum 1.5m in width for working in. This provision may be satisfied by providing a double garage and a single carport.	Strongly encouraged	Strongly encouraged	Strongly encouraged
2.8	**Clothes Line** Provide a clothes-line in the form of rotary hoist (3 metre diameter), rectangular hoist (2.4m x 1.5m) or wall mounted folding unit (2.2m x 1.5m) as a minimum.	Strongly encouraged	Strongly encouraged	Strongly encouraged

3 Design of Manse Work Zone

3.1 Objectives

Given the significant amount of time that a minister spends in carrying out his duties in his office, the office must be designed to

- To minimise the negative aspects of his work on the family being able to live in the manse
- Have a sufficient size to enable a small meeting or counselling to be undertaken

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
• Ensure that temperature, light and sun glare can be controlled to provide a comfortable work environment • Have at least one openable window • Have sufficient space to accommodate a library, office furniture and computer equipment and has adequate storage.				
3.2 What is a Work Zone? The work zone is an area set aside for the Minister to carry out his duties such as: • Preparing sermons, bible studies and similar activities • Administration tasks • Holding meetings • Counselling • Library for books • Storage The work zone includes a study / office, an entry including a waiting area and may include a toilet.				
3.2	**Study/Office** To be part of the house with access from or near the front entrance and separate from the family zone.	Mandatory	Mandatory	Strongly recommended
	The access to the study/office is not to be through or past the family zone.	Mandatory	Strongly recommended	Strongly recommended
	The entry area is to be able to function as a waiting area.	Strongly recommended	Strongly recommended	Strongly recommended
	A floor area, clear of built-in cupboards and shelving, of not less than 15.0m^2 and be suitable for use for small meetings. In the case where there is separate office provided in the church, then the minimum floor area may be reduced to 12.0 m^2	Mandatory	Strongly recommended	Strongly recommended
	Not less than 14 lineal metres of bookshelf. This length may be reduced to 6 lineal metres if an office is provided in the church.	Strongly recommended	Strongly recommended	Strongly recommended
	Access to a toilet and basin located in either the work zone or shared zone.	Mandatory	Strongly recommended	Strongly recommended
4 Design of Manse Shared Zone **4.1 Objectives** The objectives of the shared zone are: • To provide a space in the manse where meetings, bible studies and prayer meetings may be held without disrupting the family or requiring access to the family zone. • When the meeting room is not being use for ministry purposes it should be available for use by the family and therefore have direct access to the family zone.				
4.2 What is a Shared Zone? The shared zone is a place where work activities such as meetings, bible studies, prayer meetings and similar may be held and when the area is not used for this purpose, it may be used by the family for their activities, such as for a lounge/dining room.				

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
4.3	**Meeting/Shared Room.** The manse to include a room where a meeting, bible study or prayer meeting or similar could be held without restricting the use of the rest of the house by the minister's family.	Mandatory	Strongly recommended	Strongly recommended
	This room is to be located at the front of the house so that access is not through the family zone.	Mandatory	Mandatory	Strongly recommended
	It should be located adjacent to the family zone and the work zone.	Strongly recommended	Strongly recommended	Strongly recommended
	The room to have access to the kitchen through a servery or a door so that participants may be served refreshments without disrupting the family.	Strongly recommended	Strongly recommended	Strongly recommended
	A separate toilet and hand basin to be available to the meeting participants. This may be the same facility associated with the study/office.	Mandatory	Strongly recommended	Strongly recommended
5 Design of Manse Family Zone **5.1 Objectives** The objectives of the family zone are: • To provide a separate zone for the family which is separate from areas where ministry activities are undertaken and which will ensure that the family zone has a minimum, separate living area, kitchen, bedrooms, bathroom, toilet, laundry, and access to the garden. • To ensure that rooms within the family zone are adequate size to meet the requirements of the manse family.				
5.2 What is a family zone? The family zone is that part of the manse that has been set apart for the exclusive use of the manse family and which will include as a minimum a separate living area, kitchen, bedrooms, bathroom, toilet, laundry, and access to the garden.				
5.3	**Kitchen** The kitchen to be open to the family room.	Mandatory	Mandatory	Strongly recommended
	Be capable of serving through to the meeting room.	Consider	Consider	Consider
	Floor area to be greater than $14m^2$	Mandatory	Mandatory	Consider
	Adequate cupboard and pantry storage. Consideration should be given to providing a walk-in pantry.	Mandatory	Mandatory	Strongly recommended
	Facilities shall include: • Oven • Cook top and range hood with external exhaust • Space for microwave oven • Dishwasher • Space for a double door refrigerator or similar	Mandatory	Mandatory	Strongly recommended

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
	• A minimum of three double power outlets over benches or in a walk-in pantry (separate provision for microwave oven, fridge, freezer and dishwasher)			
5.4	**Family Room** The family room to be of sufficient size (preferably 5m x 6m) so that when the lounge/dining room is located in the shared zone that the family can carry out its activities without the need to enter and use facilities in either the work or shared zone.	Mandatory	Mandatory	Strongly recommended
	Direct access to the garden area.	Mandatory	Preferable	Preferable
5.5	**Bedrooms** Minimum number of bedrooms, all capable of accommodating two beds and a student's desk.	3 Mandatory 4 Strongly recommended	3 Mandatory 4 Strongly recommended	4 Strongly recommended
	Each bedroom to have two double power outlets.	Mandatory	Strongly recommended	Strongly recommended
	Built-in wardrobes in each bedroom with a minimum depth of 630mm.	Mandatory	Strongly recommended	Strongly recommended
	Bedroom 1 – not less than $13m^2$ area with 2 lineal metres of wardrobe.	Mandatory	Strongly recommended	Strongly recommended
	Bedroom 2 and 3 – not less than $12m^2$ area with 1.2 lineal metres of wardrobe.	Mandatory	Strongly recommended	Strongly recommended
	Bedroom 4 – not less than $11m^2$ area with 1.2 lineal metres of wardrobe.	Mandatory	Strongly recommended	Strongly recommended
	Bedroom 1 to have an ensuite bathroom with shower, toilet and hand basin.	Mandatory	Strongly recommended	Strongly recommended
5.6	**Bathroom** The bathroom is to be fitted with bath, shower cubicle (separate from bath), vanity cupboard with basin and mirror over, exhaust fan and some form of heating.	Mandatory	Mandatory (except a shower over the bath may be acceptable)	Mandatory
	Exhaust fan to be fitted with an automatic seal which closes when not in use	Mandatory	Strongly recommended	Mandatory
5.7	**Toilet** A separate toilet, preferably with hand basin to be provided for use of the family.	Mandatory	Mandatory	Mandatory
5.8	**Laundry**	Mandatory	Mandatory	Mandatory

Item	Requirement	New Build	Purchase Existing	Refurbish Existing
	The laundry is to be provided with a trough and cabinet, storage cupboard for brooms, ironing board etc.			
	1m of clear width as a working space.	Mandatory	Strongly recommended	Strongly recommended
	Space for floor mounted washing machine (with hot and cold taps) and wall or floor mounted dryer.	Mandatory	Mandatory	Mandatory
	Wall or ceiling mounted exhaust fan that is fitted with an automatic seal which closes when not in use.	Mandatory if there is no openable window	Strongly recommended especially if there is no openable window	Strongly recommended especially if there is no openable window

6 Design of Manse – Upgrade of Existing Manse

6.1 Objectives

The objectives of upgrading a manse are:

- To address shortcomings in an existing manse which are preventing or reducing the manse family's enjoyment of the manse; or preventing or causing distraction to the minister carrying out his work within the manse; or to address maintenance and repair issues; or to improve the solar efficiency of the manse.
- To reduce maintenance and operation costs.

6.2 Need for Professional Advice

If congregations are conducting works that modify the existing external building envelope (anything within an existing house) they should be aware that a building permit may be required and if this is the case, then the provisions of Part J of the Building Code of Australia covering energy efficiency requirements will come into play.

This is relatively complex area and the requirements are often updated. At present, even small alterations may require major upgrading of the general building fabric to meet compliance, or in some cases require dispensation measures (at the time of writing in the form of photovoltaic panels). It is recommended that compliance advice should be sought from a building industry professional such as a registered Building Surveyor and / or registered architect. If compliance is required then an accredited energy assessor will be required.

6.3 Improving the energy efficiency of existing manses

The following measures are recommended as being the most practical for basic sustainability upgrades:

- Install bulk insulation to the ceiling. Sub floor insulation may be possible where there is sufficient sub floor clearance.
- Consider removing open ring downlights beneath rooves and replace with pendants or surface mounted fittings that do not create large holes in the ceiling insulation
- Photovoltaic (solar) panels presently attract strong government subsidies and can be a cost effective way of offsetting electricity bills
- Heat pump hot water services are more expensive to install but have significantly reduced electricity consumption and consequently provide energy and cost savings in the longer term

7 Purchase of Manse

7.1 Objectives

The objectives for purchasing a manse are:

- To provide guidance to congregations wishing to purchase a manse

7.2 Issues to consider when purchasing a manse

Item	Requirement	New Build	Purchase Existing	Refurbish Existing

Purchasing an existing house that meets the objectives and requirements of this manual, without modification is very unlikely because most houses are not set up for working at home. Offices are small and often located in areas where family activities are undertaken. Many houses have the main bedroom located at the front of the house, away from the other bedrooms which makes it difficult to upgrade the manse to satisfy the objectives and requirements of this manual.

It is therefore wise to have a picture in mind of what are the minimum requirements of a manse and how a manse is designed to maximise both the work and family activities to be carried out in the manse.

When purchasing an existing property there should be an expectation that additional expenditure will be required to modify the property purchased to optimise its use as a manse. Before purchasing a property, the cost of these modifications should be estimated to ensure value for money and in order that sufficient funds are available.

Whilst purchasing a property can be quickly carried out compared with building a manse, upgrading it to comply with the requirements of the manse design manual, will negate this advantage and could end up costing more than building an equivalent manse.

7.3 Minimum Requirements

Clauses 2 to 5 provide the details of the minimum requirements of a house to be purchased for use as a manse. Where these minimum requirements cannot be met, then the Board of Management must arrange for upgrade works to be carried out prior to the minister occupying the manse.

7.4 General check list for purchasing a manse

A checklist to help congregations assess whether the property they are considering is generally capable of satisfying the objectives and requirements of the manse design manual. It is not meant to be an exhaustive list but contain enough information to determine whether the property for sale is worth considering any further. If it is, then a more thorough assessment against the requirements of this manual will be required and the cost of compliance to be determined.

Checklist for Purchasing a Manse

Please review the specific requirements of the Manse Design Manual in addition to using this checklist in preparing to purchase a property for a manse.

Item	Requirement	Y/N	Comment
General	Can the house easily be split into work, shared and family zones?		
	Is there suitable heating and cooling throughout the house?		
	Is there a double carport or garage provided?		
Work Zone	Office and toilet located at the front of the house. Note the office is not to be located apart from the house under any circumstances		
	Is the access suitable to act as a waiting room?		
	Is the proposed office of adequate size?		
Shared Zone	Is there a room located at the front of the house that can be used for meetings etc?		
	Does it have access to a toilet that is not located in the family zone?		
	Is it adjacent to the office?		
	Is it adjacent to the family zone?		
Family Zone	Does it have four bedrooms (preferably), 3 as a minimum?		

Item	Requirement	Y/N	Comment
	Does the main bedroom have an ensuite?		
	Are the bedrooms of sufficient size to accommodate as a minimum of two beds and a desk?		
	Is there a family room which is open to the kitchen?		
	Is the kitchen large enough, with sufficient cupboards, pantry and spaces for a double door refrigerator?		
	Is the laundry of sufficient width to allow a clear 1m for a workspace?		
	Does the family zone include a bathroom and toilet?		
	Is a linen/storage cupboard provided?		
	Does the family room have access to the garden?		

14. Guidelines for Seeking Advice from the Church Architect [Oct 2023, min. 44]

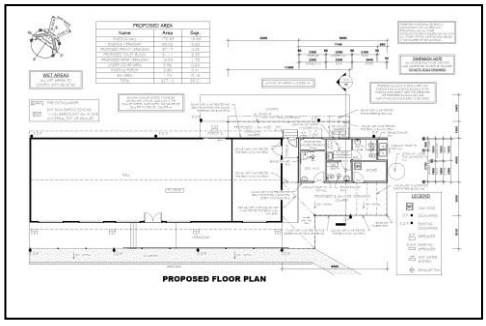
Requirement to seek the advice of the Church Architect
The Rule 2:20 c) of the PCV Code states, the board **must** "obtain the advice of the Church Architect, on **such contractual terms as they agree**, when:

i. there is any serious defect in any building; or
ii. a new building is to be erected or purchased; or
iii. an existing building is to be substantially altered.

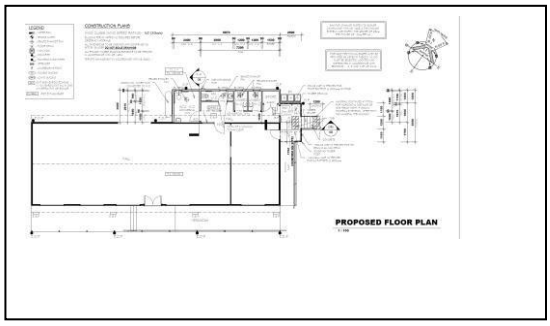
Some boards have sought the advice of the Church Architect without knowing why they are seeking such advice, so that they can tick the box and say that they have satisfied the requirements of the Code and are surprised when they get an invoice from the Church Architect for providing such advice. This guideline has been prepared to reduce the chance of this happening in the future and to document the reasons for this requirement and in particular, what advice the Board should be seeking from the Church Architect.

Church Architect can add Value to your Project
The experience and knowledge of the church architect is a valuable resource for the PCV and the requirement to seek his advice should be seen as an opportunity to enhance your project.

The following are some examples where the church architect has been able to value add to a particular project.
Example
Church wanted a toilet block and an area for storge.
Original Design



Amended Design after comments from CA



Original design went out to tender and was significantly over the funds allocated available for the project. After discussion with the Church Architect and the builder it was decided to start from scratch and come up with a completely different design which was able to be constructed with the funds available for the project.

Early discussion with the church architect would have saved the need to completely redraw the detailed plans and specifications for this project. It would also have saved time in delivering the project and avoid going to tender twice.

Types of Assistance Available from the Church Architect
The Church Architect seeks to work collaboratively with Boards of Management to:

- Assist Boards to formulate a concept design for new and renovation building projects
- Assist Boards to consider all the issues that are involved in purchasing a building e.g.
    - Suitability of the proposed building for the intended purpose
    - Review of any pre-purchase condition surveys
    - Compliance issues e.g. disabled access, planning including heritage requirements, building regulations and car parking.
    - Subdivision requirements
    - Value for money
    - Adequacy of toilets

  - Maintenance requirements
  - Essential Safety Measures requirements
- Find innovative and cost effective solutions to site specific problems.
- Guide and assist Boards with their dealings with planning departments and building surveyors
- Identify and prioritise issues that the Board need to consider as part of the design and construction of projects.
- Provide advice to Boards in relation to engaging professional services for the various aspects of the design and construction of a building.
- Consider the visual implications of proposed capital works and the corresponding presence within the broader community
- Consider potential statutory planning issues
- Save congregations time and money by steering them away from in proposals that may be unrealistic from either a cost or statutory perspective

It should be noted that the Church Architect can be engaged by a Board to provide all architectural services for a particular project, not just provide advice. Such an arrangement is independent of the Building and Property Committee's work or involvement.

Engaging the Church Architect
Having determined what advice you are seeking from the Church Architect then the next step is to engage the services of the Church Architect on such contractual terms as agreed between the Board and the Church Architect.

This means that there needs to be a written agreement between the Church Architect and the Board detailing the advice being sought. The agreement should specify the extent of the advice being sought and in particular state:

- What information is being provided by the Board e.g. condition inspection report, plans, photos, reports etc.
- Timeframes for the provision of the advice.
- Whether a site meeting is required?
- How the advice is to be presented e.g. verbal report, email response or formal written report.
- How much the advice will cost and what are the breakdowns for that advice e.g. travel time and costs, meeting costs, report preparation costs, disbursements etc.

It should be noted that the cost of obtaining the advice will vary from project to project depending on the following matters:

1. The type of advice being sought e.g. whether the congregation are purchasing a property or undertaking building works or seeking advice on repair works.
2. What expertise exists within the congregation and the level of information that can be gathered and documented prior to seeking the advice of the Church Architect e.g. when purchasing a property, obtaining a pre-purchase condition inspection report will assist the Church Architect in making recommendations. Note the Church Architect does not provide this service. See "Pre-purchase Condition Inspection Guidelines" for assistance in obtaining such services.
3. The level of complexity of the project and the number of factors to be considered in providing that advice.
4. If a site visit is required, then the location of the project will have a direct impact on the cost of providing that advice. For rural congregations, it may be cheaper to get a local professional to carry out the site inspection and provide a written report that can be reviewed by the Church Architect.

Seeking Advice Early in the Project
It is good practice, to seek the advice of the Architect early in the project, so that the Board can be sure that the concept for their project is sound and has considered all relevant matters before proceeding to detailed design or other phase further along in the building project.

16. Guidelines for Pre-purchase Condition Inspection [Oct 2023, min. 44]

These Guidelines have been produced to assist congregations who are considering purchasing a property and who wish to engage a person or company to carry out a condition assessment of that property prior to purchase.

The purpose of such an inspection is to inform the congregation and Presbytery of any potential costs that the congregation is likely to incur in making the building fit for use and to understand the extent and value of any maintenance or repair works that may be required in the future.

Whilst on the surface this may seem a straightforward matter, in practice there are a number of matters and pitfalls that congregations need to take into account before engaging a person or company to undertake such an inspection.

Issues that the Congregation should be aware of before engaging a person or company to undertake the pre-purchase condition assessment.

1. The Church Architect does not undertake pre-purchase condition inspections due to the issues in getting professional indemnity insurance to cover such work.
2. There are a number of qualified people who can undertake such work. However, it should be remembered that, as a result of potential legal action for failures to properly identify every possible fault and accurately cost the remediation works, there is a potential to pad reports and estimated costs, in order to protect themselves from such action.
3. There is a need to clearly identify in writing what the congregation's expectations are in relation to the inspection to be carried out. As a minimum the following requirements should be included in the brief:
    a) A requirement to meet the inspector onsite to discuss matters and to identify the more substantive issues that need to be addressed.
    b) A written report which includes a list of items that need to be addressed together with an estimated cost to rectify each issue. Each item is to be prioritised according to the urgency in which these works are to be carried out e.g. urgent, within 12 months, within 5 years and issues to be monitored.
4. If the building to be purchased is to have extensive works undertaken and funds have been allocated to carry out these works, then it may be more prudent to leave the assessment of maintenance and rectification works until the works are underway and the fabric of the building has been opened up to reveal the true extent of rectification works required. Any works can then be undertaken as a variation to the works being undertaken.
5. Avoid engaging people or companies that feed into a design and construct style rectification service because of the lack of financial accountability and transparency.
6. Not all defects are of equal weight and not every defect needs to be addressed immediately. Defects that cause water damage and inundation are a high priority to be addressed whereas some cracking, whilst unsightly, only needs to be monitored to see whether it is getting worse or is it stable.
7. A better result may be obtained by using a local builder known to the congregation to provide a list of works and estimates to assist the congregation in determining whether to proceed with the purchase of a property.

17. Privacy Policy and Privacy Policy Guidelines [Oct 2015, min. 23.3, 23.4]

1. Introduction

The Presbyterian Church of Victoria (the church) is an unincorporated association. The church collects data from users of church services, and from persons and businesses that provide services to the church and its organisations.

The data collected by the church includes information which can identify you as a person such as your name, your address and other details about you. This information is referred to in Australian Government legislation as 'personally identifiable information'.

The church may also collect sensitive information about or related to you from time to time. Sensitive information includes information which may not personally identify you but is related to a person's:

- health;
- financial status;
- racial or ethnic origin;
- political opinions;
- membership of a political association;
- religious beliefs or affiliations;
- philosophical beliefs;
- membership of a professional or trade association;
- membership of a trade union;
- sexual preferences or practices; or
- criminal record.

The collection and management of personally identifiable and sensitive information is regulated in Australia and in other countries.

The church will take every reasonable measure to protect your information. The church's approach to your privacy conforms to the *National Privacy Principles* extracted from the *Privacy Act 1988*, which provides guidance about the collection of personal information, how it should be used and disclosed and its storage and security.

The church is committed to protecting your privacy and any personally identifiable and sensitive data you supply to us. This Privacy Policy sets out:

- how and why we collect data including personally identifiable and sensitive data;
- what we do with data we collect;
- how we manage collected data; and
- with whom we share that data.

If you have any questions about this policy please contact us as set out at the end of this document.

2. Scope of this Privacy Policy

As required by government registration or accreditation obligations, certain organisations and activities operated by the church, such as church affiliated schools and aged care facilities, have separate privacy policies in place.

This Privacy Policy for the church will apply to the collection of data by the church where no other church privacy policy applies.

3. Collection and use of personal information

The church will use collected data including personally identifiable and sensitive information in furtherance of the mission and activities of the church. The church will include some of the information it collects in the church's permanent archival records.

The church will review information not included in the church archival records, and delete information no longer required for church activities.

The church will use data it collects to promote all of the spiritual, pastoral, social, educational, administrative, legal, and historical functions of the church and for the business requirements of the church.

These church purposes include but are not limited to administration and communication throughout the church, analysing the role of the church in society, recording the histories of church members, adherents, and persons in regular contact with the church, and maintaining records in the public interest, including baptism rolls, wedding registers and other related purposes.

Data collected by the church will only be shared with third parties where such parties have agreed in writing to abide by this policy and to only use such information disclosed for the purposes for which access has been given. In general, information provided to third parties should not be able to identify you as an individual; such information can only be disclosed with your express written consent.

Anyone seeking access to any sensitive information will need to be authorised by the Privacy Officer and Assembly Clerk to ensure there is a specific need for such information and provision of such data does not breach any legislative or confidentiality requirements.

Whenever we share information with third parties, the church will take all reasonable efforts to make sure that these third parties keep such information in the same manner as it is kept by the church, and consistent with the principles as set out in the *Privacy Act 1988*.

Please note that the church does work with third parties to provide our services. The majority of the service providers used by the church are based in Australia and are therefore subject to the Australian laws. However the church may from time to time work with service providers such as charities and other church related bodies who are located outside of Australia.

Confidential Pastoral duties

If a minister, other church staff or another body of the church intends to record personal and sensitive information arising from deputations or counselling sessions, any person whose data will be collected should be informed of this and advised that:

a) the records will be kept pursuant to the church's privacy policy;
b) the purposes for which the collected information will be used; and
c) information collected will **not** be disclosed to any third party and securely destroyed when the purpose for collection is no longer relevant or it is no longer appropriate to maintain the record(s). For example, the minister has moved parishes or retired.

4. Security and disclosure of information:

The church will take all reasonable steps to keep personal, sensitive, and all other confidential or restricted information secure, and to prevent its unlawful use and/or inappropriate disclosure.

The church will, as far as practicable, develop and implement practices and procedures in respect to church archival records. These policies will address:

a) Requiring researchers seeking access to archival records to acknowledge prior to access being granted to the archival records, that:
    i) the archival records made available to them are subject to this privacy policy and all applicable legislation; and
    ii) the researcher is solely responsible for obtaining any further consent required if the information is to be used outside of the purposes for which it was collected; and
    iii) the researcher will be responsible for any breach of this privacy policy and/or relevant legislation caused by the use of information made available by the church; and
    iv) the researcher will be required to indemnify the church and the General Assembly, and/or its agencies in respect of liability for such breach.
b) Require all applicants/researchers seeking access to personal and sensitive information from registers of baptism and/or marriage prior to the provision of such information to:
    i) produce evidence that he/she is a subject of the record concerned, or holds the consent of the subject(s) of the record to obtain the information; or

ii) establish that the subject(s) of the record are deceased, or can reasonably be presumed to be deceased.

Where the subject of data collected by the church seeks access to his or her personal information or sensitive information collected, it is the policy of the church to grant access, subject to the production of appropriate identification. Such identification must meet the 100-point identification test as used by banks and government organisations (see **Attachment A**).

5. Archival records:

It is the current policy of the church that in order to assure the preservation of data collected by the church that this church will transfer church registers, minute books, correspondence, photographs and other images, and all other records containing personal and sensitive information to the archives of the Presbyterian Church of Victoria.

The exception to this policy is data collected under **Confidential Pastoral Duties** above.

6. Complaints procedure, designation of Privacy Officer and contact information:

Enquiries concerning this privacy policy, and any complaints concerning failure of the church to comply with this policy, or relevant legislation should be addressed in the first instance to the Church's designated Privacy Officer, who can be contacted on 0499 090 449 or by email safechurch@pcvic.org.au.

If any complaint is not readily resolved to the satisfaction of the complainant, the matter will be referred to the Assembly Clerk, who can be contacted on 03 9650 9311 or by email admin@pcvic.org.au.

The complaint resolution process will include but is not limited to:

a) the matter being handled in a proficient and confidential manner at executive level; and/or
b) referred to the courts of the church under the provisions of the Code of the church; and/or
c) independent arbitration initiated depending on the most suitable action necessary in an attempt to best resolve the matter.

Privacy Policy Guidelines

1. Scope

The church and any person or organization affiliated with the church are bound by privacy and data protection legislation in Australia. As a result, anyone who deals with the collection, management and transfer of personally identifiable data on behalf of the church will need to understand and comply with the terms of the church's privacy policy. These guidelines are specifically for the privacy policy applicable to the church. However, there may be other church privacy policies in use for various church activities, (e.g. schools and aged care facilities). If there are questions or concerns as to the terms of this policy, or which church policy might apply to your situation, please contact the Privacy Officer whose details are at the end of this document.

Personally identifiable information includes information which can identify you as a person - such as your name, your address and other specific details about you. This information is referred to as 'personally identifiable information' and the collection and use of personally identifiable information is regulated in Australia and in other countries by specific legislation.

Sensitive information is similarly regulated by legislation and the church's privacy policy. Sensitive information includes information about a person's:

- health;
- financial status;
- racial or ethnic origin;
- political opinions;
- membership of a political association;
- religious beliefs or affiliations;

- philosophical beliefs;
- membership of a professional or trade association;
- membership of a trade union;
- sexual preferences or practices; or
- criminal record.

The church's privacy policy applies to both personal and sensitive information collected by the church where no other privacy policy applies.

2. Adoption of the Church's Privacy Policy

Sessions, boards of management, presbyteries, and members of other church committees should familiarise themselves with the privacy policy and minute their adoption of it.

3. General Rule

Personal information must only be used or disclosed for the purposes allowed in the privacy policy.
If there is reason to believe that collected information may be used for purposes not included in this privacy policy, further permission may be required from the person whose information has been collected.
Personally identifiable information and sensitive information are both defined in the privacy policy. All personally identifiable information and sensitive information collected by the church should be held securely and used only as allowed by the policy.

4. Types of Personally Identifiable and sensitive information collected include:

- Lists and records identifying individuals (including congregation members, adherents, attendees of church activities, committee members and elders, baptismal and wedding registers).
- Directories or newsletters identifying individuals and their contact or other personal details.
- Sensitive information collected during pastoral duties.
- Oral information provided at public meetings (e.g. church service) identifying an individual.
- Other information collected as part of the operations of the church's usual activities.

In respect of these common circumstances a consistent and thoughtful approach should be applied to let persons whose data we are collecting know how and why we collect their information and how we use it.

5. Notice to use when information is collected

Whenever practical, as personally identifiable and sensitive information is collected for the church a reference to the privacy policy should be made.

As an example, a paragraph included on any form used to collect information could read:

> 'Personal and sensitive information collected by the church will be used in conformity with our privacy policy (which can be found at www.pcvic.org.au or mailed to you on request). If you do not want your information to be used by us, please do not provide it to us.'

6. Notice to include when information is published

The following statement should be included in church directories, newsletters or notice sheets distributed which identify individuals:

> 'The information in this document has been collected and published in conformity with the privacy policy of the Presbyterian Church of Victoria (which can be found at www.pcvic.org.au or mailed to you on request). If you would like to update any information in this document please contact us at (provide contact address and email)'

7. Confidential Pastoral duties

If a minister, other church staff or another body of the church intends to record personal and sensitive information arising from deputations or counselling sessions, any person whose data will be collected should be informed of this and advised that:

a) the records will be kept pursuant to the church's privacy policy;
b) the purposes for which the collected information will be used; and
c) information collected will **not** be disclosed to any third party and securely destroyed when the purpose for collection is no longer relevant or it is no longer appropriate to maintain the record(s). For example, the minister has moved parishes or retired.

An example of such advice is:

> 'Any personal and sensitive information collected will be kept confidential and used only as allowed by the privacy policy of the Presbyterian Church of Victoria for purposes relating to the (insert reason for collecting information). If you do not consent to my retention and use of your information for this purpose, please tell me. A copy of the church's privacy policy can be found at www.pcvic.org.au or mailed to you on request.'

8. Conclusion

All church staff and volunteers should be regularly reminded that both personal information and sensitive information such as health, financial status, and marital status is regulated by law and by the church's privacy policy. Consent from persons disclosing the personal information and the sensitive information should be gained before providing that information to others.

A Selection of Presbyterian Church of Victoria Job Descriptions

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10. Ministry Development Committee
    a. Ministry Leadership Coach
    b. MDC Administrator
11. Women's Ministries Victoria Committee
    a. Women's Ministries Facilitator

A. General Assembly appointments (Assembly Offices) under Rule 5.19

1. Archives

a) PCV Archivist

The archivist, under the supervision of and reporting to the Clerk of Assembly, shall be the principal person to care for the PCV Archive, and in particular, will:

1. take every reasonable step to preserve the church's historical collection from loss or deterioration;
2. take every reasonable step to satisfy church-based inquiries, and secondarily, if time permits, outside inquiries;
3. in appropriate ways and when appropriate, remind the church courts, committees and organisations of the importance of preserving historical records;
4. from time to time, arrange for special displays of any archival material that might be of interest to the church on suitable public occasions;
5. supervise the depositing of fresh material to the Archive;
6. give advice, when required, as to what material is to be sent to the Archive under rules 4.96.6 and 5.49.2;
7. as required, provide personal assistance to any PCV congregation or organisation preparing to celebrate significant anniversaries or milestones;
8. be responsible for the selection and supervision of volunteers;
9. report annually to the General Assembly, through the Clerk, on the state and use of the Archive.

2. Church Planting

a) Church Planting Officer

1. Title

There shall be an Official (see Rule 5.19) of the General Assembly (the Assembly) called the Church Planting Officer (CPO) formerly known as the Church Planter Evangelist (CPE).

2. Accountability

The CPO shall be accountable to the Church Planting Committee (CPC).

3. Attributes

a) mature, wise, humble, prayerful
b) consistent life and doctrine
c) hard working, self-motivated
d) leadership and team gathering
e) strategic thinker and clear communicator
f) able to analyse Church and secular culture
g) discipling
h) evangelistic

4. Qualifications

a) Essential
   i) Demonstrated church planting experience
   ii) A minister in full standing with the Presbyterian Church of Australia (PCA) or willing to satisfy the requirements of the rules of the General Assembly of Australia relative to the reception of ministers from other churches.
   iii) Practitioner of a training model of Ministry
b) Desirable
   i) More than five years pastoral experience
   ii) Denominational policy, governance and vision experience
   iii) Ministry experience in multiple contexts (eg city, regional, cross-cultural)
   iv) Well read in the field of Church Planting

5. Responsibilities

a) Provide advice to the CPC concerning but not limited to:
   i) church planting progress
   ii) future church plants
   iii) grant applications
   iv) potential church planters
   v) barriers to effective church planting
   vi) systems and processes
   vii) developments in church planting practice both domestic and international
   viii) recent academic thought in the area of church planting
   ix) cultural trends and population statistics as they touch upon the work of the committee
   x) property suitable for land banking and future church planting
   xi) the training of church planters
b) Engage with:
   i) presbyteries to:
      A. identify potential locations for new congregations
      B. develop and maintain strategies for the formation of new congregations
      C. identity suitable property for land banking and Church planting
   ii) sessions to:
      A. equip the charge to church plant
      B. foster a church planting outlook
      C. partner with other sessions to work towards church planting
   iii) Assembly committees to:
      A. keep church planting on their agendas
      B. promote a unified denominational church planting approach
   iv) church officials to identify areas of mutual understanding and potential cooperation

c) Produce content for circulation in state and federal church media
d) Develop and revise
    i) policies and procedures
    ii) handbooks and manuals
    iii) other resources and materials
e) Be an ambassador for church planting within the denomination
f) Seek and identify potential church planters from:
    i) within the PCV
    ii) interstate presbyterian churches
    iii) theological colleges
    iv) church planting and ministry networks
    g) Oversee the ongoing training, coaching and mentoring of church planters
    h) Execute any other CPC directive

6. Safe Church Obligations

a) The CPO shall:
    i) at all times hold a current WWCC
    ii) complete Basic Safe Church Training or equivalent
    iii) complete Advanced Safe Church Training
    iv) complete the relevant Safe Church Refresher course annually.

7. Denominational Involvement

a) The CPO shall a. have a seat on the presbytery in which he resides.
b) The CPO shall not without CPC approval:
    i) serve on any committee, board, panel or council of the Church
    ii) serve as Moderator of a Home Mission Charge or Interim Moderator of a vacant charge
    iii) serve as Presbytery Moderator or Presbytery Clerk
    iv) serve as Assembly Moderator
    v) teach at the theological college

8. Residence

The CPO shall have his place of residence within the Melbourne Metropolitan Area.

9. Appointment

a) The appointment shall be 0.5 FTE
b) The appointment shall be for four years.

10. Performance Reviews

a) The CPO shall receive annual formative reviews performed by the CPC.
b) Prior to any subsequent appointment the CPO shall undergo a summative review performed by the CPC (with external support).

11. Termination or Resignation

a) The position shall conclude effective 90 days after:
    i) termination notice is given by the CPC or Assembly.
    ii) resignation notice is given by the CPO.
b) Termination shall be immediate if the CPO ceases to be an Ordained Minister.

12. Position Description Changes

a) The Assembly may at any time change this position description.
b) Prior to each appointment the CPC shall review the CPO position description, and if necessary, bring any recommended changes to the attention of the Code and General Administration Committee for consideration before seeking Assembly approval.

3. Clerkship

a) Clerk of Assembly

1. Title

There shall be an official (see rule 5.19) of the General Assembly (the Assembly) called the Clerk of the General Assembly of Victoria (the Clerk).

2. Accountability

a) The Clerk, as a servant of God, shall be accountable to the Assembly.

b) The Clerkship Committee shall provide pastoral and other support for the Clerk and administer the Clerk's terms of appointment in accord with its regulations.

c) The Clerk shall have, at the expense of the Presbyterian Church of Victoria, an administrative assistant who reports to him.

3. Attributes

The Clerk shall:

a) be a mature Christian;

b) demonstrate a pastoral heart;

c) possess exceptional interpersonal skills;

d) be comfortable understanding matters of law and be able to relate to lawyers, officials external to the church, members of the public and the media, if required.

4. Qualifications and/or Skills

The Clerk must:

a) be either a minister or a serving elder of the PCA with expert knowledge of Presbyterian polity;

b) have in-depth knowledge of the:

  i) Code of the Presbyterian Church of Victoria;

  ii) GAA Constitution, Procedure and Practice;

c) possess an ability to teach polity to candidates for the ministry in the PCV;

d) hold and maintain a current WWCC and be compliant with all Safe Church requirements.

5. Key Duties and Responsibilities

The Clerk shall:

a) proactively seek the peace and good governance of the church;

b) produce certified copies or extracts of church records when legally required to do so;

c) in the first instance, provide assistance and guidance for members of the church, and for the church courts and committees, in all matters of interpretation and application of the rules, practice and procedure of the church (see rule 5.12);

d) in terms of rule 6.5.2(f), provide advice to parties who wish to bring business to the court;

e) serve as:

  i) Clerk of the General Assembly;

  ii) Clerk of the Commissions of the General Assembly;

  iii) Clerk of the Assembly when sitting as Committee of the Whole;

  iv) Convener of the Code and General Administration Committee;

  v) Convener of the Archives Committee;

  vi) Convener of the Special Judicial Committee;

f) act as Head of Entity for the Presbyterian Church of Victoria, for the purposes of the Child Wellbeing and Safety Act (2005) Victoria;

g) advise and provide support to:

  i) the Moderator of Assembly;

  ii) presbytery moderators and clerks;

h) oversee:

  i) the maintenance of the PCV website;

  ii) the Presbyterian Church of Victoria email network;

  iii) the safe custody of all books, records and documents of the Assembly, excepting those for which the Assembly makes other provision;

  iv) together with the Archives Committee, the overall management of church records and archives;

i) liaise, and maintain a good working relationship, with:

i) the GAA and its office bearers;
ii) other state Assemblies and their office bearers;

j) represent the church and its interests by providing instruction to legal counsel, consulting with the church's trustees and doing all other things on behalf of the church as may be reasonably required from time to time in connection with claims against the church under civil law;

k) as the chief administrative officer of the Assembly:
i) keep an accurate roll of Assembly;
ii) receive, examine, record and report to the Assembly all documents, papers or communications addressed to it;
iii) prepare the White Book;
iv) attend all sittings of the Assembly;
v) keep a correct record of all proceedings of the Assembly;
vi) oversee, after each sitting of the Assembly, the preparation of the minutes for publication;
vii) distribute:
1. official information concerning the business of the Assembly to all who require it;
2. the decisions of the Assembly to the assemblies, presbyteries, committees, sessions, boards and congregations concerned;
viii) make available to the press, radio and television, appropriate information concerning the church;
ix) make such statutory declarations and affidavits as may from time to time be required by law;

l) review:
i) all presbytery records annually with the assistance of the clerks of presbyteries if required, and furnish to clerks a statement on the records submitted, indicating any omissions, irregularities and recommendations inscribed on the records themselves; and keep a permanent record of all comments on material matters inscribed in the records inspected;
ii) all records of Assembly committees, boards and councils responsible directly to the Assembly annually and furnish to conveners or chairs a statement on the records submitted, indicating any omissions, irregularities and recommendations inscribed on the records themselves; and keep a permanent record of all comments on material matters inscribed in the records inspected;

m) report to the Assembly:
i) on the state of the church records with any recommendations;
ii) on the administration and adequacy of the Gifts, Benefits and Hospitality Policy;

n) inform the Registrar of Births, Deaths and Marriages of those to be registered under the Marriage Act as marriage celebrants and any changes to their status in accord with rule 4.55;

o) provide training for:
i) presbytery clerks and committee representatives, annually, in all relevant matters of the Code, and in meeting procedures in order to expedite the business of presbyteries and committees in an efficient and responsible manner;
ii) candidates and students in church polity as required.

6. Denominational Involvement

a) The Clerk shall ordinarily have a seat on the presbytery of the bounds in which he resides, rule 4.2(k) or (n)(iv).

b) The Clerk shall not without Clerkship Committee approval:
i) serve as moderator of a home mission charge or interim moderator of a vacant charge;
ii) serve as presbytery moderator or presbytery clerk;
iii) serve as state or federal Assembly moderator.

7. Position Description Changes

The Assembly may at any time change this position description.

b) Deputy Clerk of Assembly

1. Title

There shall be an official of the General Assembly (the Assembly) called the Deputy Clerk.

2. Accountability

The Deputy Clerk shall be accountable to the Clerk of Assembly.

3. Attributes

The Deputy Clerk shall:

a) be a mature Christian;
b) demonstrate a pastoral heart;
c) possess exceptional interpersonal skills;
d) be comfortable understanding matters of law and be able to relate to lawyers, officials external to the church, members of the public and the media, if required.

4. Qualifications and/or Skills

The Deputy Clerk must:

a) be either a minister or an elder who is a member of the General Assembly;
b) have a good working knowledge of Presbyterian polity;
c) have in-depth knowledge of the:
    i) Code of the Presbyterian Church of Victoria;
    ii) GAA Constitution, Procedure and Practice;
d) possess an ability to teach polity to candidates for the ministry in the PCV;
e) hold and maintain a current WWCC and be compliant with all Safe Church requirements.

5. Key Duties and Responsibilities

The Deputy Clerk shall:

a) support the Clerk of Assembly in his duties as required and as necessary with counsel and advice;
b) assist the Clerk as requested in providing assistance and guidance for members of the church, and for the church courts and committees, in the interpretation and application of the rules, practice and procedure of the church and in providing advice to parties who wish to bring business to the court;
c) attend all sittings of the General Assembly and of the Commission of Assembly;
d) serve as minute secretary of the General Assembly and of the Commission of Assembly and assist the Clerk of Assembly in the preparation of these minutes for publication;
e) be an active member of the Code and General Administration Committee in assisting the Clerk of Assembly in the preparation of draft rules and regulations and other documents for meetings of the committee;
f) serve as minute secretary of the Code and General Administration Committee;
g) serve as the Presbyterian Church of Victoria Email Network Operator:
h) serve as Acting Clerk of Assembly when the Clerk of Assembly is for any reason unable to carry out his duties.

6. Position Description Changes

The Assembly may at any time change this position description.

7. Terms of Appointment

The Deputy Clerk:

a) holds office at the pleasure of the General Assembly and his role as Deputy Clerk is supernumerary to any other role he may hold in the church;
b) is ordinarily not an employee of the General Assembly but is paid an honorarium as determined by the Assembly from time to time, with his reasonable costs in his performance of the duties required by his service as Deputy Clerk as authorised by the Clerk (or, in his absence, by the General Manager) being reimbursed by the Assembly.

c) may, should the Clerk resign his office or be otherwise unable to fulfil his duties for an extended period of time, be appointed as Acting Clerk for such period of time and on such terms and conditions as may be mutually agreed upon between the Deputy Clerk and the General Assembly or the Clerkship Committee as the case might require.

c) Assistant to the Clerks

1. Title

There shall be an official of the General Assembly (the Assembly) called the Assistant to the Clerks.

2. Accountability

The Assistant to the Clerks shall be accountable to the Clerk of Assembly.

3. Attributes

The Assistant to the Clerks shall:

a) be a mature Christian;
b) demonstrate a pastoral heart;
c) possess exceptional interpersonal skills;
d) be comfortable understanding matters of law and be able to relate to lawyers, officials external to the church, members of the public and the media, if required.

4. Qualifications and/or Skills

The Assistant to the Clerks must:

a) be either a minister or an elder who is a member of the General Assembly;
b) have a good working knowledge of Presbyterian polity;
c) have in-depth knowledge of the:
    i) Code of the Presbyterian Church of Victoria;
    ii) GAA Constitution, Procedure and Practice;
    to be able to assist the Clerks and to deputise for the Clerks as may be necessary;
d) hold and maintain a current WWCC and be compliant with all Safe Church requirements.

5. Duties and Responsibilities

The Assistant to the Clerks shall

a) provide assistance to the Clerk of Assembly and to the Deputy Clerk of Assembly as may be reasonably directed or required or arranged by mutual agreement;
b) attend all sittings of the General Assembly and of the Commission of Assembly;
c) be active in his membership of the Code and General Administration Committee.

6. Position Description Changes

The Assembly may at any time change this position description.

7. Terms of Appointment

The Assistant to the Clerks:

a) holds office at the pleasure of the General Assembly and his role as Assistant to the Clerks is supernumerary to any other role he may hold in the church;
b) is ordinarily not an employee of the General Assembly but is paid an honorarium as determined by the Assembly from time to time, with his reasonable costs in his performance of the duties required by his service as Assistant to the Clerks as authorised by the Clerk (or, in his absence, by the General Manager) being reimbursed by the Assembly.
c) may, should the Clerk resign his office or be otherwise unable to fulfil his duties for an extended period of time and the Deputy Clerk be unavailable, be appointed as Acting Clerk for such period of time and on such terms and conditions as may be mutually agreed upon between the Deputy Clerk and the General Assembly or the Clerkship Committee as the case might require.

4. Ministry Development

a) Ministry Development Officer

1. Ministry Development Officer (MDO)

The Ministry Development Committee (MDC) shall, when the occasion warrants, bring to the General Assembly the name of a suitably gifted person for appointment as the Ministry Development Officer (MDO). The MDO will be accountable to the MDC and work under a position description approved by the General Assembly of Victoria to help fulfil the purpose and function of the MDC.

2. Attributes

The successful applicant will possess Christlike character and demonstrable convictions and competencies as specified in scriptural teaching, such as 1 Timothy 3:1-7 and Titus 1:5-9.

3. Preferred Skills and Experience

The MDO of the Presbyterian Church of Victoria (PCV) shall be a person who:

a) is an experienced minister of the Presbyterian Church of Australia;
b) Has demonstrable ministry experience of training leadership for the revitalisation of congregations in the Presbyterian Church of Australia.

4. Key Duties and Responsibilities

The MDO will:

a) identify, develop and deploy Reformed, Evangelical and Missional resources for Presbyterian leadership of revitalisation of PCV congregations; and
b) engage and enable the MDC in wise policy development for the stewarding of resources for revitalisation within the PCV; and
c) liaise and work with the Ministry Leadership Coach through an ongoing feedback process to review and refine deployed revitalisation materials; and
d) engage PCV presbyteries with leadership development that helps with the better oversight of church revitalisation ministry; and
e) engage with and assist in candidate formation for revitalisation ministry.

5. Professional Development

a) The MDO is expected to undertake regular professional development
b) The MDC, subject to committee approval, will provide funds for expenses incurred while attending courses, conferences, or sourcing other development materials. The MDO may also include travel expenses as the occasion arises.
c) The MDO is expected to connect, network and partner with other people and organisations working in the area of church revitalisation and presbyterian leadership development.

6. Accountability, Supervision and Review

a) The MDO is directly accountable to the MDC to fulfil key duties and responsibilities.
b) The MDO is required to establish a 'supervisor' relationship with an appropriate person outside the PCV for debriefing, objective discussion, and accountability.
c) The MDC will establish suitable annual internal performance review mechanisms for the MDO, focusing on the stated key duties and responsibilities. These mechanisms will require the MDO to engage in self-reflection during the review process.
d) The MDO appointment will be for an initial period of two years and may be extended beyond that term, subject to a review of both the position and the MDO's performance. The MDC, in undertaking this review, will form a review panel, which will include at least one person external to the committee.

7. Terms of Employment

a) 1.20 times the minister's minimum remuneration package.
b) Manse provided or manse allowance, to be reviewed annually.
c) Communication costs up to $2,400 a year, to be reviewed annually.
d) Fully serviced vehicle with work-related expenses, running costs or equivalent benefit.

e) Manse energy up to an amount set by the TEC from time to time, to be reviewed annually.
f) Superannuation at the ministerial rate.
g) Five weeks annual leave.
h) One-week study leave for professional development, subject to the concurrence of the MDC and in line with MDC purposes and goals, with approved associated expenses also being provided.
i) Removal costs are ordinarily paid once at the time of the first appointment, but, in special circumstances, the committee may approve a part of or all additional removal costs in the contract period.
j) Work Cover and the minister's disability insurance.
k) Long Service Leave according to provisions for ministers of the PCV
l) Professional supervision costs, for the long-term welfare of the MDO, are subject to MDC approval.
m) Any other provision the Assembly may determine from time to time.
n) The position is a full-time appointment with the initial contract being 2 years.
o) The position will include annual internal committee performance reviews.
p) Upon completion of the initial 2-year term, the appointment may be extended, provided a satisfactory professional review has been conducted. The review panel should include at least one person external to the MDC

5. Theological Education

a) 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 congregations 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

2.1 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.

2.2. 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.

2.3. 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, speaking to university groups, and taking part in appropriate interdenominational meetings.

3. Attributes

- Able to meet the qualifications of an overseer as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- Prayerful.
- A capacity to communicate a biblical model of pastoral formation and theological education.
- Ability to relate to people of diverse cultural backgrounds.

4. Selection Criteria

Essential Qualifications

- Possessing or working towards a doctorate in one of the major theological disciplines.
- 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 read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of Scripture.
- Fully committed to the Bible as the inerrant Word of God.
- Already possessing, or able to obtain, a WWCC and willing to sign the Safe Church policy agreement.

Achievements and Capabilities

- Understanding of the Australian Higher Educational context, especially of the expectations of the Australian College of Theology.
- An ability to sustain a public platform ministry
- Involvement in discipling and training others in ministry skills
- Demonstrated capacity to lead 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

5. Terms

a) 1.23 times the minister's minimum remuneration package as defined in the annual MMC deliverance to the Assembly.
b) manse provided or benefit as set by the Theological Education Committee.
c) telephone rent plus all calls.
d) superannuation at the ministerial rate.
e) six month's paid study leave during each fourth and each seventh year of appointment or alternatively twelve month's paid study leave during each seventh year of appointment.
f) removal costs paid by the Theological Education Committee within Australia but a negotiated figure if from overseas.
g) annual leave equivalent to ministerial annual leave as defined in the annual MMC deliverance to the Assembly, currently five weeks.
h) Workcover.
i) payment of manse energy bills up to an amount set by the TEC from time to time as a non-cash benefit.
j) fully serviced car with running costs for church, or equivalent cost benefit as set by the Theological Education Committee.
k) any other provisions the Assembly may determine.

b) Lecturer in Biblical Counselling

1. Position Summary

The lecturer in Biblical Counselling is appointed by the Faculty in consultation with the Theological Education Committee (TEC). The appointment is on a permanent two days per week basis (0.4 FTE).

The lecturer in Biblical Counselling is a faithful Christian, academically able in the discipline of Biblical Counselling and with experience in ministry and pastoral oversight. As a teaching position, the Lecturer has a leadership role within the PCV as it engages with theological and ministry issues.

With the TEC, the Faculty sets the lecturer apart for this ministry and teaching appointment by a public act of commissioning, usually at the Commencement and Graduation Service.

2. Responsibilities

The lecturer in Biblical Counselling is responsible, under the Principal of the PTC, for delivering and assisting to deliver ACT and PTC units in Biblical Counselling and Pastoral Ministry, as assigned by the Faculty. The lecturer is the department head of and responsible to the Faculty for the field of Biblical Counselling at PTC (the PTC National Centre of Biblical Counselling). In the delivery of other Pastoral Ministry units, the lecturer is under the oversight of the faculty Practical Theology department head.

The usual responsibilities are:

- Introductory Biblical Counselling units (two units, PC002 and PC003, 0.2 FTE)
- Biblical Counselling recorded online units and projects (five units, 0.125 FTE)
- Biblical Counselling field education unit (0.05 FTE)
- Biblical Counselling programme (Centre) development, promotion, and reporting (0.025 FTE)
- Higher degree research or research output (0.05 FTE, with sabbatical allowance)

Additional responsibilities as 0.4 FTE permits may include:

- Pastoral Supervision unit (0.025 FTE)
- PTC conferences (0.025 FTE)

Significant, temporary increases in the load for a semester will be appropriately remunerated,

The lecturer must:

- Set an example in life and ministry to the students.
- Contribute to the well-being of the college community.
- Undertake administrative tasks related to the units being taught.
- Stay abreast of educational developments and innovate in the delivery of the assigned courses and their assessment.

These responsibilities involve attendance for relevant agenda items at faculty meetings. They may involve participation in Australian College of Theology Pastoral Ministry department meetings as negotiated with the faculty Practical Theology department head.

3. Attributes

- Meets the qualifications of a ministry leader as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- Prayerful.
- The capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.

4. Qualifications

Essential

- Qualified at Research Masters level or ACT equivalence or above and able to meet ACT approval criteria for the delivery of level 9 Pastoral Care units.

- A minister in full standing with the Presbyterian Church of Australia, or a minister of another denomination.
- A wholehearted commitment to the Westminster Confession of Faith, as read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of Scripture.
- Fully committed to the Bible as the inerrant Word of God.
- Possesses or can obtain a Working with Children's Check and is willing to sign the Safe Church policy agreement.

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.
- Availability to teach evening classes.
- Availability to preach on Sundays and represent the College.
- Administrative experience with an ability to share in the administrative work of a tertiary institution relating to the assigned units.

5. Remuneration

a) 0.4 times the minister's minimum remuneration package as defined by the Assembly.
b) when applicable any additional paid hours will be remunerated proportionately based on the minimum ministerial remuneration.
c) manse allowance set by the TEC as appropriate for a 0.4 FTE appointment.
d) superannuation at the ministerial rate.
e) 0.4 times ministerial annual leave as defined by the Assembly, currently five weeks.
f) six months of 0.4 FTE paid study leave during each fourth and each seventh year of employment or twelve months of 0.4 FTE paid study leave during each seventh year of employment
g) Workcover.
h) any other provisions the Assembly may determine.

6. Termination

a) By the committee
   If after review of his performance the committee resolves that the appointee not be re-appointed, the committee shall give him six months written notice of termination.
b) By the appointee
   If the appointee desires to resign his appointment, he shall give at least six months' notice in writing to the committee, unless the committee resolves to allow a shorter period of notice.
c) Immediate by change of circumstance
   1. Deposition or Excommunication.
   2. WWCC exclusion.

c) Lecturer in Biblical Languages and Old Testament

1. Position Summary

The lecturer in Biblical Languages and Old Testament is appointed by the Faculty in consultation with the Theological Education Committee (TEC).

The appointment is on a permanent two days per week basis (0.4 FTE). The lecturer in Biblical Languages and Old Testament is a faithful Christian, academically able in the disciplines of the biblical languages and Old Testament and with experience in ministry and pastoral oversight.

As a teaching position, the Lecturer has a leadership role within the PCV as it engages with theological and ministry issues. The Faculty sets the lecturer apart for this ministry and teaching appointment by a public act of commissioning, usually at the Commencement and Graduation Service.

2. Responsibilities

The lecturer in Biblical Languages and Old Testament is responsible, under the Principal of the PTC, for delivering and assisting to deliver Hebrew, Greek, and Old Testament units, as assigned by the Faculty. The lecturer is under the oversight of the faculty head of the department or departments in which he is lecturing.

The usual responsibilities are:

- Hebrew language units (two units, 0.2 FTE)
- Old Testament recorded online units (three units, 0.075 FTE)
- One Hebrew exegesis unit every 3.5 years (0.03 FTE)

Additional responsibilities as required and as 0.4 FTE permits may include:

- Greek language units (two units, 0.2 FTE)
- Old Testament tutoring and grading (0.025 FTE per unit)
- Higher degree research or research output (0.05 FTE).

Significant, temporary increases in the load for a semester will be appropriately remunerated,

The lecturer must:

- Set an example in life and ministry to the students.
- Contribute to the well-being of the college community.
- Undertake administrative tasks related to the units being taught.
- Stay abreast of educational developments and innovate in the delivery of the assigned courses and their assessment.

These responsibilities do not involve attendance at faculty meetings. They may involve participation in Australian College of Theology Biblical Languages or Old Testament department meetings as negotiated with the relevant PTC department head.

3. Attributes

- Meets the qualifications of a ministry leader as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- Prayerful.
- The capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.

4. Qualifications

Essential

- Qualified at Research Masters level or ACT equivalence or above and able to meet ACT approval criteria for the delivery of level 8 Biblical Language and Old Testament units.

- A minister in full standing with the Presbyterian Church of Australia, or a minister of another denomination.
- A wholehearted commitment to the Westminster Confession of Faith, as read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of Scripture.
- Fully committed to the Bible as the inerrant Word of God.
- Possesses or can obtain a Working with Children's Check and is willing to sign the Safe Church policy agreement.

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.
- Availability to teach evening classes.
- Availability to preach on Sundays and represent the College.
- Administrative experience with an ability to share in the administrative work of a tertiary institution relating to the assigned units.

5. Remuneration

a) 0.4 times the minister's minimum remuneration package as defined by the Assembly.
b) when applicable any additional paid hours will be remunerated proportionately based on the minimum ministerial remuneration.
c) manse allowance set by the TEC as appropriate for a 0.4 FTE appointment.
d) superannuation at the ministerial rate.
e) 0.4 times ministerial annual leave as defined by the Assembly, currently five weeks.
f) Workcover.
g) any other provisions the Assembly may determine.

5. Termination of Appointment

a) By the committee
If after review of his performance the committee resolves that the appointee not be re-appointed, the committee shall give him six months written notice of termination.
b) By the appointee
If the appointee desires to resign his appointment, he shall give at least six months' notice in writing to the committee, unless the committee resolves to allow a shorter period of notice.
c) Immediate by change of circumstance
1. Deposition or Excommunication.
2. WWCC exclusion.

d) Lecturer in Old Testament Studies, PTC

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.

e) Lecturer in New Testament Studies, PTC

1. Position Summary

The Presbyterian Theological College (PTC), the ministry training college of the Presbyterian Church of Victoria, is seeking a lecturer in New 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 Greek and New Testament studies and with experience in pastoral ministry, who can help students understand the New Testament 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 New Testament will be responsible, under the Principal of the PTC, for delivery of lectures in the area of New Testament studies and New Testament Greek, teaching principally the Greek and New Testament courses of the ACT.

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 inerrant Word of God.
- A capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.

4. Qualifications

Essential

- Qualified in New Testament at Research Masters level or above.
- Ideally already possessing or working toward a doctorate and be interested in writing journal articles and/or books
- 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 read in the light of the Declaratory Statement of 1901, 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.
- Availability to preach at weekends and represent the college, as well as teaching evening classes.

- Administrative experience with an ability to share in the administrative work of a tertiary institution.

f) Lecturer in Church History and Public Theology, PTC

1. Position Summary

The Presbyterian Theological College (PTC), the ministry training college of the Presbyterian Church of Victoria, is seeking a Lecturer in Church History and Public Theology.

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 discipline of historical studies and with experience in pastoral oversight who can help students understand the challenges and Gospel opportunities of the intellectual, moral, and cultural context in Australia. The lecturer will also have a role in leading the PCV as it engages with doctrinal and cultural issues. The Assembly, through the TEC, will set the lecturer apart for this ministry and teaching appointment by a public act of commissioning.

2. Responsibilities

The lecturer in Church History and Public Theology will be responsible, under the Principal of the PTC, for delivery of ACT lectures in Introductory Church History and the Reformation, as well as in the areas of Western intellectual history and contemporary cultural engagement.

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.
- Seek to engage the wider Christian Church and the general public in areas relevant to his field.

These tasks will involve attendance at faculty meetings and participation in Australian College of Theology meetings in his area and being available to advise Assembly Committees as requested and appropriate.

3. Attributes

- Able to meet the qualifications of a ministry leader as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- Prayerful.
- A capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.

4. Qualifications

Essential

- Qualified in History at Research Masters level or above.
- Preferably already possessing or working toward a doctorate and be interested in writing journal articles and/or books
- A minister in full standing with the Presbyterian Church of Australia, willing to satisfy the requirements of the rules of the General Assembly of Australia relative to the reception of ministers from other churches, or similarly able to provide theological and spiritual leadership as a teacher of the Church (including in conducting worship services).
- A wholehearted commitment to the Westminster Confession of Faith, as read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of Scripture.
- Fully committed to the Bible as the inerrant Word of God.
- Already possessing, or able to obtain, a WWCC and willing to sign the Safe Church policy agreement.

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 the courts of the Church.
- Availability to preach at weekends and represent the College, as well as teaching evening classes.
- Administrative experience with an ability to share in the administrative work of a tertiary institution.

5. Terms

a) 1.05 times the minister's minimum remuneration package as defined in the annual MMC deliverance to the Assembly.
b) manse provided or benefit as set by the Theological Education Committee.
c) telephone rent plus all calls.
d) superannuation at the ministerial rate.
e) six month's paid study leave during each fourth and each seventh year of appointment or alternatively twelve month's paid study leave during each seventh year of appointment.
f) removal costs paid by the Theological Education Committee within Australia but a negotiated figure if from overseas.
g) annual leave equivalent to ministerial annual leave as defined in the annual MMC deliverance to the Assembly, currently five weeks.
h) Workcover.
i) payment of manse energy bills up to an amount set by the TEC from time to time as a non cash benefit.
j) any other provisions the Assembly may determine.

g) Lecturer in Theological Studies

1. Position Summary

The Presbyterian Theological College (PTC) is the ministry training college of the Presbyterian Church of Victoria (PCV) and is a reformed and evangelical institution that has a vital role in developing, disseminating, and supporting faithful gospel ministry in Melbourne, regional Victoria and beyond. The Lecturer in Theological Studies is appointed to the PTC by the General Assembly of the PCV, through the Theological Education Committee (TEC), the body entrusted with the oversight of the College by the Assembly.

The Lecturer in Theological Studies is a faithful Christian, academically able in the discipline of historical and systematic the-ology and with experience in pastoral oversight, who can help students understand the doctrines of scripture and how those doctrines have been understood by the Church. The lecturer also has a role in leading the PCV as it engages with theological and ministry issues.

Through the TEC, the Assembly sets the lecturer apart for this ministry and teaching appointment by a public act of commissioning.

2. Responsibilities

The Lecturer in Theological Studies is responsible for the follow-ing, under the oversight and at the direction of the Principal.

Key responsibilities (0.7 FTE total):

- Lecturing in Systematic and Historical Theology and other Christian studies, and undertaking related activities such as assessment, research supervision, and conference speaking, as assigned by the faculty (0.4 FTE).
- Producing research publication outputs at world-class level or above typically on a per semester basis (0.3 FTE, excluding study leave).

Institutional and consortium responsibilities (0.2 FTE):

- Participating in faculty meetings and activities.
- Undertaking administrative tasks.
- Meeting Australian College of Theology academic and administrative requirements.
- Participating in Australian College of Theology meetings.

Denominational responsibilities (0.1 FTE):

- Being involved in and representing the College's interests in the life of the PCV.
- Representing the College by leading and preaching in congregational worship.
- Advising Assembly committees as requested and required.

General responsibilities:

- Setting an example in life and ministry to the students.
- Contributing to the well-being of the college community.
- Staying abreast of educational developments and innovating in the delivery of his courses and their assessment.
- Teaching evening classes.

3. Attributes, Qualifications, Experience

Essential

- Qualified at research doctoral level.
- Meets the qualifications of a ministry leader as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- A minister in full standing with the Presbyterian Church of Australia, or willing to satisfy the requirements of the General Assembly of Australia relative to the reception of ministers from other churches, or similarly able to provide theological and spiritual leadership as a teacher of the Church, including in conducting worship services.

- A wholehearted commitment to the Westminster Confession of Faith, as read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of scripture.
- Fully committed to the Bible as the inerrant word of God.
- Prayerful.
- The capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.
- Ability to work in a team.
- Possesses or can obtain a Working with Children's Check and is willing to sign the Safe Church policy agreement.

Preferred at application:

- Demonstrated ability to teach in the discipline.
- Demonstrated ability to produce academic publications.
- Experience in curriculum design, assessment, and different modes of course delivery.
- Understanding of the Australian higher educational context and the expectations of the Australian College of Theology.
- Experience in discipling and training others in ministry skills.
- Experience in the activities of the courts of the Church.
- Administrative experience in a tertiary institution.

4. Terms

a) 1.05 times the minister's minimum remuneration package as defined by the Assembly.
b) manse provided or benefit as set by the TEC.
c) telephone rent plus all calls.
d) superannuation at the ministerial rate.
e) six months of paid study leave during each fourth and each seventh year of employment or twelve months of paid study leave during each seventh year of employment.
f) removal costs paid by the TEC within Australia but a negotiated figure if from overseas.
g) annual leave equivalent to ministerial annual leave as defined by the Assembly, currently five weeks.
h) Workcover.
i) payment of manse energy bills up to an amount set by the TEC from time to time as a non-cash benefit.
j) any other provisions the Assembly may determine.
k) The appointment will be for two years in the first instance, and any subsequent appointment will be in compliance with workplace legislation.

5. Termination of Appointment

a) By the committee
If after review of his performance the committee resolves that the appointee not be re-appointed, the committee shall give him six months' written notice of termination.
b) By the appointee
If the appointee desires to resign his appointment, he shall give at least six months' notice in writing to the committee, unless the committee resolves to allow a shorter period of notice.
c) Immediate by change of circumstance
    1. Deposition or excommunication.
    2. WWCC exclusion.
    3. Not meeting or no longer able or willing to meet a position description responsibility or no longer possessing an essential attribute or qualification.

h) Lecturer in Practical Theology (Evangelism and Mission)

1. Position Summary

The Presbyterian Theological College (PTC) is the ministry training college of the Presbyterian Church of Victoria (PCV) and is a reformed and evangelical institution that has a vital role in developing, disseminating, and supporting faithful gospel ministry in Melbourne, regional Victoria and beyond. The Lecturer in Practical Theology (Evangelism and Mission) is appointed to the PTC by the General Assembly of the PCV, through the Theological Education Committee (TEC), the body entrusted with the oversight of the College by the Assembly.

The Lecturer in Practical Theology (Evangelism and Mission) is a faithful Christian, academically able in the discipline of Practical Theology, with a demonstrable ability as a personal formational advisor, and with experience in pastoral oversight, who can help students understand the challenges and gospel opportunities of the intellectual, moral, and cultural context in Australia and support students as they prepare for ministry. The lecturer also has a role in leading the PCV as it engages with theological and ministry issues.

Through the TEC, the Assembly sets the lecturer apart for this ministry and teaching appointment by a public act of commissioning.

2. Responsibilities

The Lecturer in Practical Theology (Evangelism and Mission) is responsible for the following, under the oversight and at the direction of the Principal.

Key responsibilities (0.7 FTE total):

- Lecturing in evangelism, apologetics, mission, church planting, and other Christian studies, and undertaking related activities such as assessment and research supervision, as assigned by the faculty (0.4 FTE).
- Developing relationships with ministry students that will be spiritually and personally formative and supportive for them and continuing the relationships into at least the first two years of students' ministries after College (0.2 FTE).
- Engaging in conferences relevant to the teaching area (0.05 FTE).
- Leading the College mission evangelism week (0.025 FTE).
- Producing research and scholarly publication outputs (0.025 FTE, excluding study leave)

Institutional and consortium responsibilities (0.2 FTE):

- Participating in faculty meetings and activities.
- Undertaking administrative tasks.
- Meeting Australian College of Theology academic and administrative requirements.
- Participating in Australian College of Theology meetings.

Denominational responsibilities (0.1 FTE):

- Being involved in and representing the College's interests in the life of the PCV.
- Representing the College by leading and preaching in congregational worship.
- Advising Assembly committees as requested and required.

General responsibilities:

- Setting an example in life and ministry to the students.
- Contributing to the well-being of the college community.
- Staying abreast of educational developments and innovating in the delivery of his courses and their assessment.
- Teaching evening classes.

3. Attributes, Qualifications, Experience

Essential

- Qualified at research masters level or above.
- Meets the qualifications of a ministry leader as described in 1 Timothy 3 and Titus 1, i.e. demonstrating a mature Christian character.
- A minister in full standing with the Presbyterian Church of Australia or committed to applying or having already applied to be received as a minister of the General Assembly of Australia.
- A wholehearted commitment to the Westminster Confession of Faith, as read in the light of the Declaratory Statement of 1901, as a systematic exposition of the teaching of scripture.
- Fully committed to the Bible as the inerrant word of God.
- Demonstrable ability in discipling and training others in ministry skills.
- Demonstrable ability in advising others in spiritual formation.
- Prayerful.
- The capacity to communicate clearly.
- Ability to relate to people of diverse cultural backgrounds.
- Ability to work in a team.
- Possesses or can obtain a Working with Children's Check and is willing to sign the Safe Church policy agreement.

Preferred at application:

- Already possessing or working toward a doctorate (preferably a research doctorate).
- Demonstrated ability to teach in the discipline.
- Demonstrated ability to produce academic or scholarly publications.
- Experience in curriculum design, assessment, and different modes of course delivery.
- Understanding of the Australian higher educational context and the expectations of the Australian College of Theology.
- Experience in the activities of the courts of the Church.
- Administrative experience in a tertiary institution.

4. Terms

a) 1.05 times the minister's minimum remuneration package as defined by the Assembly.
b) manse provided or benefit as set by the TEC.
c) telephone rent plus all calls.
d) superannuation at the ministerial rate.
e) six months of paid study leave during each fourth and each seventh year of employment or twelve months of paid study leave during each seventh year of employment.
f) removal costs paid by the TEC within Australia but a negotiated figure if from overseas.
g) annual leave equivalent to ministerial annual leave as defined by the Assembly, currently five weeks.
h) Workcover.
i) payment of manse energy bills up to an amount set by the TEC from time to time as a non-cash benefit.
j) any other provisions the Assembly may determine.
k) The appointment will be for two years in the first instance, and any subsequent appointment will be in compliance with workplace legislation.

5. Termination of Appointment

a) By the committee
   If after review of his performance the committee resolves that the appointee not be re-appointed, the committee shall give him six months' written notice of termination.
b) By the appointee
   If the appointee desires to resign his appointment, he shall give at least six months' notice In writing to the committee, unless the committee resolves to allow a shorter period of notice.
c) Immediate by change of circumstance
   1. Deposition or excommunication.
   2. WWCC exclusion.

3. Not meeting or no longer able or willing to meet a position description responsibility or no longer possessing an essential attribute or qualification.

6. Presbyterian Youth and Children

a) PCV Youth and Children's Worker

1. Position Purpose

To lead and implement the operations of the Presbyterian Youth and Children Committee

2. Duties and Responsibilities

a) Organise state-level events:
   i) arrange bookings and speakers, and then delegate roles and responsibilities to volunteers.
   ii) adhere to the committee's 'Policy and Procedures Manual' for all events.
   iii) report on all events to the committee.

b) Recruit, train and lead volunteers:
   i) create a pool of eligible volunteers (PCV Safe Church and pastor approved).
   ii) work with the committee's Safe Church Representative (and/or the SCU) to ensure all volunteers are up to date with PCV Safe Church accreditation.
   iii) organise the necessary training events for volunteers prior to events, and appropriate pastoral follow up for volunteers after events.
   iv) provide oversight of volunteers at events.

c) Discipleship and training:
   i) encourage a culture of disciple-making-disciples among the children, youth and volunteers.
   ii) oversee the annual leadership launch camp.
   iii) develop a long-term plan for events, discipleship and local congregational support.
   iv) oversee the Catechism Curriculum.

d) Support state-level youth and children's ministry across the PCV:
   i) build an informal network of support for state-level youth and children's ministry.
   ii) support local PCV youth and children's ministries and their leaders with training and advice.
   iii) participate in national PCA children's and youth networks and training.
   iv) support the work of METRO in relation to youth ministry.
   v) be the person with overall responsibility for Child Safety at all committee approved events (or ensuring that a suitable person is delegated into this role).

e) Fundraising:
   Work with the committee Fundraiser to raise funds as required.

3. Working Relationships

a) Reporting to, supervised by, and reviewed by the committee.
b) Chairing the 'Operations and Strategy' subcommittee.
c) Supervising other employees as required by the committee.
d) Coordination with the PCV Safe Church Unit.
e) Recruiting, training and leading volunteer leaders.
f) Networking with church leaders within the PCV.
g) Interacting with PCV youth and children, and their parents.

4. Requirements

a) Affirm and uphold the theology and practices of the PCV.
b) Attributes: a deep interest in discipleship, organisational skills, ability to manage volunteers, and a pastoral manner.
c) Theological training.
d) Fulfill all applicable PCV Safe Church requirements.
e) Attendance at residential events.
f) Ability to work effectively with other committee staff.
g) Be or become a communicant member of a PCV congregation.

1. Terms

a) Appointed period of five years, with a one-year probation, and with the possibility of renewal after a review.
b) A position regulated by a PCV Board of Investment and Finance approved employment agreement, reviewed annually and terms varied accordingly.
c) Provision of a laptop, mobile phone and travel expenses.
d) Appropriate professional development.
e) Use of the Committee Office.

B. Committee Staff appointments under Rule 5.32

7. Gospel, Church and Nation Committee

a) Researcher

Position Description

The purpose of the position of Researcher is to assist the Church and Nation Committee in its duties as outlined in the Code:

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.

Work Environment

The Researcher shall work from office space negotiated between the Committee and the Researcher, though some travel will be necessary. Office costs will be covered by the committee up to $2,500 pa.

Primary Responsibilities and Duties of The Position

- Researching matters and or concerns (political, biomedical, family and ethical issues) as directed by the committee.
- Reading and preparing papers and or briefs to assist the committee with submissions.
- Assist in preparing reports or papers for the committee and Assembly.
- Assisting the committee and the convener, which may include attending conferences, tribunals or parliament on their behalf.
- Monitoring matters that arise at the Church-State interface.

Criteria of The Position

- Familiar with and sympathetic to Reformed theology and the ethos of the Presbyterian Church of Victoria.
- Tertiary educated with an ability to communicate in clear, concise and grammatically-correct English.
- Familiarity with biomedical, family and ethical issues.
- Ability and willingness to travel when necessary.
- Ability to be self-directed, highly motivated and work diligently with minimal supervision.

Reporting Arrangements

The Researcher shall report monthly to the Church and Nation Committee through its convener.

Remuneration

The position is up to 15 hours per week and regulated by a PCV Trusts Corporation Employment Agreement, reviewed annually, and terms varied accordingly. Travel and associated costs are covered by committee funds.

8. HCCC

a) HCCC Chaplaincy Support Worker

1. Job Title

HCCC Chaplaincy Support Worker

2. Position Focus

The Chaplaincy Support Worker is employed by the Health & Community Chaplaincy Committee to provide administrative support for its Staff and Volunteer Chaplains and to administer various aspects of the Committee's work as outlined below including the Good Friday Appeal, Ministry Family Assistance Program, regular grant payments and providing assistance and support to the Committee and Camp Project Worker in relation to the annual PCV Ministry Family Camp.

3. Reporting to

The Convener, HCCC.

4. Tasks

- Organise HCCC meetings- meeting room bookings, communication with Committee members, distribution of papers, purchase of lunch requirements, taking of minutes, developing action lists
- Expedite payment of Committee expenses as per HCCC annual budget to a pre-determined limit
- Expedite grant payments and all related communications; eg AFES, PCV Volunteer Chaplains
- Maintain PCV Chaplains accreditation records (Paediatric Chaplains and others as needed)
- Distribute information regarding relevant training and Professional Development to HCCC Staff and Volunteer Chaplains
- Manage and effect communications with PCV/Ministers, poster development, mailouts and all administration for the HCCC's annual Good Friday Appeal
- Be the point of contact for PCV Ministry Family Assistance Program (counsellors, admin, internal clients), maintaining all appropriate confidentiality
- Assist with administration and organisation for HCCC's annual Chaplain's Service
- Work closely with HCCC Convener and HCCC MFC Project Officer to assist with all arrangements for annual Ministry Family Camp- payment of invoices/expenses etc
- Provide administrative assistance to the Pastoral Support Worker- Ministry Wives as needed
- Assist the Committee in organising relevant seminars and training days; eg for ministry wives, chaplains etc
- Organise the annual HCCC Chaplain's Christmas function
- Purchase office supplies as necessary
- Respond to internal and external queries about HCCC activities
- Become knowledgeable about opportunities for Chaplaincy service in line with the HCCC's regulations and work with Convener and HCCC to identify opportunities for further work/ministry subject to budget availability and Committee requirements.
- Finalise all HCCC payments (invoices/expenses and grant payments) related to End of Financial Year.

5. Qualifications and Experience

- Administrative experience in an office environment Proficiency in Word, Excel and Outlook
- Financial literacy - understanding of accounts, invoices and expenses
- Good written and spoken communication skills
- An interest in the work of Health & Community Chaplaincy
- Good understanding of Presbyterian polity and practice
- Member or Adherent in good standing of a PCA congregation
- Qualifications in business, administration, accounting or management would be well received

6. Personal Qualities

- A lively Christian faith
- Ministry oriented person with administrative skills
- Proactive, efficient and responsive to deadlines
- Diplomatic
- Understands the importance and necessity of confidentiality
- Organised
- Flexible
- Attention to detail
- Calm and courteous

b) HCCC PCV Ministry Wives' Chaplain

1. Objective

To serve as Chaplain to wives of active Presbyterian Church of Victoria

- ministers and licentiates,
- ministry candidates at Presbyterian Theological College, and
- home missionaries.

2. Employer

The Health and Community Chaplaincy Committee ('HCCC') of the Presbyterian Church of Victoria.

3. Terms and Conditions

The position is an 0.6 FTE (45 hours per fortnight) appointment for a fixed term of three years.

4. Accountability and Reporting

- The position reports to the Committee Convener.
- The Chaplain will provide the Committee with twice-annual written reports.

5. Key Selection Criteria:

a) Prerequisites

- Christian, able to clearly articulate the gospel.
- Willing to work within, and support, the framework of the Westminster Confession of Faith and the applicable rules, regulations and policies of the PCV.
- Experience and/or qualification in Christian ministry.
- Proven active member of their home [reformed/evangelical/protestant] church.
- Holds a current driver's license and has access to a motor vehicle.
- Capacity and willingness to travel within Victoria and arrange own accommodation where needed.
- Willing to comply with Government vaccination requirements.

b) Competencies

- Computer skills to meet the role expectations (eg zoom & social media).
- A high level of verbal and written communication skills.
- Able to facilitate small groups or meetings, in person and online.
- Ability to relate to women of all ages and provide appropriate emotional/spiritual support.
- Ability to refer wives to professional help as required.
- Committed to PCV Safe Church safety standards.

c) Personal Attributes

- Physical, emotional and spiritual resilience.
- Able to maintain confidentiality in relationships.
- Works independently/is organised.
- Friendly, caring, empathic, approachable and active listener.
- Godly and mature work attitude.
- Committed to a dependency on the Lord as demonstrated through prayer and Bible reading.

6. Key Responsibilities

- Develop supportive relationships with ministry wives through sharing the scriptures and praying together.
- Provide chaplaincy care to ministry wives in hardship, grief, isolation and stress.
- Engage with women, individually or in small groups, as appropriate i.e. visitations, Zoom, phone calls, social media (Travel may be a requirement for visitations around Victoria).
- Initiate a visit to each presbytery every two years (either for a group meeting or to meet with individual wives).
- Establish networks amongst ministry wives where appropriate.
- Establish and develop relationships with wives of candidates at PTC.

- Develop a resource base for encouraging and developing wives where helpful.
- Coordinate ministry wives annual calendar of proposed engagements with Women's Ministries Victoria.
- Encourage ministry wives to participate in training events within and external to PCV.
- Visit, where appropriate, PCV General Assembly to further develop relationships with ministry wives.
- Attend Ministry Family Camps.
- Warmly engage with the broader women's networks within the PCV.
- Maintain accurate contact details of ministry wives in conjunction with PCV office.
- Maintain confidential records of interactions with ministry wives.
- Set and maintain professional boundaries with recipients of care.
- Undertake regular professional supervision as budgeted by HCCC.
- Undertake regular professional development as recommended by HCCC and/or as self-initiated.

9. METRO

a) Committee Administrative Assistant

1. Committee

To improve the efficiency and effectiveness of the committee, an administrative assistant is required to undertake the following tasks to support the METRO committee – in particular the secretary and convener.

2. Remuneration and time

It is expected that the role requires three hours per week (seasonally, with more work undertaken in the second half of the year than the first). Remuneration will be according to the process established under the regulations of the Board of Investment and Finance.

3. Tasks

a) Preparation of Agenda for meetings:
This agenda should be developed in consultation with the secretary and convener and sent (via email) to committee members at least a week before the meeting. This may also require prompting others on the committee to submit items for the agenda.

b) Attending Committee meetings (approx. five times per year) and preparation of minutes:
Minutes of the meetings should be distributed to members (via email or Dropbox) within a week of the meeting. A hard copy of the minutes must be signed by the convener once those minutes are approved at the next meeting. These signed copies are to be stored in a file and printed and pasted into a minute book.

c) Maintaining Website:
Checking information on the METRO website in a timely manner which includes communicating with members of the committee to make sure mailing addresses, dates, videos and photos are up to date.

d) Communication with applicants:
When an application form has been processed, the administrative assistant will write letters to the trainee, their trainer, and the church advising them of the result of their application.

e) Communication with the PCV:
Including the PCV Network, church office, or other committees on behalf of the committee and convener as required from time to time.

f) Sending timely reminders via email to trainees and trainers regarding key event dates:
Engage Leaders Conference, METRO Graduation/Orientation Day, MTS Conferences, METRO Trainees half-yearly surveys.

g) Safe Church Unit liaison and compliance:
Quarterly communication with the Safe Church Unit to ensure that all METRO activities are in compliance with the requirements of Safe Church.

h)

i) Compiling manuals, books and resources and employment packs.
ii) Organising the printing, copying, binding and distribution of manuals for trainees.
iii) Purchase and distribution of books to trainees.
iv) Correspondence with PCV office and MTS to ensure that employment packs are up to date.

4. Desirable in the applicant

a) Knowledge of the Presbyterian Church of Victoria

The applicant is familiar with the processes and practices of the Presbyterian Church of Victoria including the different courts and committees of the church.

b) Design and Video experience
The applicant has some basic or intermediate ability in graphic design and videography.

10. Ministry Development

a) Ministry Leadership Coach

1. Ministry Leadership Coach

The Ministry Leadership Coach (MLC) is a fulltime staff position (rule 5.32) appointed by the Ministry Development Committee (MDC) with an initial two-year contract period that may be extended.

2. Attributes

The successful applicant will possess Christlike character and demonstrable convictions and competencies as specified in scriptural teaching, such as 1 Timothy 3:1-7 and Titus 1:5-9.

3. Preferred Skills and Experience

The MLC of the Presbyterian Church of Victoria shall be a person who:

a) is an experienced minister of the Presbyterian Church of Australia;
b) has experience in leadership development and coaching of people in pastoral leadership and those who are led by those in pastoral leadership for church revitalisation; and
c) has experience with a variety of coaching tools and a record of fruitfulness in applying such methods for church revitalisation.

4. Key Duties & Responsibilities

The MLC will:

a) develop, oversee and implement the Revitalisation Track in coordination with Presbyteries; and
b) coach Ministers and Sessions through the Revitalisation Track; and
c) build a network of gospel ministry coaches for service in the Presbyterian Church of Victoria; and
d) liaise and work with the Ministry Development Officer through an ongoing feedback process to review and refine deployed revitalisation materials.

5. Professional Development

a) The MLC is expected to undertake regular professional development, subject to the concurrence of the MDC, focusing on the areas of pastoral leadership and coaching.
b) The MLC, subject to MDC approval, will be reimbursed for any professional development expenses incurred, which may include travel costs, as the occasion arises.
c) The MLC is expected to connect, network and partner with other people and organisations working within the sphere of presbyterian pastoral leadership and coaching for church revitalisation.

6. Accountability, Supervision and Review

a) The MLC reports directly to the MDC and is accountable for the performance of his key duties and responsibilities.
b) The MLC will be required to establish a 'supervisor' relationship with an appropriate person outside the PCV for debriefing, objective discussion, and accountability.
c) The MDC will establish suitable annual internal performance review mechanisms for the MLC on the stated key duties and responsibilities, which will require the MLC to self-reflect in the review process.
d) The MLC appointment will be for an initial period of two years and may be extended beyond that term, subject to a review of both the position and the MLC's performance. The MDC, in undertaking this review, will form a review panel, which will include at least one person external to the MDC.

7. Terms of Employment

a) 1.20 times the minister's minimum remuneration package.
b) Manse allowance, to be reviewed annually.
c) Fully funded work-related travel expenses with prior agreement of the MDC.
d) Manse energy costs up to an amount set by the TEC from time to time, reviewed annually.

e) Communication costs up to $2,400 a year, reviewed annually.
f) Superannuation at the ministerial rate.
g) Five weeks' annual leave.
h) One-week study leave for professional development, subject to the concurrence of the MDC and in line with MDC purposes and goals, with approved associated expenses also being provided.
i) Removal costs are ordinarily paid once at the time of the first appointment, but, in special circumstances, the MDC may approve a part of or all additional removal costs in the contract period. Work Cover and Minister's disability insurance.
j) Long service leave according to provisions for ministers of the Presbyterian Church of Victoria.
k) Professional supervision costs, for the long-term welfare of the MLC, subject to MDC approval.
l) The successful candidate for appointment will be required to sign an initial two-year contract that may be extended.
m) The position will include an internal committee performance review.
n) The contracted staff appointment may be extended, subject to a satisfactory professional review process. A professional review panel will include one or more persons external to the MDC.

b) Ministry Development Committee Administrator

1. Purpose

To glorify God and edify Christ's church by performing a wide range of administrative support activities for the Ministry Development Committee (MDC).

2. Duties and responsibilities

Assisting the Committee:

a) Undertaking the timely administration of preparing and sending to committee members agendas (one week before the MDC meeting), assisting with the efficient running of monthly meetings and maintaining accurate meeting minutes.
b) Managing the administration of the inward and outward correspondence of: Grant Applications, Home Missionary Applications, Committee schedules and the Exit Student Committee process, etc.
c) Managing the administration of all committee records.
d) Following up with grant receiving churches (all types) to obtain updates on progress and any developments that may be relevant to the committee when considering grant applications.
e) Supporting MDC subcommittees in undertaking their assigned work, including but not limited to the preparation of agendas, taking of meeting minutes, and reporting information as required.
f) Working with the Convener to produce the committee's annual report to the General Assembly of the PCV.
g) Providing administrative support to the Exit Student Committee's process.

Liaising with others

a) Liaising with the committee treasurer to ensure that payment authorisations are prepared and received on time.
b) Liaising with Ministers, Session Clerks, Board of Management personnel, Presbytery Clerks, personnel of other PCV committees, the PCV Church Office, the Clerk of Assembly, and other agencies and people as required.

Office Administration

a) Administering the committee's office, including the inventory of stock and equipment, and the filing of records.
b) Answering incoming queries regarding committee policies and procedures.
c) Preparing written responses, in line with committee guidelines, to routine enquiries.

3. Skills and Competencies Required:

a) Clear understanding of the PCV, including the role of the MDC, Ministry Development Officer and Ministry Leadership Coach, and respect for ministry structures.
b) An understanding and respect for PCV structures in order to communicate information to congregations, sessions, presbyteries and committees in an appropriate way.
c) Understanding and experience in the practice and ethics of confidentiality.
d) Good communication skills (both oral and written), including letter writing and editorial skills.
e) Must demonstrate a high level of organisation, including strong planning skills, effective time management, and the ability to prioritise tasks.
f) Ability to work with minimal supervision, although able to accept close supervision in areas that require adhering to special needs or procedures.
g) Possess a generally helpful and positive attitude, and a willingness to accept "ordinary" tasks as well as the challenging and interesting ones.
h) Possess competence in the use of the *Microsoft Office* suite of programs and video conferencing software. Must have a willingness and ability to extend competence in these programs and to learn digital automated management systems that the MDC may utilise.
i) Have a proactive approach to problem assessment and problem solving with an attention to detail.
j) Some familiarity with the complexities and challenges of online social media use for a church agency.

4. Reporting:

a) The occupant of the position is officially responsible to the committee as the employer.

b) The immediate supervisor of the position and day-to-day work is the Convener.

5. Hours and place of work

a) The position is offered on a permanent part-time basis with a minimum of 28 hours a week. The exact times and days that are to be worked can be negotiated with the Convener.

b) The MDC's Office is currently situated at 690 Elgar Road, Box Hill North and the occupant of the position will need to work from the office for at least part of the hours worked during the week.

6. Performance appraisal and development

a) Feedback on the occupant's performance will be undertaken on an ongoing, informal basis throughout the year.

b) The MDC will establish a suitable annual internal performance review for the Administrator on the stated key duties and responsibilities, which will require the Administrator to self-reflect in the review process.

c) The Administrator's appointment will be for an initial period of two years and may be extended beyond that term, subject to a review of both the position and the Administrator's performance. The MDC, in undertaking this review, will form a review panel, which will include at least one person external to the committee.

7. Remuneration

a) Remuneration will be set using the Clerks - Private Sector Award

b) Opportunities for professional development and upskilling will be supported in consultation with the MDC Convener, usually as a result of regular performance and development discussions.

8. Employment Contract

The occupant of this position will have to sign a standard Presbyterian Church of Victoria Employment Contract in the form approved by the Board of Investment and Finance.

11. Women's Ministries

a) Women's Ministries Facilitator

The successful applicant will have experience working in ministry. She will have a heart for seeing women grow in Christian maturity and their ministry to others. The facilitator will have the opportunity to meet women in metropolitan and rural Presbyterian churches and related organisations across the state. She will also be involved in further developing this vital ministry within our denomination.

1. Position Summary

a) Objectives

This position exists to facilitate, develop and encourage women's ministries within the PCV. In particular, to:

i) Promote and encourage women's ministries within the PCV
ii) Facilitate the organisation of women's ministry event
iii) Develop resources for the training and support of women within the PCV
iv) Advocate for greater representation of women within formal PCV bodies
v) Enhance networks relevant to women within the PCV
vi) Equip local churches for supporting women

b) Terms and Conditions

The Women's Ministries Facilitator will be employed on a part-time basis for up to 24 hours (TBC) per week (0.6FTE). Remuneration will be tied to the salary determined annually for a committee appointment. Agreed travel expenses will be included in the remuneration package. The employee will be required to work from home, with agreed office expenses included.

2. Organisational Environment

a) Employment

The Women's Ministries Facilitator will be employed by the WMV Committee of the General Assembly of the Presbyterian Church in Victoria.

3. Reporting Relationships

a) Accountability and Reporting

The Women's Ministries Facilitator will work under the Women's Ministries committee and report directly to the committee.

b) Personal support

The Women's Ministries Facilitator will undergo a performance review annually, conducted by a subcommittee of the WMV, which shall include the Convener and at least one other member. The committee shall also provide pastoral support to the coordinator, and professional support may also be obtained as needed.

4. Key Duties and Responsibilities

a) Strengthening existing church and other networks. This involves but is not limited to:

i) maintaining church and individual databases
ii) liaising with PTC, Metro, PWMU, PYV and other PCV committees
iii) energising an active website and social media presence

b) Event management. This involves but is not limited to coordinating:

i) "On the Road" events
ii) State Conferences
iii) training opportunities

c) Resourcing. This involves but is not limited to sourcing and/or developing:

i) training and bible study materials
ii) WMV blog posts and articles for denominational publications
iii) complementarian perspectives for the benefit of the PCV

d) Advocating for women within a complementarian model. This involves but is not limited to:
   i) representing women to State Assembly as required
   ii) visiting Presbyteries as required
   iii) actively engaging in developing mutually beneficial partnerships

e) Additional responsibilities as negotiated with the WMV Committee.

5. Selection Criteria

a) General competencies and skills
   i) Proven experience in Christian ministry and pastoral care, able to teach the bible and train in ministry skills
   ii) Availability to travel as required to regional Victoria (or interstate as required)
   iii) Communicant member or willing to become a communicant member of a Presbyterian church
   iv) High level of demonstrated relationship skills
   v) Management and team leadership skills
   vi) Communication skills – verbal, written, social media
   vii) Familiarity with Google suite
   viii) Highly organised with an ability to multi-task
   ix) Strong passion for ministry to women and for women
   x) Strong reformed, gospel centred, complementarian theology and a commitment to Presbyterian polity
   xi) Driver's licence
   xii) Current Working with Children Check
   xiii) Relevant Safe Church training

b) Preferable but not essential skills
   i) Theological training
   ii) Tertiary education
   iii) Strong relationships within the PCV
   iv) Understanding of the history of the PCV

Flowcharts of Church Procedures

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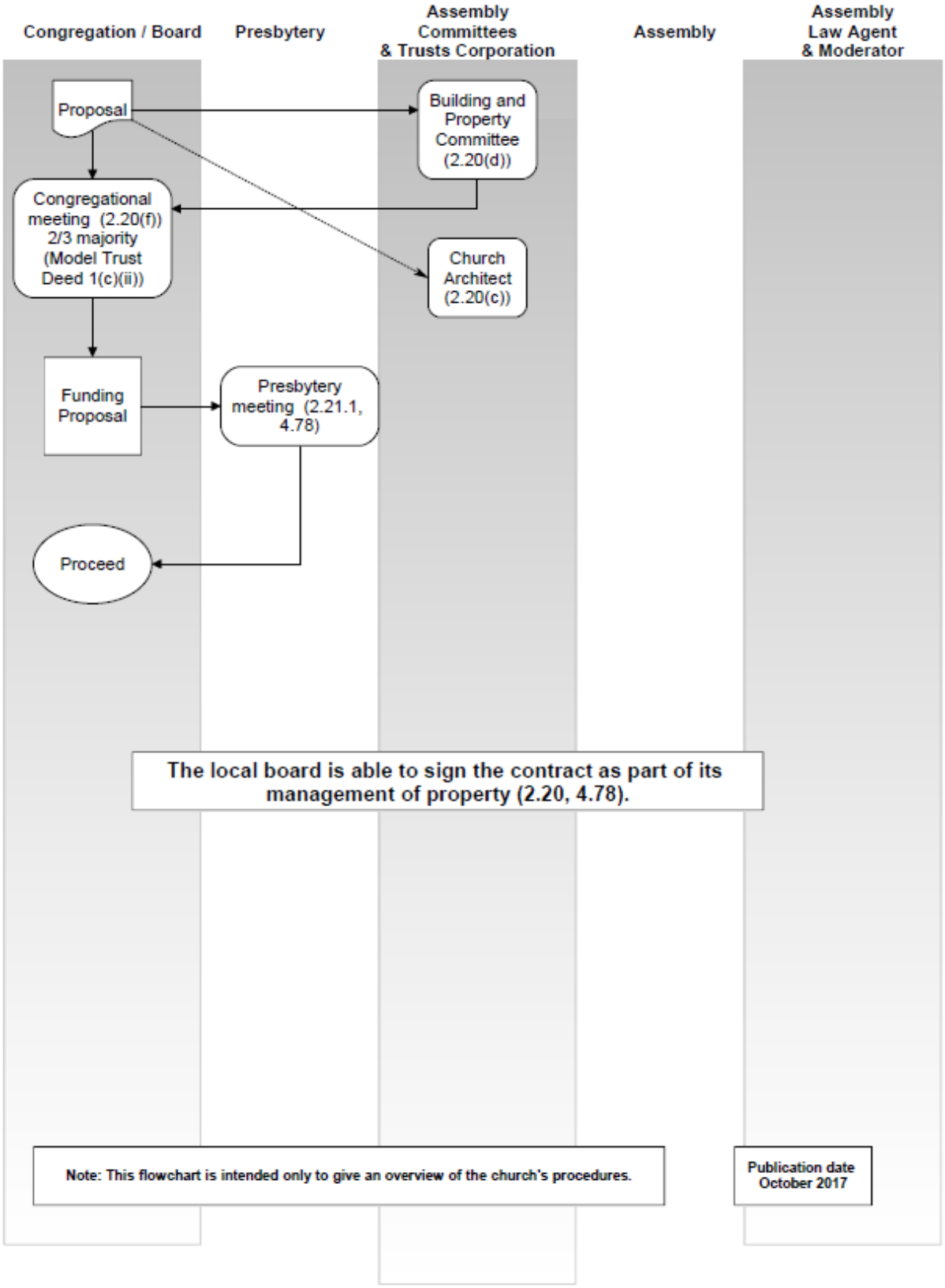
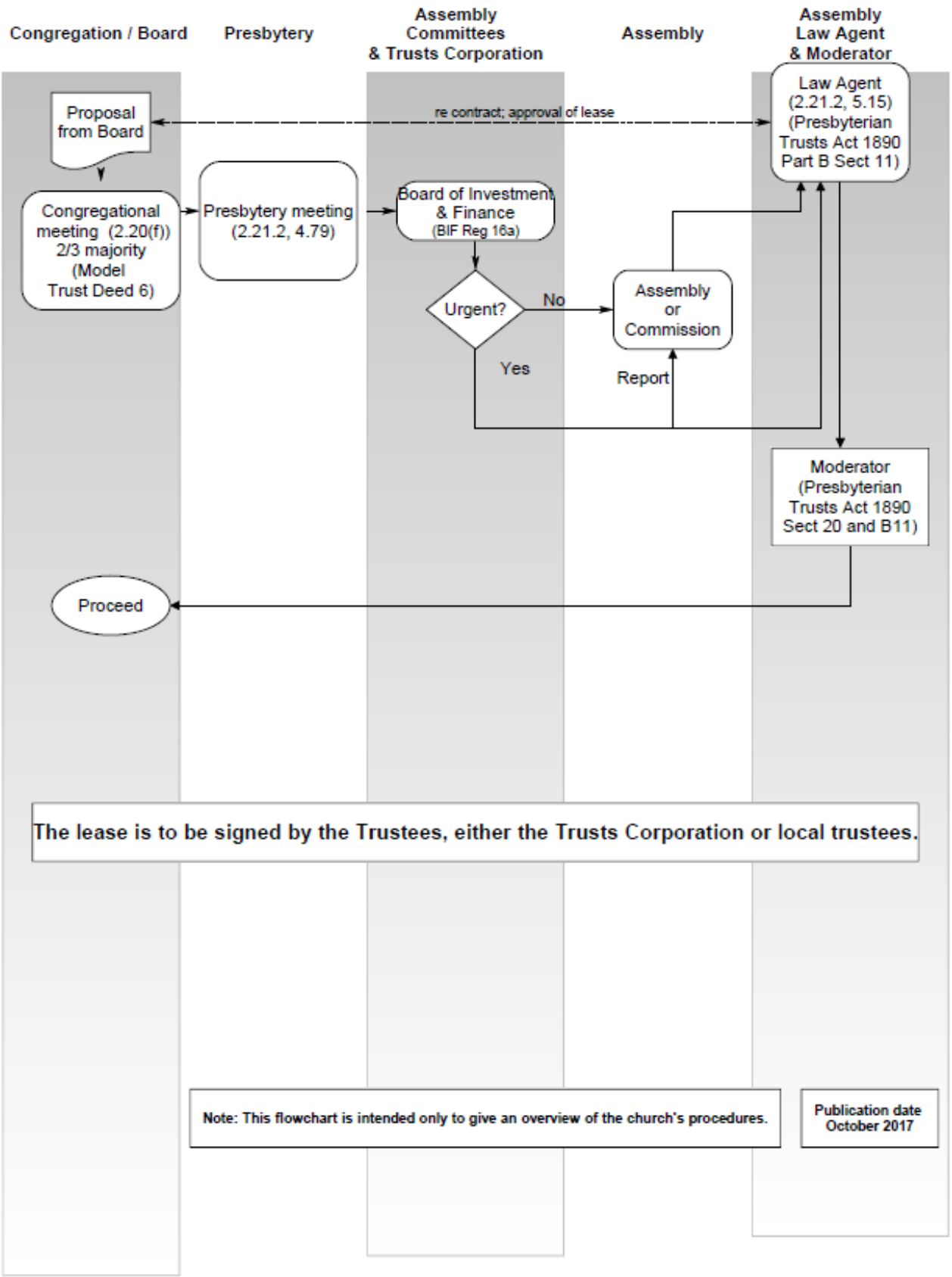
1. Erect, extend or alter buildings
2. Lease of church property to a third party
3. Removal or demolition of any building
4. Sale of property
5. Purchase of property
6. Application for candidacy

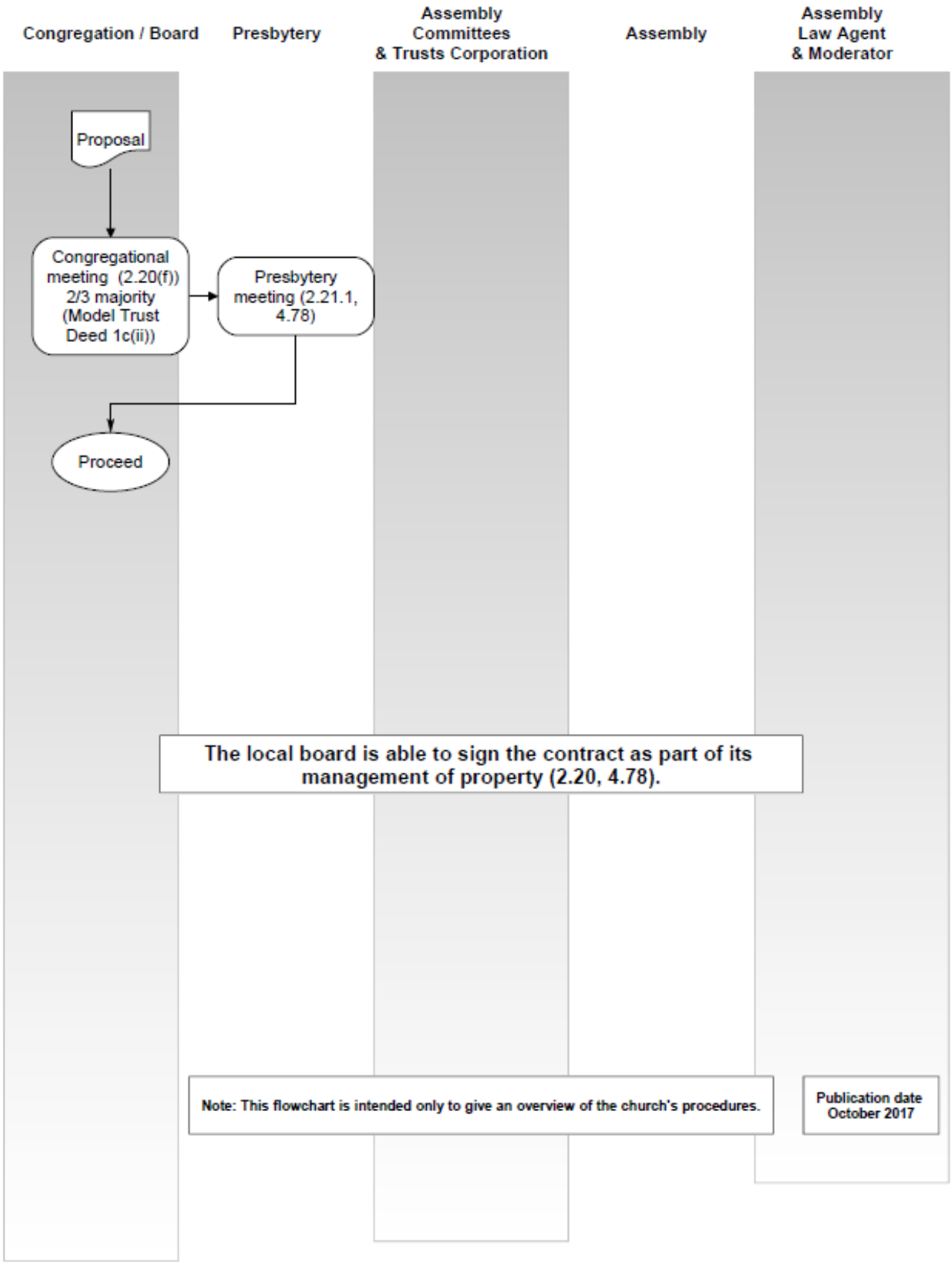
Flowchart of church procedures - Erect, Extend or Alter Buildings



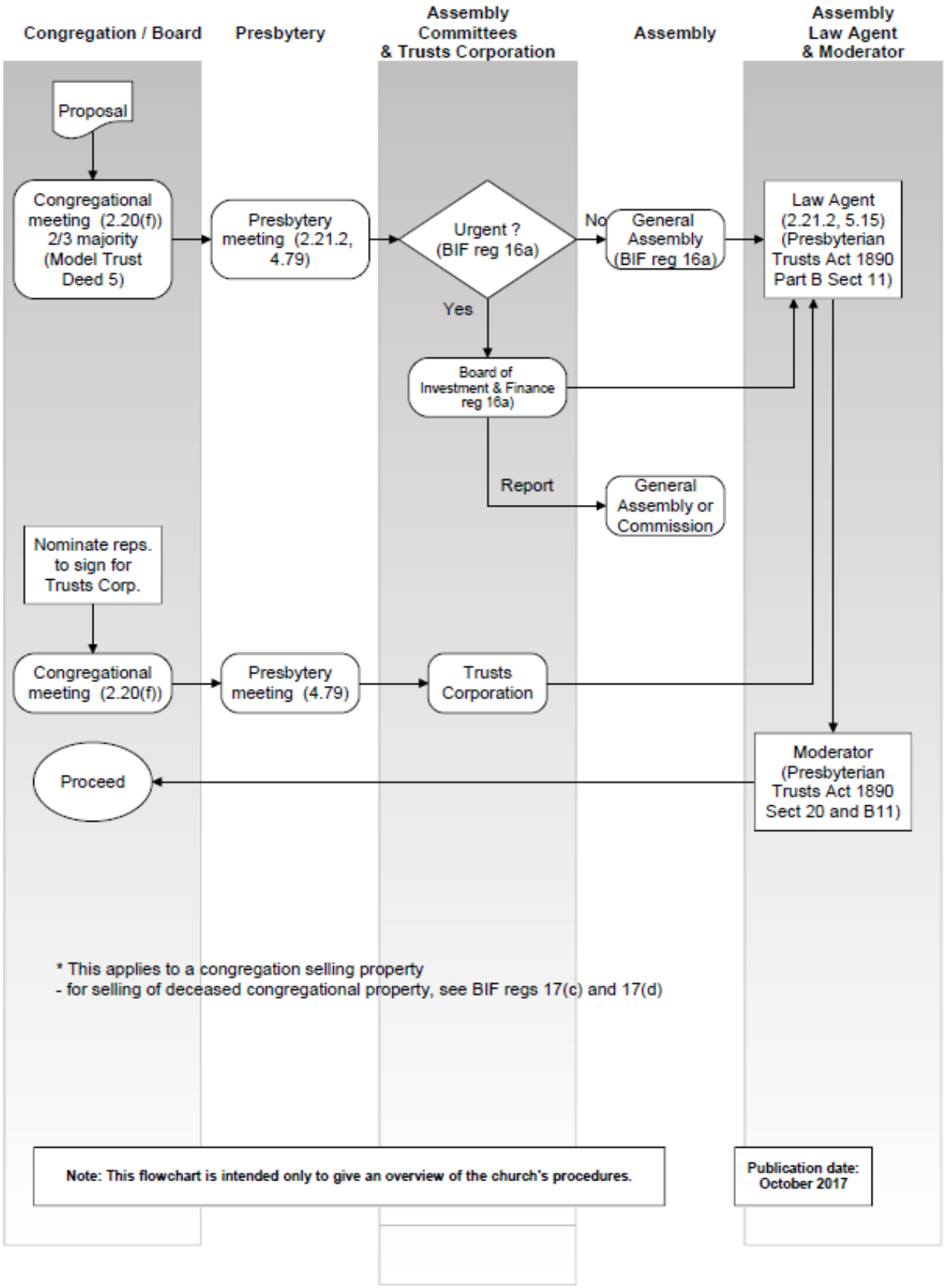
Flowchart of church procedures - Lease of Church Property to a Third Party



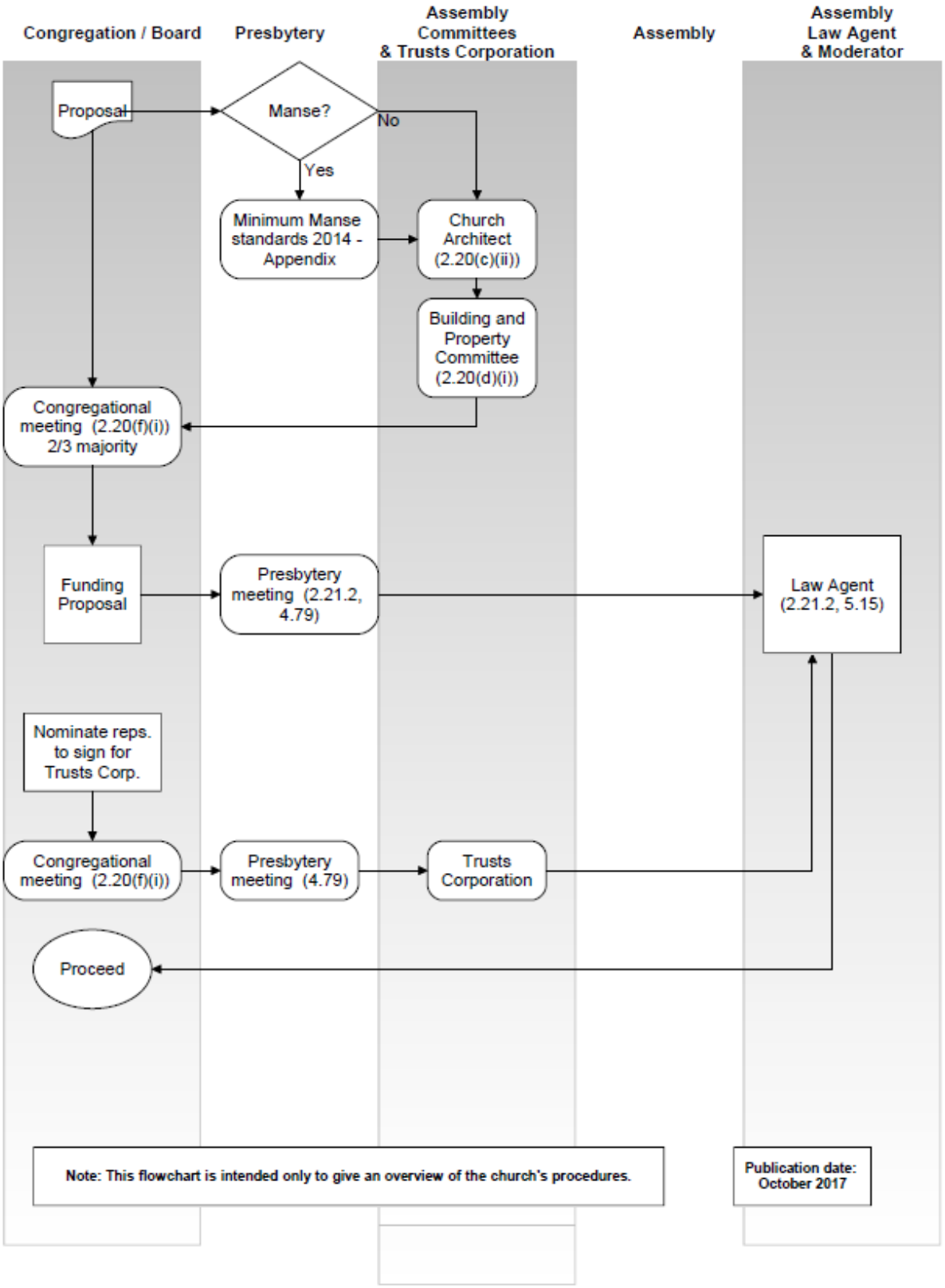
Flowchart of church procedures - Removal or Demolition of any Building



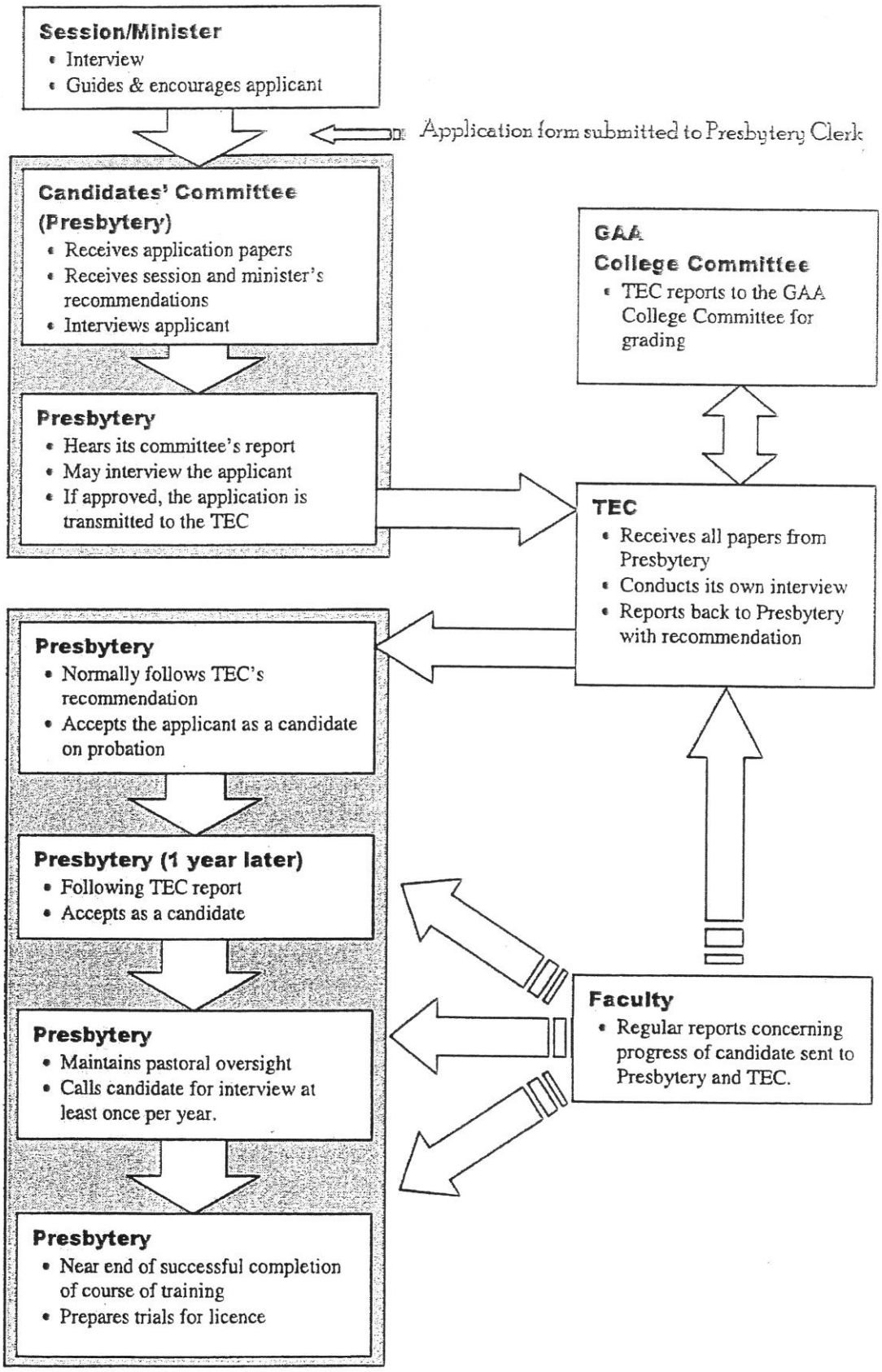
Flowchart of church procedures - Sale of Property *



Flowchart of church procedures - Purchase of Property



Application for candidacy



PWMU Cookbook Committee

Terms of Reference

1. Background

The PWMU Cookbook has existed since 1904, when it was established by the Presbyterian Women's Missionary Union as a means of providing funds that could support missionaries in the field. Since that time the book has become an institution both in the church and the wider community and continues to sell well. When the Uniting Church in Australia was established in 1977 it was agreed by the Presbyterian Church of Australia Property Commission (1974-1994)

1. *That there be a committee of seven to arrange for the production and distribution of the books, consisting of three members from each of the continuing Presbyterian and Uniting Churches together with the chairman of the Bookroom Directors as Convener.*
2. *That distribution of the books be arranged through the Bookroom which will pay the net proceeds of the sales to the Committee for equal division between the continuing Presbyterian and Uniting Churches.*
3. *That should there be losses on the production and distribution of the books these shall be borne by the continuing Presbyterian and Uniting Churches in equal proportion. The Committee established in accordance with the above agreement is the only joint work by the Uniting Church in Australia, Synod of Victoria and Tasmania and The Presbyterian Church in Victoria.*

Originally the Committee was charged with editing, publishing and selling the cookbook. In 1989 the Committee entered into a Publishing Agreement with Lothian Publishing Company Pty Ltd to take over the publishing role of the cookbook, while the Committee retained the editorial rights. This Publishing Agreement is now held between the Committee and Hachette Australia.

2. Authority

The Committee is to be known as the PWMU Cookbook Committee and is established by agreement of the Uniting Church in Australia (Synod of Victoria and Tasmania) and the Presbyterian Church of Victoria, to carry out the responsibilities and functions described in Clause 3 of these Terms of Reference.

3. Responsibilities and Functions

3.1 The PWMU Cookbook Committee will

3.2 In consultation with and by agreement with the publisher for the time being of the cookbook ensure that reprints and/or new editions reflect current trends in cooking within Australia, but not so as to detract from the history of the cookbook. (For more detailed information relating to the relationship between the current publisher and the author, refer to theContract.)

3.3 Ensure that the cookbook manuscript is kept up to date, through a process of continual review and liaison with the Publisher to bring about a new edition and/or reprint from time to time.

3.4 Take all necessary steps to maintain the ongoing publication of the cookbook on such terms as it sees fit and to ensure that the publishing agreement is current and is on terms which best serves the purpose for which the cookbook exists.

3.5 Ensure that any Royalties received are distributed, using the following formula, at such time as when the Royalties Account (refer to Clause 6.1.1, 6.2 and 6.4) holds a balance of at least $2000:

i) 50% thereof to the Uniting Church Adult Fellowship (UCAF) for the Uniting Church in Australia, Synod of Victoria and Tasmania; and

ii) 50% thereof to the PWMU for the Presbyterian Church of Victoria.

3.6 Report annually, in October, to the Uniting Church in Australia, Synod of Victoria and Tasmania, Ministry and Mission Committee and the Presbyterian Church of Victoria General Assembly.

4. Membership

4.1 The PWMU Cookbook Committee will comprise of nine members, being;

i) a Convenor, who will alternate between the Uniting Church in Australia (Synod of Victoria and Tasmania) and The Presbyterian Church of Victoria.
ii) one member representing the Uniting Church Adult Fellowship (UCAF),
iii) one member representing the PWMU,
iv) three members representing the Uniting Church in Australia, Synod of Victoria and Tasmania, and
v) three members representing The Presbyterian Church of Victoria.

4.2 The members representing the various groups in 4.1 above will be appointed by the following process:

i) The Convenor will be appointed for a three year term and be eligible for reappointment, by either the Uniting Church in Australia, Synod of Victoria and Tasmania, Ministry and Mission Committee or The Presbyterian Church of Victoria, General Assembly, dependent upon which church the incoming convenor is a member, according to the accepted practice of that church.
ii) Depending upon which church the convenor will represent, such appointment will be notified to the other church.
iii) Members representing the Uniting Church in Australia, Synod of Victoria and Tasmania will be appointed by the Ministry and Mission Committee.
iv) Members representing The Presbyterian Church of Victoria will be appointed by the General Assembly.

4.3 Members representing either the UCAF or the PWMU will be appointed by that body's relevant State Council. Terms of appointment for each category shall be governed by the terms of appointment in place for the relevant Church, at the time of appointment.

i) Committee members representing the Uniting Church in Australia, Synod of Victoria and Tasmania are appointed for a term of three years and are eligible for reappointment.
ii) Committee members representing The Presbyterian Church of Victoria are appointed for a term of one year and are eligible for reappointment.
iii) Committee members representing the UCAF will be appointed for a term of three years and be eligible for reappointment.
iv) Committee members representing the PWMU will be appointed for a term of one year and be eligible for reappointment.

4.4 Co-Options

From time to time, when specific skills are required, the Committee may co-opt up to two members for such period identified as appropriate for the specific task.

5. Office Bearers

5.1 Noting that the appointment of the Convenor is approved by the two churches, the Committee will appoint a Secretary and a Treasurer from within its membership. The terms of these appointments can be ongoing, but only for so long as the person is a member of the Committee.

6. Finance

6.1 The PWMU Cookbook Committee will operate such accounts as required to conduct its business, in any one or more of the approved financial institutions, but at least:

1. One account, called PWMU Cookbook Royalties, to receive and distribute the royalty payments received from the Publisher, as outlined in Clause 3.5, and
2. One account being the Committee's Operational Account, for the purposes of
   i) Receiving income generated through sales of the cookbook and other income associated with the work of the committee,
   ii) Receiving reimbursement of GST, when appropriate,
   iii) Reimbursing committee members' expenses associated with the work of the committee, such as postage, travel. Note: Any committee expenses are required to be approved at a meeting of the committee, before they are expended.

iv) Paying any costs associated with the sales of the cookbook at any event promoted and held by the committee.
v) Providing funds for any urgent project that the committee may become aware of, from time to time, that it wishes to support.

6.2 From time to time the committee will review the balance of the Operational Account and if appropriate transfer such sum as agreed at a meeting of the committee to the Royalties Account, ensuring that a working balance is retained in the Operational Account.

6.3 The Convenor, the Treasurer and the Secretary will be the approved signatories for the accounts. No funds may be withdrawn from the accounts unless authorised by any two of the agreed signatories.

6.4 A record of all authorisations to withdraw from the Accounts will be maintained by the Treasurer, for a period of 1 year.

6.5 The Treasurer will arrange for the Books of the Committee to be audited annually on a financial year basis and present the auditor's report to the next meeting of the Committee, immediately following the audit.

7. Meetings

7.1 The PWMU Cookbook Committee will meet at least twice per year, but may meet more often as required by the business of the Committee, especially when a reprint or new edition is being planned.

7.2 If appropriate, meetings of the Committee may be held electronically, i.e. via email or telephone.

7.3 Procedures of all meetings will be recorded, and minutes of all meetings will be maintained by the Secretary of the Committee.

8. Quorum

8.1 A quorum will consist of five members, being four of the Committee as defined in Clause 4.1 above and the Convenor.

8.2 In the case where, for any reason, the convenor is not able to attend a meeting, those present will appoint a convenor pro-tem.

8.3 No business shall be transacted at any meeting of the Committee unless a quorum of members is present at the time when the meeting proceeds to business.

9. Decision-making

9.1 Decisions by the Committee will be made by consensus.

9.2 Should consensus not be reached, a decision may be made by a formal majority vote. Each member of the Committee (including the Convenor) will have one (1) vote.

10. Disbanding

10.1 The Committee may be disbanded:
i) notwithstanding clause 8, by a two-thirds vote of all members of the Committee and the Convenor; or
ii) by 6 months written notice signed by an authorised representative of the Uniting Church in Australia, Synod of Victoria and Tasmania Ministry and Mission Committee and given to the Presbyterian Church of Victoria General Assembly; or
iii) by 6 months written notice signed by an authorised representative of the Presbyterian Church of Victoria General Assembly and given to the Uniting Church in Australia, Synod of Victoria and Tasmania Ministry and Mission Committee.

10.2 If the Committee is disbanded:

i) Any records held by the office bearers (including without limitation copies of all minutes of meetings of the Committee and the record of authorisations of withdrawals on the account) must be collected together and copies forwarded to the Uniting Church in Australia, Synod of Victoria and Tasmania and the Presbyterian Church of Victoria Archives.

ii) Any funds held in the accounts of the Committee at this time, must be distributed to the UCAF and PWMU on a 50/50 basis.

11. Amendments to the Terms of Reference

Provisions of the Terms of Reference may only be altered, added to or deleted from time to time by the PWMU Cookbook Committee, the Uniting Church in Australia, Synod of Victoria and Tasmania, Ministry and Mission Committee and The Presbyterian Church of Victoria General Assembly after consultation and agreement with all parties.

All amendments to these Terms of Reference must be approved by the Uniting Church in Australia, Synod of Victoria and Tasmania, Ministry and Mission Committee **and** The Presbyterian Church of Victoria, General Assembly.

Revised by the PWMU Cookbook Committee, 13 October 2021.
Approved by the Presbyterian Church of Victoria, General Assembly, 4 October 2022, min 33.