

**MINUTES**  
**OF**  
**PROCEEDINGS**  
**OF THE**  
**FORTY-SECOND**  
*42nd*  
**GENERAL ASSEMBLY**

**OF THE**  
*Presbyterian Church of Australia*



**HELD IN SYDNEY**  
**SEPTEMBER 1994**

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### ERRATA

1. p. (vii) - Judicial Commission - The name of Mr. R.W. Pilkington should appear under Queensland and not South Australia in the list of members.
2. p. (xii) - The Ad Hoc Committee of which Dr. P. Lush is Convener is appointed to deal only with a National Superannuation Scheme. The matter of a National Long Service Leave Scheme has been referred to the Finance Committee.
3. p. 227 (Min. 114) - The clause marked (d) should be marked (c).
4. p. 230 (Min. 120) - After the motion of the Rev. C.R. Thomas arising from the debate the line "The motion was seconded and approved" should appear although it is quite clear from the approval of the amended motion that Mr. Thomas' motion was approved.

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**GENERAL ASSEMBLY**  
**OF THE**  
**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**1994**  
**OFFICERS**

**Right Reverend the Moderator:**

REV. PROF. ALLAN M. HARMAN, B.A., B.D., Th.M., M.Litt., Th.D.,  
684 Elgar Road, Box Hill North, Victoria 3129  
(03) 898 6189 (H); (03) 898 9384 (O)

**Clerk of Assembly:**

REV. PAUL G. LOGAN, B.A., D.Min., Dip.Ed.Stud., M.A.C.E.,  
G.P.O. Box 100, Sydney N.S.W. 2001. (02) 310 1455  
Home: (02) 955 1662

**Deputy Clerk:**

REV. BRUCE M. MELLER, B.D., Th.L.  
43 Park Road, Hurstville N.S.W. 2220. (02) 580 1425

**Business Convener:**

REV. PETER J. BARSON,  
6 Warilda Street, Camp Hill, Qld. 4152 (07) 398 3607

**Procurator:**

MR. GARRY K. DOWNES, Q.C., B.A., LL.B.  
180 Phillip Street, Sydney 2000 (02) 232 1450

**Law Agent:**

MR. SIMON FRASER, B.A., LL.M.  
Collin Biggers & Paisley, Shell House  
10th Level, 140 Phillip Street, Sydney 2000  
Ph. (02) 221 2022

**Assembly Officer:**

PETER J. GRAHAM, O.A.M. Esq.,  
GPO Box 100, Sydney 2001

**Trustees for The Presbyterian Church of Australia:**

Persons who for the time being hold  
office as the Trustees of  
"The Presbyterian Church (New South Wales) Property Trust"  
GPO Box 100, Sydney 2001

The Assembly will meet on Monday, 14th September, 1997  
at 7 p.m. in the Chalmers Church, Surry Hills, Sydney.

**MODERATORS**  
of the  
**GENERAL ASSEMBLY OF AUSTRALIA**

Rev. John Meiklejohn..D.D.....	1901
Rev. Alexander Hay..D.D.....	1902
Rev. David Bruce..D.D.....	1903
Rev. P.J. Murdoch..M.A.....	1905
Rev. T.E. Clouston..D.D.....	1906
Rev. Peter Robertson.....	1907
Rev. John Ferguson.....	1909
Rev. W.S. Rolland.....	1910
Rev. J. Laurence Rentould..M.A..D.D.....	1912
Rev. George Davidson..M.A..D.D.....	1914
Rev. Ronald G. Macintyre..C.M.G..C.B.E..M.A..D.D.....	1916
Rev. John Walker..D.D.....	1918
Rev. James Gibson..M.A.....	1920
Rev. John Mathew..M.A..D.D.....	1922
Rev. James Crookston.....	1924
Rev. R. Scott-West..D.D.....	1926
Rev. Alexander Crow.....	1928
Rev. Donald A. Cameron..M.A.....	1930
Rev. G.R.S. Reid..M.A..D.D.....	1933
Rev. John Mackenzie..M.A..D.D.....	1936
Rev. John Flynn..O.B.E..D.D.....	1939
Rev. R. Wilson Macaulay..B.A..D.D.....	1942
Rev. Alexander C. Grieve..B.A.....	1945
Rev. Julian R. Blanchard..C.B.E..B.A..D.D.....	1948
Rev. Richard Bardon..O.B.E..B.A.....	1951
Rev. Sir Francis W. Rolland..O.B.E..M.C..M.A.....	1954
Rev. David J. Flockhart..M.A.....	1957
Rev. Alan C. Watson..M.A..D.D.....	1959
Rev. Hector Harrison..O.B.E..M.A..B.D.....	1962
Rev. William Young..B.A.....	1964
Rev. Norman Faichney..B.A.....	1967
Rev. James Frederick McKay..C.M.G..O.B.E..M.A..B.D.....	1970
	1971
Rev. Gillam Albert McConnel Wood..O.B.E..A.M..B.A.....	1973
Rev. Neil MacLeod..A.M..M.A..D.D.....	1974
Rev. Kenneth Joseph Gardner..O.B.E..D.D.....	1977
Rev. James Mullan..B.A..Dip.R.E.....	1979
Rev. Norman Monsen.....	1982
Rev. Edward R. Pearsons.....	1985
Rev. Alan C. Stubs..B.A..B.D..M.Th..Dip.R.E.....	1988
Rev. Murray J.K. Ramage.....	1991
Rev. Prof. A.M. Harman..B.A..B.D..M.Litt..M.Th..Th.D.....	1994

**CLERKS**  
of the  
**GENERAL ASSEMBLY OF AUSTRALIA**

Rev. James S. Laing..D.D.....	1901-1906
Rev. George Tait..M.A.....	1906-1933
Rev. R. Wilson Macaulay..B.A..B.D.....	1933-1942
	1945-1951
Rev. W.D. Marshall..M.A.....	1942-1945
	1951-1957
Rev. G. Ross Williams.....	1957-1970
Rev. L. Farquhar Gunn..M.B.E..E.D..M.A..B.D.....	1970-1974
Very Rev. Edward R. Pearsons.....	1974-1985
Raymond P.W. Jell, Esq..L.Th..A.R.E.I..A.I.C.M. A.A.I.M..J.P.....	1985-1988
Very Rev. Kenneth J. Gardner..O.B.E..D.D.....	1988-1991
Rev. Paul G. Logan..B.A..D.Min..Dip.Ed.Stud..M.A.C.E.....	1991-

**DEPUTY**  
**(OR JUNIOR)**  
**CLERKS**

Rev. George Tait..M.A.....	1901-1906
Rev. E.E. Baldwin..M.A..Dip.Ed.....	1922-1939
Rev. W.D. Marshall..M.A.....	1939-1942
	1945-1951
Rev. G.W. McAlpine.....	1942-1945
Rev. J.M. Stuckey..B.A.....	1951-1962
Rev. C.M. Dyster..M.A..B.D..S.T.M.....	1962-1964
Rev. L.F.F. Gunn..M.B.E..E.D..M.A..B.D.....	1964-1970
Rev. A.M. McMaster..B.A..B.D.....	1970-1974
Raymond P.W. Jell, Esq..L.Th..A.R.E.I..A.I.C.M. A.A.I.M..J.P.....	1977-1985
Rev. J.J.T. Campbell..B.A.....	1988-1991
Rev. B.M. Meller..B.D..Th.L.....	1991-

## LAW AGENTS

Messrs. Davies and Campbell.....	1901-1930
Mr. Alexander Gerald Proudfoot.....	1930-1950
Mr. J.P. Adam..M.A..LL.B..Dip.Ed.....	1950-1972
Mr. John G.R. McArthur..LL.B.....	1972-1977
Mr. Lindsay J. Moore..LL.B.....	1977-1991
Mr. Simon H. Fraser..B.A..LL.M.....	1991-

## PROCURATORS

Mr. John Garland..K.C..M.A..LL.B.....	1901-1921
Mr. John A. Ferguson..B.A..LL.B.....	1921-1936
Mr. Brian C. Fuller..Q.C..B.A..LL.B.....	1936-1956
Mr. Douglas M. Little..Q.C.....	1956-1959
Mr. F. Maxwell Bradshaw..M.A..LL.M.....	1959-1992
Mr. Garry K. Downes..Q.C..B.A..LL.B.....	1992-



## **AUTHORISATIONS, INSTRUCTIONS AND RECOMMENDATIONS**

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## JUDICIAL COMMISSION

### New South Wales:

Rev. C.D. Balzer  
Rev. D.A. Burke  
Mr. P.J. Graham  
Rev. Dr. Paul Logan  
Rev. D.F. Murray  
Rev. B.M. Meller  
Rev. S. Coulton  
Rev. Dr. R.S. Keith

### Queensland:

Rev. P.J. Barson  
Very Rev. Dr. K.J. Gardner  
Mr. B. Hafner

### Tasmania:

Rev. Dr. D.C. Mitchell  
Mr. A.L. Crawford

### Elected by the General Assembly of Australia:

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Rev. B.H. Christian  
Rev. G.K. Kettniss  
Rev. J.S. Woodward  
Mr. G.S. Rutherford  
Rev. R.D. Garland

### Victoria:

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Mr. B.D. Bayston  
Mr. D. Hayward  
Rev. J.P. Wilson  
Rev. Prof. D.J.W. Milne  
Rev. Prof. A.M. Harman  
Very Rev. E.R. Pearsons  
Rev. G. Weber

### South Australia:

Mr. A.G. Matheson  
Mr. R.W. Arstall  
Mr. R.W. Pilkington

### Western Australia:

Mr. R. Kent  
Rev. D.B. Fraser

Rev. Prin. J.A. Davies  
Rev. C.R. Thomas  
Rev. B.M. Gorton  
Rev. P.J. Bloomfield  
Rev. D.M. Smith  
Rev. J.F. Bartholomew

## ASSEMBLY COMMITTEES

### Australian Presbyterian World Mission

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Rev. E.L. Noble  
Rev. J.M. Elliott  
Rt. Rev. T.S. Fishwick

Rev. Dr. R.S. Keith  
Mrs. J. Lu  
Rev. Dr. D.C. Mitchell

Conveners of the APWM State Committees of Tasmania, South Australia and Western Australia.

Two representatives appointed by the APWM State Committees of Queensland, Victoria and New South Wales, one of whom shall be the State Convener.

The National World Mission Coordinator.

Ex-officio: Assembly Officers

Convener: Dr. R.F. Burns

## Christian Education

### **New South Wales:**

Rev. D.A. Burke  
Rev. G.P. Smith  
Mr. H. Fraser  
Mr. P. Boggs

### **Queensland:**

Rev. R.C. Clark  
Mr. J. Mansfield

### **South Australia:**

Rev. J.J.T. Campbell

The Convener of Christian Education (or a representative) from each State.

Ex-officio: Assembly Officers

Convener: Rev. D.A. Burke

### **Victoria:**

Rev. A.D. Lendon  
Rev. C.R. Thomas

### **Tasmania:**

Rev. R. Tsai

### **Western Australia:**

Rev. S. McN. Bonnington

## Church and Nation

The Conveners of the corresponding State Assembly Committees of the New South Wales, Victoria and Queensland who shall appoint a Convener.

The Conveners of the Church and Nation or equivalent committee from Tasmania, South Australia and Western Australia.

Ex-officio: Assembly Officers

## Code

### **New South Wales:**

Rev. D.A. Burke  
Rev. S. Coulton  
Rev. P.W. Hastie

### **Queensland:**

Very Rev. Dr. K.J. Gardner  
Rev. Prof. F.N. Lee  
Rev. G.J. Nicholson

### **Western Australia:**

Rev. R.J. Lee

Ex-officio: Assembly Officers

Convener: The Clerk of Assembly

### **Victoria:**

Rev. D.A. Capill  
Rev. I.H. Touzel  
Rev. J.P. Wilson

### **Tasmania:**

Rev. Dr. D.C. Mitchell

### **South Australia:**

Mr. R.W. Arstall

## College

The Conveners of the Theological Education Committees of the State Assemblies of Queensland, New South Wales, Victoria, Tasmania, South Australia and Western Australia.

The full-time professors and lecturers at the Theological Colleges (or Halls) approved by the Assembly.

Ex-officio: Assembly Officers

Convener: Rt. Rev. Prof. A.M. Harman

## Defence Forces Chaplaincy

Rt. Rev. Prof. A.M. Harman

Very Rev. A.C. Stubs

Rev. S.L. de Plater

Mr. J.C. Mackillop

Rev. Dr. R.S. Keith

Rev. K. Bell

Rev. Dr. G.F. Lyman

Rev. A.D. Lang

Ex-officio: Assembly Officers

Convener: Rev. Dr. R.S. Keith

## Finance

### New South Wales:

Rev. C.D. Balzer

Rev. P.F. Cooper

Mr. J. Mill

Mr. W.J. Lennon

### Queensland:

Mr. R.W. Pilkington

Mr. D.L. McCullough

### Victoria:

Very Rev. E.R. Pearsons

Rev. D.A. Slater

### South Australia:

Mr. B. Redpath

### Western Australia:

Rev. R.J. Lee

### Tasmania:

Mr. G.K. Roberts

### Elected by the General Assembly of Australia:

Mr. P.A. Burke

Mr. D.R. Brierley

Mr. K.P. Mar

Rev. F. Avent

Ex-officio: Assembly Officers

Convener: Mr. J. Mill

## National Journal

Rev. S. McN. Bonnington  
Rev. J.C. Ellis  
Rev. G.K. Kettmiss  
Mr. A. Matheson  
Mr. D. Wilson

Rev. T.K. Canon  
Rev. P.W. Hastie  
Rev. J.S. Lindsay  
Mr. R. McTaggart

Ex-officio: Assembly Officers

Conveners: Rev. R.P.F. Benn

### Presbyterian Inland Mission

#### Queensland:

Rev. R.C. Clark  
Mr. G. Dunkley  
Very Rev. Dr. K.J. Gardner  
Rev. A. MacNicol\*\*  
Mrs. A.F. Petherick  
Mr. R.W. Pilkington  
Mr. B.T. Scott\*\*  
Mr. R.C. Scott

#### Western Australia:

Rev. S. McN. Bonnington

#### Northern Territory:

Dr. L.H. Greenwood

\*\* Corresponding members North Queensland Presbytery

Ex-officio: Assembly Officers

Convener: Rev. J.J. Knapp

#### New South Wales:

Rev. D.A. Burke  
Mr. P.A. Burke

#### Victoria:

Rev. R.D. Taylor  
Rev. C.R. Thomas

#### South Australia:

Rev. R.M. Waterhouse

#### Tasmania:

Mr. J.A.B. Finlay

### Public Worship and Aids to Devotion

#### New South Wales:

Rev. P.F. Cooper  
Rev. Prin. J.A. Davies  
Rev. P.W. Hastie  
Rev. C.D. Balzer  
Rev. C. Abel

#### South Australia:

Rev. M.S. Grieve

#### Victoria:

Rt. Rev. Prof. A.M. Harman  
Rev. R. Humphreys  
Rev. I.H. Touzel

#### Queensland:

Rev. R. van Delden

**Tasmania:**

Rev. D.S. Wishart

Ex-officio: Assembly Officers

Convener: Rev. P.F. Cooper

**Western Australia:**

Rev. K.W. Morris

**Reception of Ministers**

Rev. C.D. Balzer  
 Rev. D.J. Innes  
 Rev. D.B. Fraser  
 Rev. M.S. Grieve  
 Rev. G.K. Kettmiss

Mr. W. McLaren  
 Mr. J. Searle  
 Mr. N. Taylor  
 Mr. A.D. Turner  
 Dr. A. Vaughan

The Principal of each Theological Hall of the Church recognised by the General Assembly.

The Convener of the College Committee

Ex-officio: Assembly Officers

Convener: Rev. C.D. Balzer

**Relations with Other Churches****New South Wales:**

Rev. D.A. Burke  
 Rev. C.J. Letcher

**Victoria:**

Rev. R. Humphreys  
 Rev. C.R. Thomas

**Tasmania:**

Mr. A. Crawford  
 Rev. T.S. Penning

Ex-officio: Assembly Officers

Convener: Rev. G.J. Nicholson

**Queensland:**

Rev. G.J. Nicholson  
 Rev. Prof. N.T. Barker

**Western Australia:**

Rev. D.B. Fraser

**Ad Hoc Committee on the Centenary of the Presbyterian Church of Australia**  
 (Min. 103)

The Moderator-General  
 Convener of the Finance Committee  
 Very Rev. Dr. K.J. Gardner  
 Rev. S. McN. Bonnington  
 Rev. Dr. G.R. Fullerton  
 Mr. P.J. Graham  
 Mr. S.H. Fraser  
 Mrs. J. Stewart

The Clerk of Assembly  
 Very Rev. M.J.K. Ramage  
 Rev. D.A. Burke  
 Rev. M.S. Grieve  
 Rev. Dr. D.C. Mitchell  
 Mr. J. Mill  
 Mrs. J. Angus

Convener: The Moderator-General (xi)

**Ad Hoc Committee on Diaconal Ministry (Min. 113)**

Rev. Prof. D.J.W. Milne  
Rev. P.E. Barnes  
Rt. Rev. T.S. Fishwick  
Deaconess P. Vaughan

Rev. Prof. I. McIver  
Rev. P.F. Cooper  
Miss. M. Geddes

Convener: Rev. P.E. Barnes

**Ad Hoc Committee on a National Long Service Leave and National Superannuation Scheme (Min. 114)**

Dr. P.E. Lush  
Mr. P.A. Burke

Mr. E.C.W. Davey  
Mr. S.H. Fraser

Convener: Dr. P.E. Lush

**Ad Hoc Committee on Presentations to the Assembly (Min. 123)**

Rev. R. Humphreys  
Rev. Dr. M. Kim  
Mr. R. Whiting

Rev. S. Cowley  
Mr. B. Hafner  
Mr. R. Neems

Convener: Rev. R. Humphreys

**Representative to the Reformed Ecumenical Council an the International Conference of Reformed Churches (Min. 55(5) and 56).**

The Moderator-General



**PRESBYTERIAN CHURCH OF AUSTRALIA**

**ROLL OF COMMISSIONERS**

**ELECTED TO THE 1994 GENERAL ASSEMBLY**

**NEW SOUTH WALES  
(Elected by the State Assembly)**

**Ministers**

Rt. Rev. J. Ting  
Rev. B.M. Meller  
Rev. C. Abel  
Rev. Dr. Paul G. Logan  
Rev. Dr. G.R. Fullerton  
Rev. D.A. Burke  
Rev. B.H. Christian  
Rev. W.G. Morrow  
Rev. P.F. Cooper  
Rev. P.W. Hastie

**Elders**

Dr. P.E. Lush  
Mr. J. Mill  
Mr. S.H. Fraser  
Mr. K. Mar  
Mr. P.A. Burke  
Mr. A. Lu  
Mr. P.J. Graham  
Mr. J.C. Mackillop  
Mr. D.R. Brierley  
Dr. R.F. Burns

**Presbytery of Bathurst**

Rev. P.C. Moore  
Rev. A.R. Ewin

Mr. E.B. Stuckey  
Mr. A.J. Cargill

**Presbytery of Canberra**

Rev. J. Baillie  
Rev. W.R. Llewellyn

Mr. I. Stewart  
Mr. A. van Ash

**Presbytery of the Central Coast**

Rev. E.L. Noble

Mr. R.D. Menzies

**Presbytery of Dubbo**

Rev. B.K. Smith  
Rev. R.D. Garland

Mr. E.C. Hayward  
Mr. J.E. Greig

**Presbytery of the Hastings**

Rev. D.B. Stone  
Rev. C.R. Pass

Mr. J.E. Beer  
Mr. L. Jackson

**Presbytery of the Hawkesbury**

Rev. N.A.C. Ericksson  
Rev. D. Thurston  
Rev. C. Tucker  
Rev. S. Coulton  
Very Rev. A.C. Stubs

Mr. R. Brown  
Mr. M. Quirk  
Mr. J. Clarke  
Mr. A. Byleveld  
Mr. F. Morrison

**Presbytery of the Hunter**

Rev. D.M. Smith  
Rev. D.J. Bullen  
Rev. J.E. Seaton

Mr. F.I. Gray  
Mr. W.G. McLeod  
Mr. C.A. Huckstadt

### **Presbytery of Illawarra**

Rev. B.K. Burton  
Rev. Dr. D.L. Ferrington

Mr. M. Mathie  
Mrs. A. Worthington

### **Presbytery of Moree**

Rev. S. Donellan

Mr. P.J. Burke

### **Presbytery of the Murrumbidgee**

Rev. P. Strong

Mr. R. Watson

### **Presbytery of New England**

Rev. S. Andrews

Mr. J. Packer

### **Presbytery of the Northern Rivers**

Rev. P.M. Campbell  
Rev. L.A. Tattersall  
Rev. B.M. Gorton

Dr. D. Dezentje  
Mr. N.E.J. Gallan  
Mr. A. Bignill

### **Presbytery of Sydney**

Rev. Dr. R.S. Keith  
Rev. C.D. Balzer  
Rev. G. Smith  
Rev. J. Elliott  
Rev. Prin. J.A. Davies

Mr. R. Neems  
Mr. C.R. Llewellyn  
Mr. J.H. Watson  
Mr. E.B. Neve  
Miss N.W. Ewin

### **Presbytery of Sydney North**

Rev. D.F. Murray  
Rev. Dr. R.G. McKinnon  
Rev. D. Tsai  
Rev. R.J. McCracken

Mr. G.G. Drummond  
Mr. A.A.M. Fuller  
Mr. E.C.W. Davey  
Mrs. R. Moore

### **Presbytery of Sydney South**

Rev. S. Marquet  
Rev. R. Osborn  
Rev. G.J. Spence

Mr. E.F. Duncan  
Mr. R. Haupt

### **Presbytery of Wagga Wagga**

Rev. J.F. Bartholomew  
Rev. A.C. McMillan

Mr. K.J. Swan  
Mr. I.J. Willis

### **QUEENSLAND (Elected by the State Assembly)**

Rev. P. Barson  
Rev. R.C. Clark  
Rev. G.A. Tosh  
Rev. G.K. Kettmiss

Hon. D.T. Gallagher  
Mr. N.G. Taylor  
Mr. D.L. McCullough  
Mr. R.W. Pilkington

### **Presbytery of Brisbane**

Rev. Dr. M. Kim  
Rev. A. Gardiner  
Rev. L. Percy

Mr. B. Layt  
Mr. G. Rutherford  
Mr. J. McClenahan

### **Presbytery of Darling Downs**

Rev. P.W. Playsted  
Rev. R.S. Sondergeld

Mr. R. Apsey  
Mr. W.H. Brettie

### **Presbytery of Mowbray**

Rev. Prof. I. McIver  
Rev. B.E.G. Napper  
Rev. G.J. Nicholson

Mr. D.M. Wilson  
Mr. J. Hopkins  
Mr. J.E. Tucker

### **Presbytery of North Brisbane**

Rev. P. Bloomfield

Mr. R. Oakroot

### **Presbytery of North Queensland**

Rev. J.W. Langbridge  
Rev. R. van Delden

Mr. B. Hafner  
Mr. R.E.J. Whiting

### **Presbytery of Rockhampton**

Rev. J. Brown  
Rev. A.D. Lang

Mr. I. Shepherdson  
Mr. J.S. Baker

### **Presbytery of Wide Bay-Sunshine Coast**

Rev. J.J. Knapp

Mr. D. Grace

### **SOUTH AUSTRALIA (Elected by the General Assembly)**

Rev. M.S. Grieve

Mr. A. Matheson

### **Presbytery of Penola**

Rev. I.D. Johnstone

Mr. B.W. Johnson

### **Presbytery of Torrens**

Rev. J.J.T. Campbell

Mr. G. Hendry

### **TASMANIA (Elected by the General Assembly)**

Rev. Dr. D.C. Mitchell

Mr. A.D. Turner

### **Presbytery of Tasmania**

Rev. D.M. Jones  
Rev. D.S. Wishart

Mr. A.L. Crawford  
Mr. G.K. Roberts

**VICTORIA**  
**(Elected by the General Assembly)**

Rev. C.R. Thomas  
Rev. Prof. A.M. Harman  
Rt. Rev. T.S. Fishwick  
Rev. R. Humphreys  
Rev. Prof. D. Milne

Mr. G. Bell  
Mr. B.D. Bayston  
Mr. A. Bray  
Mr. I. Brown  
Mr. F. Holder

**Presbytery of Ballarat**

Rev. M. de Pyle  
Rev. K.D. Allen

Mr. C. McCracken  
Mr. N. Munro

**Presbytery of Benalla**

Rev. D. Knott  
Rev. D.G. Schulz

Mr. H.C. Evans  
Mr. H. Newton

**Presbytery of Bendigo**

Rev. J.E. Webster

Mr. E. Stone

**Presbytery of Flinders**

Rev. J.C. Ellis  
Rev. Dr. R.R. Mathews  
Rev. A.R. Beaton

Mr. K. Salomons  
Mr. K. Sietsma  
Mr. D. Gillies

**Presbytery of Geelong**

Rev. G. Weber  
Rev. J.B. Stewart

Mr. D. Wishart

**Presbytery of Gippsland**

Rev. W. Zurrer

Mr. W. Conrow

**Presbytery of Kilnoorat**

Rev. K.R. Bell  
Rev. P. Ridgewell

Mr. R.M. Hirth  
Mr. R.J. Fraser

**Presbytery of Maroondah**

Rev. M. Tonkin  
Rev. T. Hopwood

Mr. C. Morrow  
Mr. W. Vandenberg

**Presbytery of Melbourne East**

Rev. J.S. Woodward  
Rev. Dr. G.F. Lyman  
Rev. M.A. Wharton

Dr. N. Johnston  
Mr. J.B. Dimelow  
Mr. J.H. Searle

**Presbytery of Melbourne North**

Rev. G.D. Lawry  
Rev. J.S. Lindsay

Mr. R.H. Butcher  
Mr. W. Roodenburg

**Presbytery of Melbourne West**

Rev. W.M. Johnson  
Rev. P.W. Phillips

Mr. C.L. Phillips

**WESTERN AUSTRALIA**  
**(Elected by the General Assembly)**

Rev. K.W. Morris

Mr. R. Looney

**Presbytery of Western Australia**

Rev. S.M. Bonnington

Mr. S.L. Tomlinson





# Presbyterian Church of Australia

in the State of New South Wales

420 - 422 ELIZABETH STREET, SURRY HILLS NSW 2010

OFFICE OF THE CHAIRMAN OF TRUSTEES

G.P.O. BOX 100,  
SYDNEY, N.S.W. 2001  
TELEPHONE (02) 310 1455  
FACSIMILE (02) 310 2148

9 September 1994

## FINANCIAL STATEMENTS

*The Financial statements for three years ended 31 December, 1993 reflect exclusively the assets and liabilities of the Presbyterian Church of Australia.*

*In the opinion of the Trustees, the accompanying Balance Sheets disclosing the funds and investments for which the Trustees are responsible and the Income and Expenditure Accounts are properly drawn up so as to give a true and fair view of the state of affairs at 31 December, 1993 and the results for the three years ended at that date.*

**JOHN MILL**  
Chairman of Trustees

# Presbyterian Church of Australia

Office of The  
Official Auditor  
R.C. Williams F.C.A.



**BDO Nelson Parkhill**  
Chartered Accountants

MMI Centre  
2 Market Street, Sydney 2000  
GPO Box 2551 Sydney 2001  
DX 1222 Sydney  
Tel: (02) 286 5555 Fax: (02) 286 5599

## Independent Audit Report to the Trustees of the Presbyterian Church of Australia

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### Scope

I have audited the financial statements of Presbyterian Church of Australia for the three years ended 31 December 1993. The General Secretary is responsible for the preparation and presentation of the financial statements and the information contained therein. I have conducted an independent audit of the financial statements in order to express an opinion on them to the Trustees.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian accounting standards so as to present a view which is consistent with my understanding of its financial position and the results of its operations.

The audit opinion expressed in this report has been formed on the above basis.

### Audit Opinion

In my opinion, the financial statements present fairly the financial position of Presbyterian Church of Australia as at 31 December, 1993 and the results of its operations for the three years then ended in accordance with Statements of Accounting Standards.

**R C WILLIAMS**  
Chartered Accountant

Sydney,

14 July, 1994



PRESBYTERIAN CHURCH OF AUSTRALIA  
TRUSTEE (FEDERAL FINANCE COMMITTEE)  
BALANCE SHEET AT 31 DECEMBER 1993

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>CAPITAL AND RESERVES</u>			
	<u>Specific</u>			
-	Balance 1 January	10,282	-	-
-	Capital Funds Received	-	10,000	-
-	Capital Funds Distributed	(10,386)	-	-
<u>-</u>	Surplus for the Year (Interest)	<u>104</u>	<u>282</u>	<u>-</u>
<u>-</u>		<u>-</u>	<u>\$10,282</u>	<u>-</u>
	<u>Represented by:</u>			
	World Mission			
-	- Co-ordinator	-	<u>10,282</u>	-
	<u>Ordinary</u>			
50,085	Balance 1 January	72,439	67,855	58,150
1,000	Capital funds received	620	-	3,000
<u>7,065</u>	Surplus for year	<u>2,847</u>	<u>4,584</u>	<u>6,705</u>
<u>58,150</u>	Balance 31 December	<u>75,906</u>	<u>72,439</u>	<u>6,705</u>
<u>\$58,150</u>	<u>TOTAL CAPITAL AND RESERVES</u>	<u>\$75,906</u>	<u>\$82,721</u>	<u>\$67,855</u>
	<u>Represented by:</u>			
	<u>INVESTMENT OF FUNDS</u>			
	<u>Specific</u>			
<u>-</u>	Deposit (Presbyterian Church NSW)	<u>-</u>	<u>10,282</u>	<u>-</u>
<u>-</u>	<u>TOTAL SPECIFIC</u>	<u>-</u>	<u>10,282</u>	<u>-</u>
	<u>Ordinary</u>			
4,500	Investments	-	4,500	4,500
4,994	Debtors	21,144	10,153	11,415
48,656	Deposit (Presbyterian Church NSW)	54,762	58,786	51,940
<u>-</u>	Less Creditors	<u>-</u>	<u>(1,000)</u>	<u>-</u>
<u>58,150</u>	<u>TOTAL (Ordinary)</u>	<u>75,906</u>	<u>72,439</u>	<u>67,855</u>
<u>\$58,150</u>	<u>TOTAL FUNDS INVESTED</u>	<u>\$75,906</u>	<u>\$82,721</u>	<u>\$67,855</u>

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**TRUSTEE (FEDERAL FINANCE COMMITTEE)**  
**INCOME AND EXPENDITURE ACCOUNT**  
**FOR THE PERIOD ENDED 31 DECEMBER 1993**

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>INCOME</u>			
672	Investment Income	336	672	672
6,393	Trustee Interest	3,631	3,912	6,033
	Contributions received or receivable from the States:			
12,568	- New South Wales	15,588	13,697	38,510
5,025	- Queensland	7,119	5,246	14,871
839	- South Australia	1,185	874	2,480
839	- Tasmania	1,185	874	2,480
6,142	- Victoria	10,286	7,580	20,841
<u>558</u>	- Western Australia	<u>286</u>	<u>582</u>	<u>1,652</u>
<u>\$33,036</u>		<u>\$40,123</u>	<u>\$33,437</u>	<u>\$87,539</u>
	<u>EXPENDITURE</u>			
	<u>General Assembly - 1991 (Sydney)</u>			
-	Accommodation	-	(385)	-
-	Honoraria	-	-	-
-	Travelling	-	-	-
3,969	Other	-	(100)	65,801
	<u>Moderatorial</u>			
1,000	Honorarium	1,000	1,500	1,500
135	Travel and accommodation	4,878	3,021	2,812
1,001	Other	685	913	1,320
	<u>Committees</u>			
-	Church and Nation	-	787	-
-	Code	10,524	4,800	198
4,865	College	1,435	2,255	2,399
-	Defence forces	-	-	300
1,145	Public worship and Aids to devotion	662	398	1,270
71	Reception of ministers	688	-	91
489	Relations with other churches	440	3,510	843
650	Contributions to REC	650	700	650
3,000	Office services	5,000	4,000	3,000
1,646	Other	7,168	7,454	1,650
	<u>Special Appeals</u>			
	<u>Reimbursed by States</u>			
-	National Journal	9,697	-	-
-	World Mission (Co-ordinator)	-	10,000	-
-	Litigation Women's Ordination	4,146	87,889	-
-	Kapooka Appeal	-	-	-
		<u>13,843</u>	<u>97,889</u>	
-	<u>Less: Re-imbursed</u>	<u>9,697</u>	<u>(97,889)</u>	-
7,065		4,146	-	-
<u>7,065</u>	Surplus for the year	<u>2,847</u>	<u>4,584</u>	<u>6,705</u>
<u>\$33,036</u>		<u>\$40,123</u>	<u>\$33,437</u>	<u>\$87,539</u>

PRESBYTERIAN CHURCH OF AUSTRALIA  
TRUSTEES (FEDERAL FINANCE COMMITTEE)  
INCOME AND EXPENDITURE ACCOUNT  
FOR THE PERIOD ENDED 31 31 DECEMBER 1993  
SPECIAL APPEALS - REIMBURSEMENT (DETAILS)

<u>1991</u>		<u>1992</u>
\$		\$
	<u>NATIONAL JOURNAL</u>	
30,856	N.S.W.	-
11,817	Queensland	-
1,969	South Australia	-
-	Tasmania	-
17,075	Victoria	-
<u>1,314</u>	Western Australia	<u>-</u>
<u>\$63,031</u>		<u>-</u>
	<u>WORLD MISSION CO-ORDINATOR</u>	
-	N.S.W.	4,747
-	Queensland	1,818
-	South Australia	303
-	Tasmania	303
-	Victoria	2,627
<u>-</u>	Western Australia	<u>202</u>
<u>-</u>		<u>\$10,000</u>
	<u>COSTS LITIGATION - WOMEN'S ORDINATION</u>	
-	N.S.W.	41,721
-	Queensland	15,978
-	South Australia	2,663
-	Tasmania	2,663
-	Victoria	23,088
<u>-</u>	Western Australia	<u>1,776</u>
<u>-</u>		<u>\$87,882</u>
	<u>KAPOOKA CHAPEL</u>	
4,748	N.S.W.	-
1,818	Queensland	-
302	South Australia	-
302	Tasmania	-
2,626	Victoria	-
<u>204</u>	Western Australia	<u>-</u>
<u>\$10,000</u>		<u>-</u>

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**CHRISTIAN EDUCATION COMMITTEE**  
**BALANCE SHEET AT 31 DECEMBER 1993**

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>CAPITAL AND RESERVES</u>			
	<u>Ordinary</u>			
9,378	Balance 1 January	25,020	16,789	16,020
<u>6,642</u>	Surplus for the year	<u>732</u>	<u>8,231</u>	<u>769</u>
<u>16,020</u>	Balance 31 December	<u>25,752</u>	<u>25,020</u>	<u>16,789</u>
<u>\$16,020</u>	<u>TOTAL CAPITAL AND RESERVES</u>	<u>\$25,752</u>	<u>\$25,020</u>	<u>\$16,789</u>
	<u>Represented by:</u>			
	<u>INVESTMENT OF FUNDS</u>			
324	Fixed assets	-	54	189
100	Petty cash	100	100	100
<u>15,596</u>	Deposit (Presbyterian Church NSW)	<u>25,652</u>	<u>24,866</u>	<u>16,500</u>
<u>16,020</u>	<u>TOTAL</u>	<u>25,752</u>	<u>25,020</u>	<u>16,789</u>
<u>\$16,020</u>	<u>TOTAL FUNDS INVESTED</u>	<u>\$25,752</u>	<u>\$25,020</u>	<u>\$16,789</u>
	<u>INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31 DECEMBER 1993</u>			
	<u>INCOME</u>			
1,429	Interest	1,166	984	1,461
3,172	Publication income	2,220	2,307	3,242
<u>5,000</u>	Sundry income	<u>1,139</u>	<u>8,015</u>	<u>-</u>
<u>\$9,601</u>		<u>\$4,525</u>	<u>\$11,306</u>	<u>\$4,703</u>
	<u>EXPENDITURE</u>			
1,162	Publication expenses	1,573	145	810
662	Travelling expenses	-	1,576	683
1,135	Other	2,220	1,354	2,441
<u>6,642</u>	Surplus for the year	<u>732</u>	<u>8,231</u>	<u>769</u>
<u>\$ 9,601</u>		<u>\$4,525</u>	<u>\$11,306</u>	<u>\$4,703</u>

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**NATIONAL JOURNAL COMMITTEE**  
**BALANCE SHEET AT 31 DECEMBER 1993**

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>CAPITAL AND RESERVES</u>			
	<u>Ordinary</u>			
(1,457)	Balance 1 January	(65,045)	(25,636)	(56,386)
-	Capital Funds Received	-	16,698	-
-	Adjustments	-	-	4,250
(54,929)	Surplus/(Deficit) for the year	(40,761)	(56,107)	26,500
56,386	Balance 31 December	(105,806)	(65,045)	(25,636)
<u>\$(56,386)</u>	<u>TOTAL CAPITAL AND RESERVES</u>	<u>\$(105,806)</u>	<u>\$(65,045)</u>	<u>\$(25,636)</u>
	<u>Represented by:</u>			
	<u>INVESTMENT OF FUNDS</u>			
36,395	Fixed assets	23,242	27,398	31,754
<u>200</u>	Cash	200	1,150	750
	Debtors	<u>13,860</u>	-	-
<u>36,595</u>	<u>TOTAL</u>	<u>37,302</u>	<u>28,548</u>	<u>32,504</u>
	<u>Less:</u>			
	<u>LIABILITIES</u>			
10,000	Deposit - interest free	10,000	10,000	10,000
44,611	Overdrawn (Presbyterian Church NSW)	116,506	71,755	5,693
16,698	Creditors	3,125	10,000	16,698
1,063	Provisions	1,838	1,838	1,440
<u>20,609</u>	Other	<u>11,639</u>	-	<u>24,309</u>
<u>92,981</u>		<u>143,108</u>	<u>(93,593)</u>	<u>(58,140)</u>
<u>\$(56,386)</u>	<u>TOTAL FUNDS INVESTED</u>	<u>\$(105,806)</u>	<u>\$(65,045)</u>	<u>\$(25,636)</u>

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31 DECEMBER 1993

	<u>INCOME</u>			
1,327	Donations	172	315	736
10,261	Year Book - sales and advertising	8,537	11,431	9,825
9,342	APL - sales (bulk)	13,720	5,579	3,154
73,210	APL - sales (other)	89,509	57,945	82,451
37,829	APL - advertising	17,206	35,130	44,655
5,206	Other	17,244	-	63,072
<u>54,929</u>	Deficit for the year	<u>40,761</u>	<u>56,107</u>	-
<u>\$192,104</u>		<u>\$187,149</u>	<u>\$166,507</u>	<u>\$203,893</u>
	<u>EXPENDITURE</u>			
49,698	Salaries etc	64,313	58,106	53,030
2,092	Interest	5,560	1,577	2,237
2,000	Office services	4,000	5,929	4,834
6,614	Rent	3,571	4,560	5,873
11,917	Rent - Manse	18,501	16,900	13,000
2,579	Travelling expenses	4,650	3,911	1,978
2,350	Printing - Year Book	2,455	2,319	5,273
58,673	Printing - APL	35,083	35,218	36,903
19,324	Postage	15,366	15,010	17,207
36,857	Other	33,648	29,977	37,058
-	Surplus for the year	-	-	<u>26,500</u>
<u>\$192,104</u>		<u>\$187,149</u>	<u>\$166,507</u>	<u>\$203,893</u>

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**WORLD MISSION COMMITTEE**  
**BALANCE SHEET AT 31 DECEMBER 1993**

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<b><u>CAPITAL AND RESERVES</u></b>			
	<b><u>Specific</u></b>			
46,739	Balance 1 January	63,031	59,455	54,054
1,300	Capital funds received	45,201	-	-
	Capital funds distributed	(46,082)	-	-
<u>6,015</u>	Surplus for the year (Interest)	<u>4,007</u>	<u>3,576</u>	<u>5,401</u>
<u>\$54,054</u>	Balance 31 December	<u>\$66,157</u>	<u>\$63,031</u>	<u>\$59,455</u>
	<b><u>Represented by:</u></b>			
5,084	Bursary-Vanuatu Pastors' Children	5,267	5,892	5,557
28,999	NV Paton Fund - Vanuatu	35,416	33,851	31,931
	Scholarship for Indian and			
	Aboriginal Children	<u>25,474</u>	<u>23,288</u>	<u>21,967</u>
<u>54,054</u>		<u>66,157</u>	<u>63,031</u>	<u>59,455</u>
	<b><u>Ordinary</u></b>			
251,064	Balance 1 January	308,699	264,286	274,715
-	Capital funds received	116,572	65,538	-
	Capital funds distributed	(10,132)	-	-
23,651	(Deficit)/Surplus for the year	110,190	(21,155)	(10,429)
	Adjustments	<u>30</u>	<u>-</u>	<u>-</u>
<u>274,715</u>	Balance 31 December	<u>525,299</u>	<u>308,669</u>	<u>264,286</u>
<u>\$328,769</u>	<b><u>TOTAL CAPITAL AND RESERVES</u></b>	<u>\$591,456</u>	<u>\$371,700</u>	<u>\$323,741</u>
	<b><u>Represented by:</u></b>			
	<b><u>INVESTMENT OF FUNDS</u></b>			
	<b><u>Specific</u></b>			
54,054	Deposit (Presbyterian Church NSW)	66,157	63,031	59,054
<u>54,054</u>	<b><u>TOTAL (SPECIFIC)</u></b>	<u>66,157</u>	<u>63,031</u>	<u>59,054</u>
	<b><u>Ordinary</u></b>			
30	Cash	30	30	30
130,878	Fixed assets	383,739	126,868	130,238
137,398	Investments	125,000	129,610	129,677
6,409	Deposit (Presbyterian Church NSW)	3,727	53,475	4,341
<u>-</u>	Debtors	<u>16,132</u>	<u>-</u>	<u>-</u>
274,715	<b><u>TOTAL</u></b>	528,628	309,983	264,286
	<b><u>Less:</u></b>			
	<b><u>LIABILITIES</u></b>			
<u>-</u>	Provisions	<u>(3,329)</u>	<u>(1,314)</u>	<u>-</u>
<u>274,715</u>	<b><u>TOTAL (ORDINARY)</u></b>	<u>525,299</u>	<u>308,669</u>	<u>264,286</u>
<u>\$328,769</u>	<b><u>TOTAL FUNDS INVESTED</u></b>	<u>\$591,456</u>	<u>\$371,700</u>	<u>\$323,741</u>

PRESBYTERIAN CHURCH OF AUSTRALIA  
WORLD MISSION COMMITTEE  
INCOME AND EXPENDITURE ACCOUNT  
FOR THE PERIOD ENDED DECEMBER 1993  
(ORDINARY)

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>INCOME</u>			
14,359	Interest	13,010	8,112	12,653
-	Sundry Income	384,383	-	-
87,822	- General	94,600	95,162	104,563
36,885	- Vanuatu	108,414	35,421	44,664
34,798	- Africa	42,912	29,193	30,810
-	- Japan	47,552	29,271	-
-	- Aborigines	43,674	1,066	-
-	- Bislama	20,000	-	-
-	- Co-ordinator	27,231	-	-
-	Profit sale of Assets	118,544	-	-
-	Deficit for year	-	<u>21,155</u>	<u>10,429</u>
<u>\$173,864</u>		<u>\$515,947</u>	<u>\$219,380</u>	<u>\$203,119</u>
	<u>EXPENDITURE</u>			
	<u>VANUATU</u>			
56,506	Salaries	88,439	71,745	60,497
<u>46,652</u>	Other	<u>73,716</u>	<u>49,403</u>	<u>83,170</u>
<u>103,165</u>		<u>162,155</u>	<u>121,148</u>	<u>143,667</u>
	<u>AFRICA</u>			
26,343	Salaries	47,794	31,584	25,985
<u>375</u>	Other	<u>6,438</u>	<u>13,479</u>	<u>1,633</u>
<u>26,718</u>		<u>54,232</u>	<u>45,063</u>	<u>27,618</u>
	<u>JAPAN</u>			
-	Salaries	27,074	8,000	-
<u>-</u>	Other	<u>8,825</u>	<u>957</u>	<u>-</u>
<u>-</u>		<u>35,899</u>	<u>8,957</u>	<u>-</u>
	<u>ABORIGINES</u>			
-	Salaries	32,911	1,445	-
<u>-</u>	Other	<u>3,307</u>	<u>-</u>	<u>-</u>
<u>-</u>		<u>36,218</u>	<u>1,445</u>	<u>-</u>
	<u>BISLAMA</u>			
-	Other	<u>13,250</u>	<u>-</u>	<u>-</u>
<u>-</u>		<u>13,250</u>	<u>-</u>	<u>-</u>
	<u>CO-ORDINATOR</u>			
-	Salaries	19,001	-	-
<u>-</u>	Other	<u>27,245</u>	<u>-</u>	<u>-</u>
<u>-</u>		<u>46,246</u>	<u>-</u>	<u>-</u>
	<u>ADMINISTRATION</u>			
8,998	Salaries	16,615	11,600	14,071
<u>11,332</u>	Other	<u>41,142</u>	<u>31,167</u>	<u>17,763</u>
<u>20,330</u>		<u>57,757</u>	<u>42,767</u>	<u>31,834</u>
<u>23,651</u>	Surplus for year	<u>110,190</u>	<u>-</u>	<u>-</u>
<u>\$173,864</u>		<u>\$515,947</u>	<u>\$219,380</u>	<u>\$203,119</u>

PRESBYTERIAN CHURCH OF AUSTRALIA  
PUBLIC WORSHIP AND AIDS TO DEVOTION COMMITTEE  
BALANCE SHEET AT 31 DECEMBER 1993

HYMN BOOK

<u>1990</u>		<u>1993</u>	<u>1992</u>	<u>1991</u>
\$		\$	\$	\$
	<u>CAPITAL AND RESERVES</u>			
	<u>Ordinary</u>			
32,689	Balance 1 January	87,598	71,057	35,983
<u>3,294</u>	Surplus for the year	<u>2,143</u>	<u>16,541</u>	<u>35,074</u>
<u>35,983</u>	Balance 31 December	<u>89,741</u>	<u>87,598</u>	<u>71,057</u>
<u>\$35,983</u>	<u>TOTAL CAPITAL AND RESERVES</u>	<u>\$89,741</u>	<u>\$87,598</u>	<u>\$71,057</u>
	<u>Represented by:</u>			
	<u>INVESTMENT OF FUNDS</u>			
5	Investment in companies	5	5	5
<u>35,978</u>	Deposit (Presbyterian Church NSW)	<u>89,736</u>	<u>87,593</u>	<u>71,052</u>
<u>35,983</u>		<u>89,741</u>	<u>87,598</u>	<u>71,057</u>
<u>\$35,983</u>	<u>TOTAL FUNDS INVESTED</u>	<u>\$89,741</u>	<u>\$87,598</u>	<u>\$71,057</u>

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31 DECEMBER 1993

	<u>INCOME</u>			
3,511	Interest	4,013	4,618	4,991
<u>52,351</u>	Publication Income	<u>34,525</u>	<u>36,473</u>	<u>33,830</u>
<u>\$55,862</u>		<u>\$38,538</u>	<u>\$41,091</u>	<u>\$38,821</u>
	<u>EXPENDITURE</u>			
5,000	Allocation - Christian Education Committee	1,139	8,015	(2,154)
35,224	Publication expenses	21,603	-	995
160	Publicity	1,402	1,425	-
-	Write-Off Deficit - Book Common Order	-	8,015	-
6,664	Copyright	-	-	-
377	Travelling Expenses	-	-	-
5,143	Other	12,251	7,095	-
<u>3,294</u>	Surplus for the year	<u>2,143</u>	<u>16,541</u>	<u>35,074</u>
<u>\$55,862</u>		<u>\$38,538</u>	<u>\$41,091</u>	<u>\$38,821</u>



PRESBYTERIAN CHURCH OF AUSTRALIA  
PUBLIC WORSHIP AND AIDS TO DEVOTION COMMITTEE  
SPECIAL PUBLICATIONS - WORSHIP

<u>1990</u>	<u>1993</u>	<u>1992</u>	<u>1991</u>
\$	\$	\$	\$
<u>CAPITAL AND RESERVES</u>			
<u>Ordinary</u>			
-	62	(8,042)	(10,542)
	-	8,015	-
	-	27	-
(10,542)	<u>43</u>	<u>62</u>	<u>2,500</u>
\$(10,542)	<u>\$ 105</u>	<u>\$ 62</u>	<u>\$( 8,042)</u>
<u>TOTAL CAPITAL AND RESERVES</u>			
<u>Represented by:</u>			
<u>INVESTMENT OF FUNDS</u>			
(10,542)	<u>105</u>	<u>62</u>	<u>( 8,042)</u>
\$(10,542)	<u>\$ 105</u>	<u>\$ 62</u>	<u>\$( 8,042)</u>
<u>TOTAL FUNDS INVESTED</u>			

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31 DECEMBER 1993

<u>INCOME</u>			
-	4	7	-
3,401	39	626	2,014
<u>10,542</u>	<u>-</u>	<u>-</u>	<u>-</u>
\$13,943	<u>\$ 43</u>	<u>\$ 633</u>	<u>\$ 2,014</u>
<u>EXPENDITURE</u>			
-	-	-	931
13,943	-	-	(1,417)
-	-	571	-
<u>-</u>	<u>43</u>	<u>62</u>	<u>2,500</u>
\$13,943	<u>\$ 43</u>	<u>\$ 633</u>	<u>\$ 2,014</u>
<u>Surplus for the year</u>			

PRESBYTERIAN CHURCH OF AUSTRALIA  
PRESBYTERIAN INLAND MISSION COMMITTEE  
BALANCE SHEET AT 31 DECEMBER 1991

1990			1991		
\$	\$	\$	\$	\$	\$
			<u>CAPITAL AND RESERVES</u>		
			<u>Specific</u>		
	2,688			3,029	
	-			1,984	
	<u>341</u>			<u>104</u>	
		3,029			1,149
			<u>Represented by:</u>		
1,045			1,149		
<u>1,984</u>			-		
			<u>1,149</u>		
<u>3,029</u>			<u>Ordinary</u>		
	1,135,260			1,203,662	
	45,938			119,497	
	(3,777)			(1,824)	
	<u>26,241</u>			<u>(10,042)</u>	
		<u>1,203,662</u>			<u>1,311,293</u>
		<u>\$1,206,691</u>	<u>TOTAL CAPITAL AND RESERVES</u>		
					<u>\$1,312,442</u>
			<u>Represented by:</u>		
			<u>INVESTMENT OF FUNDS</u>		
			<u>Specific</u>		
	<u>3,029</u>			<u>1,149</u>	
		3,029	<u>TOTAL (SPECIFIC)</u>		
					1,149
			<u>Ordinary</u>		
	6,000			6,000	
	100,365			133,819	
	755,462			129,000	
	134,000			-	
	-			7,471	
	46,080			46,080	
	<u>161,755</u>			<u>989,574</u>	
	1,203,662			1,311,943	
			<u>Less:</u>		
			<u>LIABILITIES</u>		
				<u>650</u>	
		<u>1,203,662</u>	<u>TOTAL (ORDINARY)</u>		
					<u>1,311,293</u>
		<u>\$1,206,692</u>	<u>TOTAL FUNDS INVESTED</u>		
					<u>\$1,312,442</u>

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**PRESBYTERIAN INLAND MISSION COMMITTEE**  
**INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 DECEMBER 1991**

1990			1991	
\$	\$		\$	\$
		<u>INCOME</u>		
	18,929	Interest		96,751
	-	GMP allocation		-
	6,000	Donations - Darwin		2,119
	10,240	Donations - North Queensland		7,488
	808	Donations - Charleville/Blackall		1,265
	16,822	Donations - General		16,868
	8,885	Christmas cards profit/(loss)		5,893
	4,961	Profit - disposal of assets		-
	-	Loss for the year		<u>10,042</u>
	<u>\$166,645</u>			<u>\$140,426</u>
		<u>EXPENDITURE</u>		
		<u>Charleville/Blackall</u>		
	21,534	Other		22,932
		<u>Darwin</u>		
21,266		Salaries etc	1,553	
<u>4,405</u>	25,671	Other	<u>1,072</u>	2,625
		<u>North-west New South Wales</u>		
-		Other		11,285
		<u>North Queensland</u>		
18,918		Salaries	19,344	
<u>25,360</u>	44,278	Other	<u>21,321</u>	40,665
		<u>Port August - Whyalla Patrol</u>		
	457	Other		-
		<u>Stanley - Rocky Cape</u>		
	3,000	Other		3,000
		<u>South Australia</u>		
	16,051	Other		21,132
		<u>Western Australia</u>		
	2,500	Other		1,871
		<u>Administration</u>		
	2,386	Salaries etc		3,321
	11,000	Office services		16,150
	748	Rent		748
	1,602	Travelling expenses		3,223
	11,177	Other		13,474
	<u>26,241</u>	Surplus for the year		-
	<u>\$166,645</u>			<u>\$140,426</u>

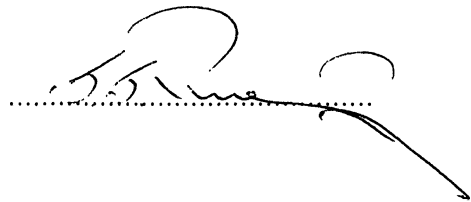
**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**PRESBYTERIAN INLAND MISSION COMMITTEE**

**STATEMENT BY THE COMMITTEE**

In the opinion of the Committee:

1. (a) The accompanying Balance Sheet is drawn up so as to give a true and fair view of the state of affairs of the Presbyterian Inland Mission Committee as at 31 December 1993.  
  
(b) The accompanying Statement of Income and Expenditure is drawn up so as to give a true and fair view of the results of the committee for the year ended 31 December 1993.
  
2. The accompanying accounts have been prepared in accordance with Australian Accounting Standards.

Signed on behalf of the Committee

  
.....

  
.....

Brisbane..... 15 MARCH ..... 1994.

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**PRESBYTERIAN INLAND MISSION COMMITTEE**

**AUDITORS' REPORT TO THE COMMITTEE**

**Scope**

We have audited the financial statements of the Presbyterian Inland Mission Committee for the financial year ended 31 December 1993, consisting of the statement of income and expenditure, balance sheet, accompanying notes, and the statement by the committee, set out on pages 1 to 5. The committee is responsible for the preparation and presentation of the financial statements and the information they contain. We have conducted an independent audit of these financial statements in order to express an opinion on them to the members of the committee.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether in all material respects, the financial statements are presented fairly in accordance with Australian accounting concepts and standards and statutory requirements so as to present a view which is consistent with our understanding of the committee's financial position and the results of its operations.

The audit opinion expressed in this report has been formed on the above basis.

**Audit Opinion**

In our opinion, the financial statements present fairly the financial position of the Presbyterian Inland Mission Committee at 31 December 1993 and the results for the year ended on that date and are in accordance with Australian Accounting Standards.

.....  
**Peden, Lavis & Co.**  
**Chartered Accountants**

.....  
**I.K. Taylor**  
**Partner**

20 APRIL 1994

**PRESBYTERIAN CHURCH OF AUSTRALIA**

**PRESBYTERIAN INLAND MISSION COMMITTEE**

**STATEMENT OF INCOME AND EXPENDITURE  
FOR THE YEAR ENDED 31 DECEMBER 1993**

	1993	1992
	\$	\$
<b>INCOME</b>		
Interest Received - Investments	97 238	80 137
- Rinda McKenna Bequest	5 033	-
Donations Received:		
General	24 955	25 454
Charleville	3 893	3 124
Darwin	-	1 000
North Queensland	536	5 266
Hayles Fund	-	12 000
Video Library	100	900
Drought Relief	560	-
Offerings	3 371	3 068
Proceeds from Sale of Christmas Cards	9 576	9 953
Profit on Sale of Assets	10 254	-
	<hr/>	<hr/>
	155 516	140 902
	<hr/>	<hr/>
<b>LESS EXPENDITURE</b>		
Administration Costs	39 673	38 064
Darwin Loan Written Off	-	1 757
Drought Relief	1 560	-
Patrols:		
Alice Springs	434	-
Cairns	7 129	-
Charleville	27 166	28 996
Darwin	1 918	4 791
North Queensland	36 576	42 894
NSW - North West	8 919	12 922
- Warren	(2 500)	2 500
South Australia	24 651	20 533
Tasmania	3 000	3 000
Western Australia	1 500	-
	<hr/>	<hr/>
	150 026	155 457
	<hr/>	<hr/>
<b>SURPLUS (DEFICIT)</b>	5 490	(14 555)
General Bequests	64 032	34 154
	<hr/>	<hr/>
<b>SURPLUS (DEFICIT) FOR YEAR</b>	69 522	19 601
	<hr/>	<hr/>

**PRESBYTERIAN CHURCH OF AUSTRALIA**

**PRESBYTERIAN INLAND MISSION COMMITTEE**

**BALANCE SHEET  
AS AT 31 DECEMBER 1993**

	Note	1993 \$	1992 \$
<b>CAPITAL AND RESERVES</b>	2	1 900 416	1 483 419
		<hr/>	<hr/>
- represented by -			
<b>CURRENT ASSETS</b>			
Cash at Bank		98 145	133 990
Cash on Hand		1 000	1 000
Cash on Deposit		79 683	152 812
Interest Receivable		31 099	1 507
Loan Accounts		6 576	1 993
		<hr/>	<hr/>
		216 503	291 302
		<hr/>	<hr/>
<b>NON-CURRENT ASSETS</b>			
Investments	3	1 485 000	1 010 000
Property, Plant and Equipment		117 847	119 150
Deferred Expenses - Pridham Estate		83 066	69 591
		<hr/>	<hr/>
		1 685 913	1 198 741
		<hr/>	<hr/>
<b>TOTAL ASSETS</b>		1 902 416	1 490 043
		<hr/>	<hr/>
<b>CURRENT LIABILITIES</b>			
Accounts Payable		2 000	6 624
		<hr/>	<hr/>
		1 900 416	1 483 419
		<hr/>	<hr/>

The attached notes form an integral part of these accounts.

**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**PRESBYTERIAN INLAND MISSION COMMITTEE**

**NOTES TO THE ACCOUNTS**  
**31 DECEMBER 1993**

**1. ACCOUNTING METHODS**

- (a) The accounts have been prepared in accordance with the historical cost convention.
- (b) The accounting methods adopted are consistent with those of previous years.
- (c) Bequests received of less than \$20,000 are treated as income. Specific bequests of greater than \$20,000 are credited directly to capital and reserves and are disclosed separately.
- (d) A portion of gross interest received has been allocated to bequests. This has not been disclosed in the statement of income and expenditure, but has been credited directly to bequests capitalised.

**2. MOVEMENTS ON CAPITAL ACCOUNT FOR THE YEAR**

	1993	1992
	\$	\$
Balance - 1 January	930 894	911 293
Surplus (Deficit) for Year	69 522	19 601
Balance - 31 December	1 000 416	930 894

**BEQUESTS**

A.R. Love	412 000	406 000
A.R. Davidson	88 400	87 092
A.J. Lacey	22 000	21 622
J.V. Boyce	38 400	37 811
M E Agnew	294 000	-
M Leverton	45 200	-
	900 000	552 525

	1 900 416	1 483 419
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**3. INVESTMENTS**

Debentures (at Face Value)	1 485 000	1 010 000
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**PRESBYTERIAN CHURCH OF AUSTRALIA**  
**PRESBYTERIAN INLAND MISSION COMMITTEE**

**NOTES TO THE ACCOUNTS**  
**31 DECEMBER 1993**

4. **ESTATE OF LATE RINDA McKENNA**

A legacy of \$59 918 was left to The Presbyterian Church of Queensland to be used for work amongst Aborigines. The Church has agreed to retain the principal and allocate the interest to the Presbyterian Inland Mission for use by the Cairns Patrol which operates solely as a mission to Cape Aboriginal communities.

The cost of the 1993 patrols totalling \$7 129 was partly offset by interest of \$5 033 received from The Presbyterian Church of Queensland.

## REPORTS

### AD HOC COMMITTEE ON THE DECLARATORY STATEMENT

The matters raised to the 1991 GAA in Overture (vi) (1991 B.B. p.110) were referred to this Committee. (1991 B.B. Min. 29)

The Overturists requested that the GAA rule:

*"(1) Whether the Declaratory Statement of the Basis of Union 1901 substantially alters or nullifies the distinctive Reformed doctrine taught in the Westminster Confession of Faith, particularly the sovereignty of God in grace as taught in chapters 3-18.*

*(2) What the framers of the Declaratory Statement intended by the phrase 'the doctrine therein'.*

It seems that the essence of the Overture, in both recitals and requests, is as follows:

1. Was the intent of the Declaratory Statement to amend the *Confession* or, in the words of the Overturists, *"to clarify disputed clauses in the Confession and balance them with corresponding Biblical truths; not to repudiate them"*?
2. Should the Constitution of the Church be *"read as one whole and not construed in such a way as to set one section against another"*? (the words of the Overturists.)
3. What is the extent of the *Liberty of Opinion Clause* in the Declaratory Statement? Does it allow someone to deny any or all of the *Five Points of Calvinism* and still be able to sign the Formula? Or, in the words of the Overturists, does the Declaratory Statement substantially alter *"the distinctive Reformed doctrine taught in the Westminster Confession of Faith, particularly the sovereignty of God in grace as taught in chapters 3-18"*?
4. What did the framers of the Declaratory Statement mean by the phrase *"not essential to the doctrine therein taught"* in the Liberty of Opinion clause?

#### THE ABOVE QUESTIONS SHALL BE DEALT WITH IN ORDER BELOW

1. Regardless what intentions any individual member of the 1901 Assembly might have had, and there may have been a variety of motivations present, all that the church in 1994 can act on is the words that the 1901 Assembly agreed on.

Clause (ii) of *The Scheme of Union* reads in part:

*"The Subordinate Standard of the united church shall be the Westminster Confession of Faith read in the light of the following declaratory statement:-*

That this means that the Subordinate Standard of the Church shall be the WCF and that it should be read in the light of the Declaratory Statement can be seen by the fact that the next sentence reads:

- "1. That in regard to the doctrine of redemption as taught in the subordinate standard, and in consistency therewith, the love of God to all mankind, His gift of His Son to be the propitiation for the sins of the whole world, and the free offer of salvation to men without distinction*

*of the grounds of Christ's all-sufficient sacrifice, are regarded by this Church as vital to the Christian faith ..."*

These words indicate quite clearly that **the stated policy** of the framers of the Declaratory Statement was **not** to contradict anything in the WCF. If the authors of the Declaratory Statement did not intend to contradict the WCF, what was their intent? From the content of the Declaratory Statement it seems it was to add to the WCF certain doctrinal statements which were either not stated at all in the WCF, were not stated clearly enough, or were mentioned in an ambiguous way.

**Thus the Declaratory Statement itself flatly denies any contradiction between itself and the WCF.**

It is obvious from the words themselves that it was felt by the majority of the members of the 1901 Assembly that the WCF needed 'fleshing out' in the areas of the universality of God's love for mankind, the gift of His Son to be the propitiation for the sins of the whole world and the free offer of the Gospel to all mankind.

In the light of the words from the beginning of this first clause already quoted, it can be concluded that the addition of these matters indicates one or both of the following:

- (a) the framers of the 1901 Declaratory Statement wanted to accommodate those in the Australian Presbyterian churches who felt that the WCF was too harsh in its presentation of Calvinism;
- (b) the framers of the 1901 Declaratory Statement wanted to accommodate those in the Australian Presbyterian churches who felt that the WCF needed to be balanced by the expression of the more general statements of Scripture about the atonement.

However, it must be emphasised that they specifically **deny** that anything in the Articles contradicts what the WCF says.

That this is so can also be seen from a study of clause 2:

*"That the doctrine of God's eternal decree, including the doctrine of election to eternal life, is held as defined in the Confession of Faith, Chapter III, Section 1, where it is expressly stated that according to this doctrine, 'neither is God the author of sin nor is violence offered to the will of the creature nor is the liberty or contingency of second clauses taken away, but rather established' and further, that the said doctrine is held in connection and harmony with the truth - that God is not willing that any should perish, but that all should come to repentance, that He has provided a salvation sufficient for all and adapted for all and offered to all in the Gospel, and that every hearer of the Gospel is responsible for his dealing with the free and unrestricted offer of eternal life."*

This clause certainly sets alongside the statements of the WCF certain biblical truths which are not explicitly stated in the WCF, but the clause insists that these truths are to be held **alongside** and **in consistency with** the clear statement of predestination in ch. III of the WCF.

In Clauses 3 and 4 similar observations can be made. In clause 3 the statement about none being *"saved except through the mediation of Christ*

*and by the grace of the Holy Spirit, who worketh when and where and how it pleaseth him"* reflect the teaching of the WCF, and then are added comments about the imperative of preaching the Gospel to the heathen, and comments about the salvation of those dying in infancy. In clause 4, the WCF teaching about man's fallen nature and the necessity of the prior drawing action of the Holy Spirit for salvation are mentioned, and then are found comments, to be read alongside those of the *Confession* that man is able to do things which, from a human point of view, can be called "*virtuous and praiseworthy*".

Therefore, in answer to question 1 above, it is clear from the documents themselves that it was **NOT** the stated intent of the Declaratory Statement to amend the WCF, but "*to clarify disputed clauses in the Confession and balance them with corresponding Biblical truths - not to repudiate them*".

2. The second question posed by the Overturists is related to the first: Should the Constitution of the Church be "*read as one whole and not construed in such a way as to set one section against another*"?

It is obvious from the Declaratory Statement itself, as seen above, that it was intended to be read **alongside** and **in consistency with** the WCF.

One part of the Constitution of the Church (the Declaratory Statement) should **not** be set against another part (the WCF).

3. Regarding the extent of the liberty of opinion clause in the Declaratory Statement, certain resolutions which were carried at the 1991 GAA should be noted. While these resolutions only express the mind of the majority of the commissioners at the time, they should nevertheless be considered here. In Min. 29, it was resolved:

*"That the Assembly:*

- (1) *Express the opinion that, with respect to the Basis of Union 1901*
  - (a) *the subordinate standard is the Westminster Confession of Faith (II:i-iv, vi) and as such is the Church's Confession of Faith (II:ii,iv);*
  - (b) *the Church is bound to the essential doctrine within the Confession of Faith (II:v);*
  - (c) *no doctrine within the Confession of Faith has been declared by the declaratory statement to be not essential to the doctrine of the Confession (II:i-iv; vi);*
  - (d) *the declaratory statement has not altered any doctrine within the Confession of Faith but has added alongside statements concerning certain doctrines within the Confession of Faith (II:i-iv, vi);*
  - (e) *the church has power to alter what is not essential to the doctrine of the Confession, whether by revision or abridgment of the Confession or restatement of its doctrine (III-V).*
- (2) *Rule that the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless*
  - (a) *this can be established otherwise from the text of the Confession itself or*
  - (b) *the Church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine, accordingly, the doctrines of "Total Inability, Unconditional Election, Definite Atonement, Efficacious Grace and Perseverance of the Saints as taught in chapters 3 to 18 of the Confession are essential to the*

*doctrine therein taught and thereby binding on the Church. "*

The question of the extent of the *Liberty of Opinion Clause* arises because it seems that some of the matters dealt with in the Declaratory Statement were specified because of the anxieties of some people about the 'rigidity' of some sections of the WCF, especially those dealing with predestination.

The text of the *Liberty of Opinion Clause* is as follows:

*"That Liberty of Opinion is allowed on matters in the Subordinate Standard not essential to the doctrine therein taught, the church guarding against the abuse of this liberty to the injury of its unity and peace."*

The first fact to be noted is that liberty of opinion is only allowed in certain parts of **the WCF**. **No** liberty of opinion is allowed in matters specifically dealt with in **the Declaratory Statement**, except where the Declaratory Statement confers liberty, as for example in (iii).

What matters are dealt with in the Declaratory Statement in the general area of the sovereignty of God in grace as taught in chapters 3-18 of the WCF?

- (a) Clause 1 mentions the message of redemption and reconciliation implied and manifested in the objective supernatural historic facts, especially the incarnation, the atoning life and death and resurrection and ascension of our Lord and His bestowment of the Holy Spirit.
- (b) Clause 2 mentions, and specifically affirms, the doctrine of God's eternal decree, including the doctrine of election to eternal life as is defined in the WCF. This is particularly taught in ch. III section III. However, the Declaratory Statement makes specific mention of ch. III, Section 1 in this connection, and quotes part of it:

*"Where it is expressly stated that according to this doctrine, 'neither is God the author of sin nor is violence offered to the will of the creature nor is the liberty or contingency of second causes taken away, but rather established,' and further, that the said doctrine is held in connection and harmony with the truth - that God is not willing that any should perish, but that all should come to repentance, that He has provided a salvation sufficient for all and adapted to all and offered to all in the Gospel, and that every hearer of the Gospel is responsible for his dealing with the free and unrestricted offer of eternal life."*

It seems that *clause 2* was inserted to satisfy those whose were concerned that the full biblical emphasis of the free offer of the Gospel etc. was not given in the WCF, and so these '*overlooked matters*' were specifically mentioned.

The authors of the Declaratory Statement seem to be saying something like this:

*"Yes, we accept the doctrine of predestination etc. as it is in ch. III of the WCF but we wish to place the emphasis on Section 1 of that chapter rather than Section III."*

This was probably because most of those who ridiculed the Presbyterian doctrine of predestination said that it implies that God is the author of evil.

Clause 2 explicitly mentions that salvation is specifically and only *"through the mediation of Christ and by the grace of the Holy Spirit, who worketh when and where and how it pleaseth Him ..."*. This is a restating of the Calvinistic position of the WCF that salvation is all of grace.

Clause 3 then goes on to emphasize the duty of preaching the Gospel to all people - a position which some thought not to have been sufficiently stressed in the WCF. This clause then considers the question of *"the outward and ordinary means of salvation"* and of the eternal destiny of those dying in infancy, stating that *"in accepting the Subordinate Standard it is not required to be held that any who die in infancy are lost, or that God may not extend His grace to any who are without the pale or ordinary means as may seem good in His sight."*

This **emphasises** God's sovereignty in salvation, while at the same time allowing certain latitude on matters about which Scripture is silent.

Clause 4 deals with and agrees with the doctrine of Total Depravity as taught in the WCF, but adds that man can do things which *"of themselves are virtuous and praiseworthy"*, while also emphasizing that man *"is responsible for compliance with the moral law and the call of the Gospel"*. It also emphasizes the sovereignty of God in salvation by re-stating the position of the WCF that man is *"unable without the aid of the Holy Spirit to return to God unto salvation"*.

Thus it can be seen that, while the Declaratory Statement is concerned to add certain biblical teachings to the WCF, which teachings can be said to 'soften' some of the sharper angles of the WCF, **at no point** does the Declaratory Statement deny **anything** in the WCF. In fact, it goes to considerable lengths to state specifically that it does **not** deny the Calvinism of the WCF.

Therefore, in the light of the specific statements of the Declaratory Statement itself, it must be insisted that the Declaratory Statement **does not** substantially alter *"the distinctive Reformed doctrine taught in the Westminster Confession of Faith, particularly the sovereignty of God in grace as taught in chapters 3-18"*, and anyone who denies the Calvinistic teaching of the sovereignty of God in salvation taught in chs. 3-18 of the WCF read in the light of the Declaratory Statement clauses 1-4 should not sign the *Formula*.

4. What did the framers of the Declaratory Statement mean by the phrase *"not essential to the doctrine therein taught"* in the Liberty of Opinion clause?

This is a more difficult question because the terms are not defined in the document.

It is clear from the phraseology used that the framers of the Declaratory Statement believed that within the WCF there were two types of material:

- (a) matters in the WCF which **ARE** essential to the doctrine taught there, and
- (b) matters in the WCF which are **NOT** essential to the doctrine taught there.

Liberty of opinion is granted in the latter but not the former.

It is obvious that there is **no** liberty of opinion allowed in matters specifically

mentioned in the Declaratory Statement, for example, the message of redemption and reconciliation implied and manifested in the objective supernatural historic facts, especially the incarnation, the atoning life and death and resurrection and ascension of our Lord and His bestowment of the Holy Spirit, and election to eternal life. These matters must be considered to be *"essential to the doctrine therein taught"*.

Here follows an argument to the effect that the matters *"essential to the doctrine therein taught"* are the specifically Calvinistic system of theology for which the WCF is well known, and therefore that Liberty of Opinion is granted in all other subjects mentioned in the WCF:

The Federal Conference of the various colonial Presbyterian churches held in 1884 proposed questions to be put to their ordination to ministers in the proposed federal church. Question 2 read:

*"Do you receive and adopt the system of doctrine contained in the Westminster Confession of Faith as founded on, and agreeable to, the Word of God, and declare your adherence thereto?"*

The *Formula* to be signed similarly spoke of *"the system of doctrine contained in"* the Westminster Confession of Faith. There was an attached Declaratory Statement and it allowed liberty of opinion *"on points in the Confession which are not necessary to the integrity of the system of doctrine therein taught"*.

This Declaratory Statement proposed in 1884 was similar in wording to the Victorian Declaratory Act of 1882. The 1884 Declaratory Statement spoke in Clause 2 of *"the system of Gospel truth"* in place of the phrase from the Victorian Act: *"the Calvinistic, or Reformed System of Doctrine."*

A very interesting *"Explanatory Note"* was attached to the 1884 proposed Declaratory Statement. It is interesting because it defined, in considerable detail, *"the leading positions of the 'system of doctrine' contained in the Westminster Confession of Faith"* and this was obviously intended as an amplification of the phrase *"system of Gospel truth"* in clause 2. The Explanatory Note was, in fact, quite Calvinistic. It listed and then described what was meant under each heading: namely, the Inspiration and Divine Authority of the Scriptures, the doctrine of the Trinity, the doctrine of creation, the doctrine of Providence, the doctrine of Covenants, the doctrine concerning Christ our Mediator, the doctrine of the eternal Son of God being of one substance with the Father, the doctrines of Free Will, Effectual Calling or Regeneration, Justification, Adoption, Sanctification, Saving Faith, Repentance, Good Works, the Perseverance of the Saints, Assurance, the Law, and Christian Liberty. A very comprehensive list! It then went on to say that office-bearers are expected to assert, defend and maintain these, and should any office-bearer have doubts, he should tell the appropriate Court of the Church in order to receive *"counsel and sentence"*.

The various documents were submitted to the colonial Assemblies and the presbyteries for comment, and these were considered at the Sixth Conference on Federation in 1885. For example, the Commission of the N.S.W. Assembly recommended that both the Declaratory Statement and the Explanatory Note be omitted, and any reference to the Declaratory Statement omitted from the *Formula* also. The Presbytery of South Australia and the Synod of Tasmania accepted the scheme as it was, while the Presbytery of Melbourne bemoaned the fact that several of the Standards had been dropped, leaving only the

Westminster Confession. It also considered that the Explanatory Statement was unsatisfactory, as it left out any doctrine of the Church, the Sacraments or Eschatology. In other words, the members of the Presbytery were happy with the idea of having an Explanatory note which listed the things essential to the reformed system, but they wanted to add these three topics to the list.

The suggested Scheme of Union of 1896, which grew out of the previous suggestions, included the words "*the Calvinistic or Reformed System of Doctrine*".

The proposed statement was then submitted to the various colonial Churches, with the result that Victoria proposed certain amendments "making for simplification and comprehensiveness". These amendments were finally incorporated into the 1901 statement.

On balance, the Committee favours the doctrines listed in the 1884 Explanatory Note mentioned above as being essential to the doctrine taught in the Westminster Confession, as this note was a direct ancestor of the present statement and is the only such clarification in the history of Australian Presbyterianism. The doctrine of God's eternal decree, because it is specifically mentioned in the 1901 Declaratory Statement, should also be regarded as essential. On this understanding, it is easy to specify which sections of the Confession are considered non-essential and in which ones an office-bearer has liberty of opinion. Those in the latter category would then be chapters 21 to 33 of the Confession. Those chapters are entitled Of Religious Worship, and the Sabbath Day, Of Lawful Oaths and Vows, Of the Civil Magistrate (although the Declaratory Statement does make some comments on this subject), Of Marriage and Divorce, Of the Church, Of Communion of Saints, Of the Sacraments, Of Baptism, Of the Lord's Supper, Of Church Censures, Of Synods and Councils, Of the State of Men after Death, and of the Resurrection of the Dead, and Of the Last Judgement.

### Conclusion

When Clause 5 of the Declaratory Statement is cited and interpreted outside the context of the whole of the Declaratory Statement, it is sometimes taken to confer a wide liberty of departure from the Calvinism of the Confession. However, interpretation of clause 5 of the Declaratory Statement within the context of the whole Declaratory Statement, and with due attention being given to the relationship between the Declaratory Statement and the WCF as stated in the Declaratory Statement itself, suggests that clause 5 of the Declaratory Statement confers a somewhat restricted liberty, and only within the basic doctrinal framework of the WCF.

A further series of questions are: *What are the bounds of liberty of opinion in the non-essential doctrines? Is this liberty to hold, publish and teach such opinions? Does the liberty allow radical or only incremental variation from the non-essential doctrines taught in the WCF?*

The committee takes the point of view that the liberty should be in only incremental variations, and that the liberty should extend to a non-revolutionary teaching of these variations, on the non-essential matters. The Committee takes this point of view because if someone were to hold and teach say episcopacy, congregationalism or believers' baptism only, then it is fairly certain that the church would rule that any one of these is inconsistent with the Calvinism of the WCF. In any event, as Section II, Clause 5 of the Basis of Union states, it will be the Church which ultimately decides whether liberty of opinion is allowed in any particular case, and this is as it should be.



The Committee makes no recommendation regarding possible future action regarding amendment of the Declaratory Statement, considering that it is best to leave the situation as it is.

The Committee and the Law Officers of the General Assembly of Australia are agreed that Clause 5 of the Declaratory Statement does not permit the General Assembly of Australia to legislate on the scope of Liberty of Opinion because that clause is more in the nature of a judicial power which allows the General Assembly to make a determination in a dispute rather than a legislative power. Further, we agree that any legislative action should proceed through the provisions of Section III of the Basis of Union, and which would then allow dissenting congregations property rights as per Section IV. It is not the intention of this Committee to suggest legislative change. Hence, the clauses in the deliverance below seek merely to express the opinion of this Assembly. It follows that the views expressed in the clauses to the deliverance are not, and are not intended to be, binding upon individual members of the General Assembly of Australia or upon inferior Courts and members thereof.

Another matter is relevant to this discussion. In the 1991 GAA at Min. 29, Overture 6 was sustained, it was resolved to set up this committee, and that the committee report to the next GAA. Then several resolutions about the Basis of Union and the Confession of Faith were carried, notice having been previously given. Subsequent to the Assembly, these motions have caused considerable confusion, particularly as to their status.

The Committee is of the opinion that any such resolutions should arise from a report to the Assembly duly circulated beforehand, and preferably prepared by a Committee appointed by the Assembly for the purpose. Therefore, the Committee recommends to the Assembly that those parts of Min. 29 (1991 B.B.) numbered (1) and (2) be rescinded, with a view to carrying the recommendations of this Committee in their stead.

Rev. C.D. Balzer, Convener

#### A.P.W.M. (Addendum)

##### Financial Support of Partner Church Missionaries

A.P.W.M. Committee is concerned to provide adequate financial support for Partner Church Missionary families. We recognise that needs vary according to the cost of living in the country of service, inflationary pressures, size of families, etc.

In order to make adequate provision the Committee is considering introducing a needs-based policy for new appointments which will meet the requirements of Presbyteries for Ministers under their care.

R. F. Burns, Convener

#### CHURCH AND NATION (Addendum)

##### Concerning the Proposed Republic

The present Federal Government is working towards the abolition of the monarchy in Australia and its replacement by a republican form of government. At present the Prime Minister is arguing in terms of minimal adjustments to the Australian Constitution in order to effect this change. The Australian Democrats are seeking wider changes to the Constitution, including among other things, four year fixed

terms for the House of Representatives, a requirement that all ministers of state be members of the House of Representatives, and adjustments to state and local government powers. The coalition at the time of writing is divided on the matter.

The people of God in Old Testament times lived under various forms of government. Abraham, Isaac and Jacob were heads of family living a semi-nomadic life style in Palestine. They were independent of local petty kings and rulers, though sometimes seeking to enter into treaty arrangements with them. Jacob, at the end of his life, was resident in Egypt, and subject to his son Joseph, the Pharaoh's chief minister.

Until the Exodus, the Israelite people continued as subjects of the Pharaoh. Moses, who ruled Israel during the wilderness period, was God's representative and effectively king. After his death there was no formal central government. Judges rose up from time to time to deliver Israel from invaders and raiders. These often continued, after victory, to have a judicial function among the people.

Deuteronomy made provision for the establishment of a central government under a king and in due time, first Saul, and then the Davidic dynasty came to power. This dynasty collapsed at the Babylonian conquest. After the Return from exile, the people were governed by Persian appointees. At the time of Jesus, subject to Roman oversight, the High Priest and sanhedren held political, judicial and executive as well as religious power.

The Davidic covenant indicates that his dynasty is intended by God to rule forever over Israel. Other Old Testament passages reaffirm this and argue that that rule will ultimately extend over all nations. The New Testament looks forward to a perfect fulfilment of these promises in a future reign of Christ. Different millennial schemes offer different understandings of the details of this fulfilment. These things understood, it becomes impossible to argue from the Davidic covenant that Australia should retain the Windsor dynasty as Head of State.

It is impossible to argue that the Queen, even under present arrangements, functions as a monarch in the biblical sense of the concept. In Israel, in the time of the monarchy, kings held effective legislative, executive and judicial power. Queen Elizabeth has not in any meaningful sense such powers in Australia. It is therefore not reasonable to seek to defend the present arrangements with respect of our Head of State from the Old Testament monarchy.

The New Testament urges christians to respect and submit to the civil power as an instrumentality of God's common grace. The civil power under which the church lived at the time of writing the New Testament at the highest level was the Emperor at Rome and his administration. It is impossible to argue from these passages in defence of modern constitutional monarchical government. The most that can be effectively argued from these passages is respect for and submission to - as far as the law of Christ allows - the civil powers that are. This last point in itself does not preclude christian people debating or actively changing new arrangements as to our nation's Head of State.

Christian people therefore are not obligated by scripture to defend the Monarchy, or to support the proposal that Australia become a republic. In these matters we are to argue, and vote, according to the light of christian prudence, always subject to the general principles of the Word of God.

There is a related concern to which christians should give careful attention. The historical basis of the National Constitution and our system of government and law is the Bible. This understanding has been largely lost or rejected by citizens at large

and by our elected representatives. Christians will do well to examine any proposed constitutional changes for evidence of further erosion of the historic Judaeo-Christian personal and social ethic. We should resist such erosion with our prayers and all other resources.

John Ellis, Convener.

#### NATIONAL JOURNAL COMMITTEE (Addendum)

**Committee Members:** The Committee wishes to nominate the following members for election to the Committee at the ballot - Rev. R.P. Benn (Convener), Rev. T. Cannon, J. Ellis, P. Hastie, G. Kettmiss, S. Lindsay, Messrs A. Matheson, R. McTaggart, D. Wilson and Mrs. O. Wilkinson.

Robert Benn, Convener.

#### RECEPTION OF MINISTERS COMMITTEE (Addendum)

The Committee has to report on a number of matters which have arisen since the material was submitted for the White Book.

##### Ministers from Non-Presbyterian Churches.

The Committee reports that William Francis SAVAGE (originally an Anglican minister) has been inducted into Clayfield and the Rev. Diederick Rudolph SCHWARTZ (from the Afrikaans Protestant Church) has been inducted into Warren, having been received by the Committee under Regulation 7. As mentioned in the original report from this Committee, some questions have been raised about whether non-presbyterian ministers may be received under Regulation 7. The Committee requests that the Assembly condone its action in the case of Mr. Savage.

##### Revision of Regulation 11 in the suggested new regulations.

As a result of representations from the Queensland Home Missions Committee, the Committee has agreed to an alteration to the proposed regulation 11 so that the State Home Missions Committee are given the opportunity of commenting on any applicant who is employed temporarily by such state committee. Therefore, the Committee requests the Assembly to pass the new set of regulations with regulation 11 in the following amended form:

*11. Report to Assembly: The Committee shall report to the General Assembly on each applicant for admission to the ministry for the decision of the General Assembly. Such report shall include in its recommendation, the recommendation of the presbytery which should obtain a report from the Home Mission Committee of the State, provided the applicant was employed by such a Committee and (so far as is applicable) that of the College Committee. The Clerk shall have the report printed as a confidential paper to be placed in the hands of members of the Assembly at least twenty-four hours before the Assembly shall deal with it. The General Assembly shall consider an application in closed court and may approve or refuse the application, and if approved may impose conditions.*

##### The Rev. Yono Abadi.

The Rev. Yono Abadi was received by the GAA in 1988 "subject to completion of one year's studies set by the College Committee and to the satisfaction of the Faculty in Victoria." (Min. 130.7(b)).

The situation is that he has not been able to satisfy the Faculty, and there seems no chance of that happening. Details are available from the Convener if requested.

Therefore the Committee recommends that his application be terminated.

**The Rev. William Ellery-Dyer.**

Correspondence has been received from the Presbytery of the Murrumbidgee that Mr. Ellery-Dyer has withdrawn his application to be received as a minister of the PCA. Therefore the Assembly should note this fact.

**Nominations for the Committee.**

The Committee, following the schema set down in the suggested new regulations, nominates to the Assembly the following, bearing in mind that the Assembly officers, the Principals of the three recognised Theological Halls and the Convener of the College Committee are ex-officio members:

W.A. The Rev. Bruce Fraser.  
S.A. The Rev. Michael Grieve.  
Tas. Mr. A.D. Turner  
Qld. The Rev. Guido Kettniss  
    Mr. Neville Taylor  
Vic. Mr. John Searle  
    The Rev. David Innes  
N.S.W. The Rev. Chris Balzer  
    Mr. Bill McLaren  
    Dr. Alan Vaughan  
Convener: The Rev. Chris Balzer

**NEW APPLICANTS.**

**(a) The Rev. Martin LEVINE.**

Please see the Supplementary Confidential papers for details.

**(b) The Rev. Eui Soon, HWANG.**

There are some gaps in his documents, and therefore the matter will be further considered when the missing documents become available. The Assembly is not asked to deal with this application at this Assembly.

**(c) The Rev. Kwang Soo, LEE.**

Please see the Supplementary Confidential papers for details.

C. D. Balzer, Convener

**RELATIONS WITH OTHER CHURCHES (Addendum)**

A letter to the Clerk of the General Assembly from the Assembly Executive Secretary of the Presbyterian Church of Aotearoa New Zealand was referred by the Clerk, Moderator-General and Moderator-General Designate to our Committee for deliberation. The letter noted with concern the decision of the 1991 Assembly re the admission of women to the Ministry of Word and Sacraments. The letter indicated the contrary position of the PCANZ, and raised the matter of continuing relationships with the Presbyterian Church of Australia, viz.

"We find ourselves in a difficult position

"On the one hand it would be simple and obvious to break our ties with you completely. But on the other hand, in the love of Christ, we believe we cannot so easily give up our relationship with a sister church.

"Even though we believe your stand is theologically, ecclesialogically and pastorally unsustainable, because of the strong model of inclusiveness towards women, shown by Jesus, we would want to hold onto a pastoral

dialogue with you as fellow Christians.

"In particular our concern is for the women whose call to ordained ministry is (in our understanding) being denied by their Church. Among other things, it is in order to show our support of them that we wish to remain in dialogue with you.

"We would be glad to hear from you your view on how the relationship might work.

"We take this opportunity of greeting you warmly in the name of Christ."

Our Committee has responded in the following terms - The Committee:

Noted the request of the Moderator-General, Moderator-General designate and the Clerk of the GAA via phone that the Committee deal with the letter from the Assembly Executive Secretary, Presbyterian Church of Aotearoa New Zealand, re future relationships, particularly in the light of the PCA 1991 Assembly decision on women and the ministry.

The Executive resolved as follows: -

- (i) Acknowledge the letter from the Assembly Executive Secretary, Presbyterian Church of Aotearoa New Zealand, noting that this appears to be an informal communication and not yet a resolution of the Assembly of the Presbyterian Church of Aotearoa New Zealand.
- (ii) Indicate to the Presbyterian Church of Aotearoa New Zealand that from reports received we also have concerns about apparent doctrinal confusion in the Presbyterian Church of Aotearoa New Zealand on a number of issues.
- (iii) Because of our long-standing relationship between the Presbyterian Church of Australia and the Presbyterian Church of Aotearoa New Zealand, and our continuing association through the Presbyterian Church of Vanuatu, we deeply regret the movement apart of our Churches.
- (iv) Affirm that the Presbyterian Church of Australia must be free to make laws concerning its faith and ministry which are in accordance with the Scriptures as traditionally interpreted, and which are still so interpreted by a majority in the Presbyterian Church of Australia; and further, that the burden of proof rests on those who override this interpretation to demonstrate that those who adhere to it are in error.
- (v) That the above affirmations express the view of the Committee on Relationships with Other Churches only.
- (vi) That the Committee recommends that the GAA affirm that only direct interchange between the two Assemblies can lead to a clarification of their relationship as branches of the church visible, while recognising that fraternal discussions can take place between members of the two churches or between officers of their Assemblies informally on these and other matters.

It was further resolved that the concerns of the Presbyterian Church of Aotearoa New Zealand and the responses of the Committee on Relations with Other Churches be printed as an Addendum to the Committee's report to the GAA.

Norman Barker (Convener)

## DISSENT AND COMPLAINT

I, Jonathon F. Boyall, dissent and complain to the Venerable the General Assembly of Australia against the decision of the New South Wales General Assembly to overture the General Assembly of Australia anent the role of State Assemblies in Theological Education on the 29th June 1994 (N.S.W. G.A. 58(1)) on the ground that the overture is incompetent for the following reasons:

- (1) the G.A.A. can recognise the P.T.C. in place of St. Andrew's College (proposal 1 and Premises h, j, k) only by amending Article VIII(2) (premises B, C);
- (2) the G.A.A. cannot "recognise the use of Moore Theological College for satisfying part of the course requirements" nor permit candidates to "enrol at Moore Theological College ..." (proposals 2, 3 and premises n, m) as Article VIII (1,2) require all or a substantial part of training to be by the church's own teachers (premise s);
- (3) the G.A.A. can only accommodate the past arrangements with Moore Theological College by extending the temporary expedient, since division of the church, of the "Multi-strand" system in N.S.W. (premises i, l, o, r);
- (4) the G.A.A. can not be directed to make decisions on theological education "only after consultation with the state(s) concerned" (proposal 4, reference g) because of its **nobile officium** on matters of theological education (premise a); correct procedures are provided for state assemblies to consult through representation on the College Committee (premise d) and to make submissions direct to the federal assembly.

JON F BOYALL

## ENDORSEMENT OF MOORE COLLEGE AND RELATED MATTERS

The Committee was established by the 1993 General Assembly ("GANSW") and charged with preparation of an Overture from the GANSW to the General Assembly of Australia ("GAA") so as to endorse Moore Theological College as a course of Training and/or increase the role of state assemblies in the recognition of courses of training for candidates. See GANSW 1993 Min. 149:15.

The Committee has agreed to an overture as printed in the Committee's deliverance.

The Overture asks the GAA to:

- (1) Confirm that, in accordance with Article VIII, the Presbyterian Theological Centre is the recognised theological hall within NSW.
- (2) Recognise the use of Moore Theological College as a venue for satisfying part of the course requirements for the training of candidates for the ministry, subject to the continuing desire of the NSW Assembly to use Moore College and subject to a triennial review of the arrangements in the report of the College Committee to the GAA.
- (3) Instruct the College Committee and the NSW Presbyterian Faculty to permit candidates for the ministry, who are enrolled at the Presbyterian Theological Centre, to also enrol at Moore Theological College, in order to prepare for the award of the Bachelor of Theology of the Australian College of Theology, as part of their course of training, subject to the supervision of the College Committee of the GAA and subject to administrative arrangements as made by the appropriate bodies in the NSW Church.
- (4) Determine that, in the exercise of its power to recognise theological halls and approve or disapprove courses of training, the General Assembly and its

College Committee shall consider any relevant decisions of the state assembly affected and shall not take any decisions without consultation with the state(s) concerned.

The Overture was prepared on the principle of working within the existing Articles of Agreement and College Committee regulations and proposing the minimum changes necessary to achieve the wishes of the GANSW. Accordingly, the Overture seeks permission for use of Moore Theological College within the context of the established theological hall for NSW which is the Presbyterian Theological Centre. Further, the Overture seeks consideration of the views of state Assemblies by the GAA and its College Committee, but does not seek to re-write the Articles by binding the GAA and College Committee to those views. Clause (1) of the proposed deliverance may prove redundant, depending on action by the College Committee to secure GAA recognition of the PTC.

DAVID BURKE, Convener

### EXTRACT MINUTE

At Sydney and within Chalmers Church, Cnr. Chalmers and Bedford Streets on Wednesday, the 19th day of June, 1994 at 9.30 a.m., the General Assembly of the Presbyterian Church of Australia in the State of New South Wales met and was constituted with prayer.

**59. G.A.A. Overture:** The report of the Draft Overture to G.A.A. re Moore College Committee was laid on the table and received. The Rev. D.A. Burke submitted the deliverance. Clause (1) was moved and seconded. The competency of the motion was challenged. The Moderator ruled the motion competent. Dissent was moved from the Moderator's ruling. The Moderator's ruling was upheld. The motion was approved. The Rev. J.F. Boyall dissented and sought leave to complain against the decision to the General Assembly of Australia. Clause (2) and (3) were approved. It was moved and seconded that the Rev. D.A. Burke and Mr. S.H. Fraser be appointed as Respondents to the Complaint. The deliverance as a whole was approved as follows:  
That the Assembly:

(1) Overture the General Assembly of Australia in the following terms:

#### ROLE OF STATE ASSEMBLIES IN THEOLOGICAL EDUCATION APPROVAL FOR STUDY AT MOORE THEOLOGICAL COLLEGE

To the Venerable the General Assembly of the Presbyterian Church of Australia;

Whereas:

- (a) The Articles of Agreement of the Presbyterian Church of Australia ("the Articles") confer on the General Assembly of Australia ("GAA") "functions legislative, administrative and judicial; supreme with respect to ... the training of students, the admission of candidates for the ministry ..." (Article IV).
- (b) The Articles further provide that "there shall be a system of theological training for the whole church..." which system provides that "all candidates for licence shall be students who have been regularly trained at some

- theological hall recognised by the General Assembly" (Article VIII(1)).
- (c) The halls which were recognised by the General Assembly in 1901 were "the theological hall in Ormond College, Melbourne, and the theological hall in St. Andrews College, Sydney" (Article VIII(2)) and the GAA also recognised the theological halls in Brisbane in 1910 and Perth in 1914 by simple declaration, following receipt of Overtures.
  - (d) The GAA has appointed a College Committee "to deal with all matters pertaining to the training of students and the studies in the halls" (article VIII(9), GAA Constitution Procedure and Practice, 1993, 3.7).
  - (e) The Articles provide for "a Theological Hall Committee" in each state with a theological hall, such Committees to deal with "all matters which concern the interest of the Hall that are entrusted to it by its own Assembly and by the General Assembly" (Article VIII(10)).
  - (f) The General Assembly of the Presbyterian Church of Australia in the State of NSW ("GANSW") has a Theological Education Committee which develops and implements policy for theological education, and supervises the theological education programme of the NSW Church within the guide lines and decisions of the GAA.
  - (g) The GANSW is concerned that, from time to time, decisions may be taken by the GAA which affect its theological education programme without consultation with the Assembly and without regard to its views.
  - (h) The GANSW is of the opinion that the Presbyterian Theological Centre ("PTC"), as established in accordance with the rules and regulations of the GANSW and which is presently located at Burwood, is the successor to the recognised theological hall "in St. Andrew's College Sydney" (GANSW 1993, Min. 79, 1984 Min. 32, 1986 Min. 63(2)).
  - (i) The GAA has previously noted the "Multi-strand course of theological training" operating in NSW and through the College Committee has granted Exit Certificates to candidates graduating from the various strands of the multi-strand course, namely Moore Theological College, the PTC and, in former times, the Sydney University Bachelor of Divinity (eg GAA 1985, College Committee report, P.72).
  - (j) There is some doubt as to whether the PTC has been formally classified as a "theological hall recognised by the General Assembly" (Procurator's Opinion May 1993, p.8).
  - (k) The GANSW has sought to have this doubt resolved by requesting the GAA College Committee to bring a recommendation to the GAA for recognition of the PTC (GANSW 1993, Min. 149(13)).
  - (l) Presbyterian candidates for the ministry in NSW have been directed to Moore Theological College by the NSW Faculty and Theological Education Committee since 1976, as part of a multi-strand system of training (GANSW 1976, White Book pp 72-73, Min. 78(4)).
  - (m) Presbyterian candidates at Moore Theological College undertake a programme of study leading to award of the Bachelor of Theology of the Australian College of Theology, a qualification also prepared for in the recognised Presbyterian Theological Halls in Sydney and Melbourne.
  - (n) Presbyterian candidates at Moore College are required to attend the PTC for various specifically Presbyterian and pastoral subjects, are allocated to Presbyterian congregations for practical ministry experience and in every other respect satisfy the requirements for training for the Presbyterian ministry.
  - (o) The Presbyterian Church in NSW is appreciative of the ministry of Presbyterian graduates from Moore Theological College.
  - (p) The GAA College Committee, in February 1993, instructed the NSW Theological Faculty "to cease directing candidates to any college other than those directly under the control of one of the recognised Presbyterian Faculties".



- (q) The GANSW has received advice from its Procurator that "the College Committee does not have authority to implement a policy ceasing to direct candidates to Moore College..." (Procurator's Opinion dated May 1993, p.8).
- (r) The desire of the GANSW is to continue the current approved system of theological education, that is, a multi-strand approach involving Moore College and the Presbyterian Theological Centre (GANSW 1993 Min. 149(6)).
- (s) The GANSW has received advice that it does not have power to declare that training of candidates for the ministry shall, all or in substantial part, be undertaken, in Moore Theological College (Procurator's Opinion, May 1993, p.9).

Now therefore the General Assembly of the Presbyterian Church of Australia in New South Wales humbly overtures the Assembly to take these premises into consideration and to:

- (1) Confirm that, in accordance with Article VIII, the Presbyterian Theological Centre is the recognised theological hall within NSW.
- (2) Recognise the use of Moore Theological College as a venue for satisfying part of the course requirements for the training of candidates for the ministry, subject to the continuing desire of the NSW Assembly to use Moore College and subject to a triennial review of the arrangements in the report of the College Committee to the GAA.
- (3) Instruct the College Committee and the NSW Presbyterian Faculty to permit candidates for the ministry, who are enrolled at the Presbyterian Theological Centre, to also enrol at Moore Theological College, in order to prepare for the award of the Bachelor of Theology of the Australian College of Theology, as part of their course of training, subject to the supervision of the College Committee of the GAA and subject to administrative arrangements as made by the appropriate bodies in the NSW Church.
- (4) Determine that, in the exercise of its power to recognise theological halls and approve or disapprove courses of training, the General Assembly and its College Committee shall consider any relevant decisions of the state Assembly affected and shall not take any decisions without consultation with the state(s) concerned.

Or to do otherwise as the Assembly in its wisdom may deem fit.

- (2) Appoint the Rev. David Burke and Mr. Simon Fraser to state the Overture.
- (3) Thank and discharge the Committee.

## COMMUNICATION

**(vii) From the Rev. Dr. P.S. Cameron withdrawing his Appeals to the General Assembly of Australia.**

6 July, 1994

Dear Dr. Logan,

Thank you for your letter of 17 June which was waiting for me when I returned last week from study leave.

I have now decided to withdraw my appeals to the General Assembly of Australia. No doubt you will arrange to call off the Judicial Commission.

Yours sincerely,

(Sgd.) P.S. Cameron.  
Principal

**(viii) From the Orthodox Presbyterian Church concerning the International Conference of Reformed Churches.**

Jack J. Peterson, Chairman  
Grace Orthodox Presbyterian Church  
5602 UTEX Boulevard  
San Antonio TX 78249

August 29, 1994

The Presbyterian Church of Australia  
The General Assembly

Dear brothers,

The Rev. G.I. Williamson and myself are on a good will trip to New Zealand and Australia representing the Orthodox Presbyterian Church. We are both members of our church's Committee on Ecumenicity and Interchurch Relations and have been meeting with certain Presbyterian and Reformed churches in your area of the world.

Last Saturday it was our privilege to meet with several members of the Presbyterian Church of Victoria. During this meeting we discussed the Reformed ecumenical world, and especially mentioned the fact that we had left the membership of the Reformed Ecumenical Council in 1988 because of its inability to exercise much needed discipline, and after having sent observers on two occasions, had joined the International Conference of Reformed Church (ICRC) in September 1993 at their quadrennial meeting in Zwolle, The Netherlands.

The ICRC consists of 15 member churches from the various continents of the world. Member churches include the Liberated family of Dutch churches, the Free Church of Scotland, the Reformed Presbyterian Church and the Evangelical Presbyterian Church of Ireland, two churches from the United States, churches from South Africa, India and Indonesia.

The churches are standing on the authority of the Word of God and the Reformed confessions.

Their next meeting is scheduled to be held in Seoul, Korea in 1997, and we would like to urge you to seriously consider sending observers to that meeting so that you may experience first-hand this ecumenical council which is faithful to the Lord and his Word.

Sincerely yours,

For the Committee on Ecumenicity and Interchurch Relations

Orthodox Presbyterian Church  
G.I. Williamson  
Jack J. Peterson

## OVERTURES

- (v) **From the Presbytery of Sydney concerning a request to the General Assembly of Australia, admonition and censure in the case of the Presbytery of Sydney V. the Rev. Dr. Peter Scott Cameron.**

To the Venerable the General Assembly of the Presbyterian Church of Australia.

This overture humbly shows that:

Whereas:

- (a) the General Assembly has the final authority in matters of discipline in this denomination, and
- (b) the case of Cameron v. the Presbytery of Sydney is before the General Assembly by way of appeal, and
- (c) there is a possibility of the matter being remitted back to the Presbytery of Sydney for possible sentencing, and
- (d) the Presbytery of Sydney declined to proceed to sentencing pending the outcome of appeals to superior courts by the Rev. Dr. Peter Scott Cameron, and
- (e) it is the opinion of the Presbytery of Sydney that, in a case such as the Presbytery of Sydney v. Cameron, it is most appropriate for the sentence, if any, to be pronounced by the final court of appeal to avoid further lengthy and expensive appeal process and as the outcome of the case affects the whole of the Presbyterian Church of Australia.

Now therefore the Presbytery of Sydney humbly overtures the General Assembly of Australia to take these premises into account and agree to the request of the Presbytery of Sydney that the Assembly impose whatever admonition or censure, if any, the General Assembly of Australia may deem necessary in the case of the Presbytery of Sydney v. the Rev. Dr. Peter Scott Cameron or to do otherwise as the Assembly in its wisdom may see fit.

Ivan Ransom, Clerk of Presbytery.

The Rev. C.D. Balzer and Dr. R. Keith were appointed to state the Overture to the Assembly.

Forwarded by the N.S.W. General Assembly.

- (vi) **From the Queensland Assembly concerning the Westminster Confession of Faith and the Declaratory Statement.**

To the Venerable the General Assembly of the Presbyterian Church of Australia from the State Assembly of the Presbyterian Church of Queensland.

Whereas 1 The 1991 General Assembly of Australia passed the following motion

[BB Min 29,1991]:

- 1. Affirm that with respect to the Basis of Union 1901
  - a. the Subordinate Standard is the Westminster Confession of Faith (II:i-iv,vi) and as such is the Church's Confession of Faith (II:ii,iv);
  - b. the Church is bound to the essential doctrine within the Confession of Faith (II:v);
  - c. no doctrine within the Confession of Faith has been declared by the Declaratory Statement to be

not essential to the doctrine of the Confession (II:i-iv,vi);

- d. the Declaratory Statement has not altered any doctrine within the Confession of Faith but has added alongside statements concerning certain doctrines within the Confession of Faith (II:i-iv,vi);
  - e. the Church has power to alter what is not essential to the doctrine of the Confession, whether by revision or abridgment of the Confession or restatement of its doctrine (III:v).
- 2 Rule that the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless:
- a. this can be established otherwise from the text of the Confession itself; or
  - b. the Church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine, accordingly the doctrines of Total Inability, Unconditional Election, Definite Atonement, Efficacious Grace and Perseverance of the Saints as taught in Chapters 3 to 18 of the Confession are essential to the doctrine therein taught, and thereby binding on the church.

Whereas 2 The 1992 Queensland State Assembly sustained an Overture to note the passing of this decision by the 1991 G.A.A., and to incorporate it into its own Code in the Section on the Church, and did subsequently enact this decision at its 1993 State Assembly.

Whereas 3 There were some who dissented to this decision at the 1991 General Assembly of Australia on the grounds that:  
"The Basis of Union 1901 does not give the General Assembly the Constitutional Power to make binding definitions of the essential faith of the Church in this manner"; and  
"The Formula signed by ministers and elders at ordination includes "owning and accepting the Subordinate Standard of this church with the explanations given in the Declaratory Statement, as an exhibition of the sense in which I understand the Holy Scriptures." It appears that clause (2) of the motion passed requires assent to the whole of the Confession except where otherwise stated in the Confession. It thus appears that changes to the Confession or our Subordinate Standard cannot be pursued without breaking the formula."

Whereas 4 The 1993 Queensland State Assembly also directed that an overture be prepared for presentation to the 1994 General Assembly of the Presbyterian Church of Australia "enshrining [the G.A.A. decision] and any additional matters deemed necessary to ensure that the Queensland legislation is based on an Overture initiated doctrinal clarification ..."

Whereas 5 Clarification of the Church's existing doctrine is neither a restatement, revision or abridgment of its doctrine as referred to in Section III of the Basis of Union.

- Whereas 6 The Basis of Union of the Presbyterian Church of Australia affirms inter alia: "The Supreme Standard of the United Church shall be the Word of God contained in the Scriptures of the Old and New Testaments." [112 Section (1)]
- Whereas 7 The Basis of Union also declares that "The Subordinate Standard of the United Church shall be the Westminster Confession of Faith, read in the light of the Declaratory Statement and amended ... in Chapter 24 ... and in Chapter 27 ..." but nowhere else.
- Whereas 8 The Basis of Union and the Declaratory Statement do not attempt to modify any of the statements in Chapter 1 of the Confession.
- Whereas 9 The Declaratory Statement also declares "That liberty of opinion is allowed on matters in the Subordinate Standard not essential to the doctrine therein taught, the Church guarding against the abuse of this liberty to the injury of its unity and peace".
- Whereas 10 The Declaratory Statement and other declarations of the Church have clearly stated and acknowledged that there are doctrines which are essential to the Christian faith, to which liberty of opinion does not apply.
- Whereas 11 It is not the intention of the Overturists to change the Basis of Union but merely ask the General Assembly to explain clearly what it presently means.
- Whereas 12 The statement of G.A.A. BB Min. 29, 1991 Clauses 1 (a) to (e) is merely a statement of fact.
- Whereas 13 The statement of G.A.A. BB Min. 29, 1991 Clause 2 is merely a necessary consequence of the situation as it presently exists.
- Whereas 14 The Declaratory Statement affirms that the Christian faith " ... rests upon, and the Christian consciousness takes hold of certain objective supernatural historic facts ...". [114(i)]
- Whereas 15 These objective supernatural historic facts include but are not limited to "the Incarnation, the atoning Life and Death, and the Resurrection and Ascension of our Lord, and His bestowment of His Holy Spirit, ..." [114(i)]
- Whereas 16 The Declaratory Statement requires that those admitted to the Office of Holy Ministry are "pledged to give a chief place in their teaching to these cardinal facts, and to the message of redemption and reconciliation implied and manifested in them." [114(i)]
- Whereas 17 These historical facts and the message implied and manifested in them are set out in the Westminster Confession of Faith, particularly but not exclusively in Chapters 1 to 18.
- Whereas 18 The Declaratory Statement's references to "the Doctrine of Redemption as taught in the Subordinate Standard" [114(i)], and

other references to repentance and salvation in the Declaratory Statement necessarily encompasses the content of Chapters 3 and 6 to 18 of the Confession of Faith, and any other references in the Confession to that doctrine.

- Whereas 19 Section 117 (iv) of the Declaratory Statement viz. "That in holding and teaching according to the Confession of Faith the corruption of man's nature as fallen, ..." of necessity endorses Chapter 6 of the Confession of Faith, and any other references in the Confession to the power and extent of sin.
- Whereas 20 Sections 6.1 and 7.1 of the Confession also necessarily assume and reinforce those doctrines set down in Chapters 4 and 5.
- Whereas 21 The Declaratory Statement accepts "That the doctrine of God's eternal decree, including the doctrine of election to eternal life, is held as defined in the Confession of Faith Chapter 3 Section 1 ...".
- Whereas 22 The remaining clauses of Chapter 3 simply explain and expand the doctrine taught in Section 1.
- Whereas 23 The Declaratory Statement in affirming Chapter 3 Section 1 also affirms the doctrines of Chapter 5.
- Whereas 24 The Doctrines of the Holy Scriptures, of God and the Holy Trinity, of Creation, and all aspects of the extent of Sin and the extent and effect of Salvation are by any reading essential to the Christian Faith.

Now Therefore The Queensland State Assembly humbly Overtures the General Assembly of Australia to take these premises into account, and remit under Barrier Act Procedure the following interpretation of a portion of the Church's existing Doctrines, and rule:

1. That the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless
  - a. this can be established otherwise from the text of the Confession itself; or
  - b. the Church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine.
2. Accordingly declare that:
  - (i) The whole statement of the doctrine of redemption [encompassing, the doctrines commonly known as "Total Depravity", "Unconditional Election", "Limited (Definite) Atonement", "Irresistible (Efficacious) Grace" and Perseverance of the Saints] as taught in Chapters 3 to 18 of the Confession and repeated or referred to in subsequent chapters, is essential to the doctrine taught in the Confession, and thereby binding on the church.
  - (ii) The doctrines "Of The Holy Scripture" and "of God and Of the Holy Trinity", as set out in the Westminster Confession in Chapters 1 and 2 are essential to the doctrines taught in the Confession and thereby binding

on the Church.

or do otherwise as the Assembly may deem fit.

The Rev. R.C. Clark was appointed to present the Overture to the Assembly.

**(vii) From the General Assembly of N.S.W. concerning Standing Order 20.**

To the Venerable the General Assembly of the Presbyterian Church of Australia;

Whereas the G.A.A. usually meets at three yearly intervals, and

Whereas the time between the publication of the White Book and the Assembly is usually too short for presbyteries and assemblies to consider reports and changes to regulations, send comments on these matters to the committees concerned, and for the committees to make necessary alterations to the reports or regulations, and

Whereas this can lead to the G.A.A. accepting reports or regulations which, while not completely satisfactory in themselves, are nevertheless pleaded for on the basis that the matters are sufficiently important for it to be unreasonable to wait 3 years to the next Assembly, and

Whereas the Committee charged with preparing the "Masonic Report" to the 1991 G.A.A., circulated the proposed report widely for comment, and, in the final version, produced an unexceptional report,

Now therefore the General Assembly of the Presbyterian Church of Australia in the State of New South Wales humbly overtures the General Assembly of the Presbyterian Church of Australia to take these premises into consideration and amend Standing Order 20 as follows:

(a) label the present Standing Order 20 as 20A:

(b) enact a new Standing Order 20B as follows:

'Reports concerned with

(i) doctrinal matters that do not require Barrier Act procedures, or

(ii) changes to regulations,

shall be submitted to presbyteries and state assemblies for consideration and report at least nine months before the next meeting of the General Assembly of Australia.

Matters that fall within this Standing Order, and for which nine month's notice has not been given, may be considered by the Assembly by Leave of a majority of the House.'

or do otherwise as the Assembly in its wisdom may deem fit.

Dr. P.E. Lush and the Rev. B.H. Christian were appointed to state the Overture.

**(viii) From the N.S.W. General Assembly concerning the role of State Assemblies in Theological Education, approval for study at Moore Theological College.**

To the Venerable the General Assembly of the Presbyterian Church of Australia;



- Whereas
- (a) The Articles of Agreement of the Presbyterian Church of Australia ("the Articles") confer on the General Assembly of Australia ("GAA") "functions legislative, administrative and judicial; supreme with respect to ... the training of students, the admission of candidates for the ministry ..." (Article IV).
  - (b) The Articles further provide that "There shall be a system of theological training for the whole church ..." which system provides that "all candidates for licence shall be students who have been regularly trained at some theological hall recognised by the General Assembly" (Article VIII(1)).
  - (c) The halls which were recognised by the General Assembly in 1901 were "the theological hall in Ormond College, Melbourne, and the theological hall in St. Andrews College, Sydney" (Article VIII(2)) and the GAA also recognised the theological halls in Brisbane in 1910 and Perth in 1914 by simple declaration, following receipt of Overtures.
  - (d) The GAA has appointed a College Committee "to deal with all matters pertaining to the training of students and the studies in the halls" (Article VIII(9), GAA Constitution Procedure and Practice, 1993, 3.7).
  - (e) The Articles provide for "a Theological Hall Committee" in each state with a theological hall, such Committees to deal with "all matters which concern the interest of the Hall that are entrusted to it by its own Assembly and by the General Assembly (Article VIII 10).
  - (f) The General Assembly of the Presbyterian Church of Australia in the State of NSW ("GANSW") has a Theological Education Committee which develops and implements policy for theological education, and supervises the theological education programme of the NSW Church within the guide lines and decisions of the GAA.
  - (g) The GANSW is concerned that, from time to time, decisions may be taken by the GAA which affect its theological education programme without consultation with the Assembly and without regard to its views.
  - (h) The GANSW is of the opinion that the Presbyterian Theological Centre ("PTC"), as established in accordance with the rules and regulations of the GANSW and which is presently located at Burwood, is the successor to the recognised theological hall "in St. Andrew's College, Sydney" (GANSW 1993 Min. 79, 1984 Min. 32, 1986 Min. 63(2)).
  - (i) The GAA has previously noted the "multi-strand course of theological training" operating in NSW and through the College Committee has granted Exit Certificates to candidates graduating from the various strands of the multi-strand course, namely Moore Theological College, the PTC and, in former times, the Sydney University Bachelor of Divinity (eg GAA 1985, College Committee report, p.72).
  - (j) There is some doubt as to whether the PTC has been formally classified as a "theological hall recognised by the General Assembly" (Procurator's Opinion May 1993, p.8).
  - (k) The GANSW has sought to have this doubt resolved by requesting the GAA College Committee to bring a recommendation to the GAA for recognition of the PTC (GANSW 1993, Min. 149(13)).
  - (l) Presbyterian candidates for the ministry in NSW have been

directed to Moore Theological College by the NSW Faculty and Theological Education Committee since 1976, as part of a multi-strand system of training (GANSW 1976, White Book pp 72-73, Min. 78(4)).

- (m) Presbyterian candidates at Moore Theological College undertake a programme of study leading to award of the Bachelor of Theology of the Australian College of Theology, a qualification also prepared for in the recognised Presbyterian theological halls in Sydney and Melbourne.
- (n) Presbyterian candidates at Moore College are required to attend the PTC for various specifically Presbyterian and pastoral subjects, are allocated to Presbyterian congregations for practical ministry experience and in every other respect satisfy the requirements for training for the Presbyterian ministry.
- (o) The Presbyterian Church in NSW is appreciative of the ministry of Presbyterian graduates from Moore Theological College.
- (p) The GAA College Committee, in February 1993, instructed the NSW Theological Faculty "to cease directing candidates to any college other than those directly under the control of one of the recognised Presbyterian Faculties".
- (q) The GANSW has received advice from its Procurator that "the College Committee does not have authority to implement a policy ceasing to direct candidates to Moore College ..." (Procurator's Opinion dated May 1993, p.8).
- (r) The desire of the GANSW is to continue the current approved system of theological education, that is, a multi-strand approach involving Moore College and the Presbyterian Theological Centre (GANSW 1993 Min. 149(6)).
- (s) The GANSW has received advice that it does not have power to declare that training of candidates for the ministry shall, all or in substantial part be undertaken, in Moore Theological College (Procurator's Opinion, May 1993, p.9).

Now therefore

The General Assembly of the Presbyterian Church of Australia in New South Wales humbly overtures the Assembly to take these premises into consideration and to:

- (1) Confirm that, in accordance with Article VIII, the Presbyterian Theological Centre is the recognised theological hall within NSW.
- (2) Recognise the use of Moore Theological College as a venue for satisfying part of the course requirements for the training of candidates for the ministry, subject to the continuing desire of the NSW Assembly to use Moore College and subject to a triennial review of the arrangements in the report of the College Committee to the GAA.
- (3) Instruct the College Committee and the NSW Presbyterian Faculty to permit candidates for the ministry, who are enrolled at the Presbyterian Theological Centre, to also enrol at Moore Theological College, in order to prepare for the award of the Bachelor of Theology of the Australian College of Theology, as part of their course of training, subject to the supervision of the College Committee of the GAA and subject to administrative arrangements as made by the appropriate bodies in the NSW

Church.

- (4) Determine that, in the exercise of its power to recognise theological halls and approve or disapprove courses of training, the General Assembly and its College Committee shall consider any relevant decisions of the State Assembly affected and shall not take any decisions without consultation with the state(s) concerned.

or to do otherwise as the Assembly in its wisdom may deem fit.

The Rev. David Burke and Mr. Simon Fraser were appointed to state the Overture.

**(ix) From Randwick Session concerning the ordination of women.**

To the Venerable the General Assembly of the Presbyterian Church of Australia to the ministry.

- Whereas
- (1) At the 1970 meeting of the General Assembly of Australia both the Victorian and New South Wales Assemblies overtured the General Assembly to make necessary changes to the Articles of Agreement so as to allow the ordination of women to the Ministry of Word and Sacraments (Blue Book pp. 210, 212-213) and the General Assembly sustained the Overtures (Minute 103);
  - (2) Article of Agreement 145 (viii) was amended with the addition of the following words:  
  
Women shall be eligible for admission to the Ministry of Word and Sacraments in the Presbyterian Church of Australia on the same terms and conditions as are applicable to men and all rules and regulations of the Assembly and Services of Ordination and Induction shall be construed that references therein to ministers of the Word and Sacraments shall include women (G.A.A. 1974, Minute 51);
  - (3) Five women have been ordained to the Ministry of Word and Sacraments, namely, Dr. Margaret Yee, Joy Bartholomew, Valerie Sylva, Theodora Hobbs and Janet Frost;
  - (4) The 1988 General Assembly received two Overtures from the Presbytery of Sydney South and four members of the Assembly dealing with the Ordination of women to the Ministry of Word and Sacraments. It resolved to remit under the Barrier Act two possible additions to the Articles of Agreement in order either to allow the Ordination of women to the Ministry of Word and Sacraments or to make it impossible for further women to be ordained to the Ministry of Word and Sacraments, as well as the removal of the above mentioned addition to article 145;
  - (5) The 1991 General Assembly added the new Article of Agreement which made it impossible for women to be ordained to the Ministry of Word and Sacraments; and
  - (6) Your overturists consider it desirable to again seek the mind of

the Church relating to whether women should be allowed to be ordained to the Ministry of Word and Sacraments taking into account the biblical pattern of ministry and how it relates to the modern church.

Now therefore the Session of the Parish of Randwick within the Presbyterian Church of Australia humbly overtures the General Assembly of Australia to take these premises in consideration and:

- (1) Delete the Article which reads:

Only men shall be eligible for admission to the Ministry of Word and Sacraments in the Presbyterian Church of Australia and all rules and regulations of the Assembly and Services of Ordination shall be construed that references therein to ministers of the Word and Sacraments shall refer only to men.

- (2) Substitute a new article which reads:

Women shall be eligible for admission to the Ministry of Word and Sacraments in the Presbyterian Church of Australia on the same terms and conditions as are applicable to men and all rules and regulations of the Assembly and Services of Ordination and Induction shall be construed that references to ministers of Word and Sacraments shall include women.

or to do otherwise as the Assembly in its wisdom may deem fit.

The Rev. Dr. R.S. Keith and Dr. S. Hardy were appointed to state the Overture.

Forwarded by the Presbytery of Sydney without comment.

- (x) **From the Church and Nation Committee concerning the ordination of practising homosexuals to the ministry.**

To the Venerable the General Assembly of the Presbyterian Church of Australia:

Whereas: the scriptures teach that homosexual practices are sin (Leviticus 18.22, Romans 1.26-28); and

Whereas: the scriptures also teach that elders of the church ought to be above reproach (1 Timothy 3.2 NIV) and blameless (Titus 1.6 NIV); and

Whereas: Ministers of Word and Sacrament are teaching elders and therefore are required by these scriptural qualifications to be persons "above reproach" and "blameless";

Now Therefore:

the Church and Nation Committee of this General Assembly humbly overtures the Assembly to take these premises into consideration and:

- (1) declare that the Church ought not to ordain practising homosexual persons to the Ministry of Word and Sacrament; and
- (2) Amend Article XIX of the Articles of Agreement by the addition

after the first uses of the word "men" the following words  
"excepting men who are practising homosexuals"

or do otherwise as the Assembly in its wisdom may deem fit.

The Rev. J.C. Ellis and Scott Wishart were appointed to state the Overture to the General Assembly.

**(xi) From the Code Committee concerning the Code of Discipline.**

To the Venerable the General Assembly of the Presbyterian Church of Australia.

**WHEREAS:**

- A. The present Code of Discipline was enacted by the General Assembly of Australia in 1954 (B.B. 1954 Min. 133(7)) and is in need of revision.
- B. The General Assembly of Australia meeting in 1991 (B.B. Min. 156) requested the Code Committee to revise the Code of Discipline and to circulate it to commissioners before the Assembly so that they would have time to consider the details before the Assembly so that they would have time to consider the details before it is approved by the 1994 Assembly.
- C. This proposed revised Code of Discipline was circulated to presbyteries early in 1994 for consideration and comment.
- D. Written comments were received from 20 presbyteries and 1 session and these comments have been taken into consideration in submitting the revised Code of Discipline to this Assembly.
- E. The Code Committee was unable to adhere to the timetable set by the 1991 Assembly but has prepared this revision and circulated it to commissioners for consideration before the Assembly.

Now therefore the Code Committee humbly overtures the General Assembly to take these premises into consideration and to

- 1. Send the revised Code of Discipline to presbyteries and state assemblies for approval or disapproval, replies to be in the hands of the Clerk of Assembly by 31 December 1996.
- 2. Repeal the existing Code of Discipline enacted by the General Assembly in 1954 (B.B. 1954 Min. 133(7)) and enact the revised Code of Discipline under Article IV of the Articles of Agreement.
- 3. The text to be remitted to presbyteries and state assemblies and enacted by this Assembly to be as follows:

**CODE OF DISCIPLINE**

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PART 1 - GENERAL PRINCIPLES AND RULES

- |                    |      |   |
|--------------------|------|---|
| Jurisdiction       | 1.01 | The General Assembly of Australia (herein called "the General Assembly") has authority pursuant to Article IV of the Articles of Agreement to enact rules regarding the exercise of discipline within the Church. This Code of Discipline is an enactment of the General Assembly pursuant to Article IV. The rules and regulations of State Assemblies are displaced by this code of discipline only to the extent necessary to give effect to these Rules.  |
| Ends of discipline | 1.02 | Discipline is exercised by those appointed to rule in the Church for the glory of God, the purity of the Church and the spiritual good of the offender. Discipline is to be administered in a spirit of faithfulness, love and tenderness.  |
| Offences           | 1.03 | An offence, the proper object of judicial process, is anything in the doctrines or practices of a member of the Church which is contrary to: <ul style="list-style-type: none"><li>(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</li><li>(b) an obligation imposed on a minister or member of the Church by a law of the Church.</li></ul> |
| Civil courts       | 1.04 | In cases of discipline Church Courts form their own judgments independently of proceedings in other courts but the judgment of a civil court may be taken into consideration.   |
| Time limit         | 1.05 | If an alleged offence has subsided and lain dormant for a period of five years it shall not be revived or form the subject of discussion unless the party concerned is accused of later and grave wrongdoing.   |
| Private hearing    | 1.06 | All matters relating to discipline are heard in private   |

unless the Court determine otherwise.

- Decision of Church  
Courts
- 1.07 In matters of discipline ministers and members of the Church must abide by the decisions of the Church Courts and recourse to a civil court against:
- (a) any such decision, or
  - (b) the execution thereof, or
  - (c) any individual member of the Court acting as such is excluded.
- Situation not fully  
provided for
- 1.08 If a situation occurs for which these Rules do not make full provision a Court has a discretionary power in the conduct of the case but care must be taken that substantial justice is done to the accused, and full opportunity allowed for the accused to vindicate innocence or extenuate guilt.
- Procedure to be  
explained
- 1.09 It is the duty of Sessions and Presbyteries to explain the procedures to parties and, if parties desire to carry the case to a higher Court, to show them how they may do so.
- Definition of member
- 1.10 Except where the context otherwise requires, in these Rules the expression "member of the Church" shall mean both communicant and adherent and includes a member who holds office as elder, manager or deacon.
- Transitional
- 1.11 Any case which has been commenced prior to the enactment of these Rules shall be dealt with until it is finally concluded in accordance with the rules in force prior to these Rules unless all parties agree to proceed in accordance with these Rules.

## PART 2 - COURTS OF DISCIPLINE

- Rules to be observed
- 2.01 In cases of discipline the various Courts of the Church and the Judicial Commission as established under the Articles of Agreement shall conduct the business before it in accordance with these Rules and in harmony with the Articles of Agreement.
- Standing orders
- 2.02 General rules or standing orders of the State Assembly shall apply when a case is before a Session, Presbytery or State Assembly to the extent that such rules or standing orders are not inconsistent with these Rules.
- Church Courts concerned
- 2.03 Parties involved in an offence or allegation are subject to the Court ordinarily having jurisdiction over such alleged offender.

## Session

- Jurisdiction 2.04 A Session has power of discipline over members of the Church who belong to the congregation under its jurisdiction. A Session has no jurisdiction over a licentiate or a minister.
- If no discipline,  
no minute 2.05 If a Session receives information of alleged acts on the part of a member of the Church which appear inconsistent with a Christian profession and resolves, after due consideration, that there are no justifiable grounds to take any disciplinary action, no minute shall be made of the matter. Anonymous communications are to be disregarded.
- Private dealing 2.06 If a Session resolves that the purposes of discipline may be attained by dealing with the member of the Church privately, it appoints the Moderator and/or other of its members to confer with the member and deal with the case. If this private action proves satisfactory no further steps are taken.
- Flagrant case 2.07 If an alleged offence is of a flagrant character and is denied, the Session proceeds according to these Rules .
- Special cases 2.08 In cases:
- (a) of special difficulty or importance,
  - (b) involving the highest censures of the Church, or
  - (c) involving heresy
- the Session, before proceeding to trial, shall report the circumstances to the Presbytery, and may
- (i) request advice or instructions as to further proceedings, and/or
  - (ii) ask the Presbytery to appoint assessors to sit with it in dealing with the case.
- No disjunction while  
case pending 2.09 A certificate of disjunction is not granted to a member of a congregation in regard to whom formal proceedings have commenced. If, during the course of the case, the alleged offender leaves the parish or district of which the Session has oversight the Session shall continue the inquiry and dispose of the case. If the congregation where the alleged offender is attending is known the Session conducting the case shall inform the Session of that congregation of the case and the result when the case has been completed.



## Presbytery

- Jurisdiction 2.10 (1) A Presbytery has jurisdiction over its own ministerial members and over licentiates and ministers without charge whose certificates of status it holds or is entitled to hold.
- Transfer of Presbytery (2) If it is more convenient by reason of residence or the place where the alleged offence is said to have been committed the Presbytery having jurisdiction may, without considering the case, remit the whole matter to such Presbytery as it deems convenient to hear and determine the matter, if such Presbytery consents so to do. In such a case and in respect of the alleged offence the jurisdiction shall pass to and be exercised by such Presbytery.
- Minister 2.11 A minister whose demission or resignation has been accepted by a Presbytery remains under the jurisdiction of that Presbytery until the minister has been transferred to another Presbytery.
- Licentiate 2.12 A licentiate is under the jurisdiction of the Presbytery which granted the license until the licentiate is regularly transferred to another Presbytery.
- Cases from Session 2.13 The exercise of discipline of a Presbytery over members of the Church is, in ordinary practice, limited to cases brought before it from Sessions by reference or appeal, when the usual procedure in references and appeals is followed.
- Direction to Session 2.14 A Presbytery may direct a Session to originate a process of discipline on a member of the Church under its jurisdiction.
- Report to another Presbytery 2.15 If an offence alleged against a minister without charge or a licentiate which is stated to have been committed within the bounds of a Presbytery other than that which holds jurisdiction over the alleged offender is brought under the notice of the Presbytery within whose bounds the offence is stated to have been committed, it is the duty of that Presbytery to report the information which it has received to the Presbytery which has jurisdiction over the alleged offender.
- Special visitation 2.16 If the accusation against a minister consists of a number of small matters taken together, such as acts of negligence or unsuitable actions, the Presbytery may hold a special Presbyterial visitation.
- Conference 2.17 When the matters charged are:  
(a) practices which, in the opinion of the Presbytery,

subvert the order, unity and peace of the Church,  
or

(b) errors in doctrine which are not:

(i) seriously affecting vital points of religion,  
or

(ii) stubbornly adhered to or intentionally  
spread

conference should first be held in the hope that a  
warning or admonition may be sufficient.

Suspension during trial 2.18 If in accordance with these Rules the Presbytery suspends a minister in a charge from office until the minister's case is determined, the Presbytery notifies the suspension to the congregation and appoints an interim moderator of Session.

Request for inquiry 2.19 If a minister feels aggrieved by the circulation of charges seriously affecting the minister's teaching or conduct the minister may request the Presbytery to inquire into them.

Assessors 2.20 The Presbytery, after:

(a) making a preliminary inquiry, and

(b) resolving to proceed further with the case

may request the assistance of assessors in accordance with Articles of Agreement VI. Such assessors shall exercise the rights of members of the Presbytery for the time being, but without power of moving or seconding a motion or voting upon any motion moved.

Reference to Assembly 2.21 After serving a charge on an accused party and taking the necessary evidence the Presbytery may, before coming to a judicial finding, refer the whole case to the higher Court for verdict and consequent action.

#### State Assembly

Jurisdiction, General 2.22 A State Assembly has jurisdiction co-extensive with its bounds, subject to the laws of the Church.

"Original" jurisdiction 2.23 A State Assembly has original jurisdiction in every case of discipline, and may either remit the case to a lower Court, or, if the matter seems urgent, deal with it by the direct exercise of its own authority.

Practice 2.24 In ordinary practice a State Assembly exercises its power of discipline only in cases brought before it from Presbyteries by reference or appeal.

Remittance to Committee 2.25 A State Assembly may remit a case of discipline to a

committee for investigation and report to a future sitting of the same Assembly, but the judgment on the matter must be that of the Assembly.

- Missionary 2.26 In the case of a foreign missionary who is a minister but who is not a member of a Presbytery within the State, or who is a licentiate, the State Assembly shall remit the case to the Presbytery having jurisdiction. In the case of a foreign missionary who is neither a minister or licentiate, the State Assembly shall remit the case to the Presbytery from which the missionary originally offered for missionary service.

#### General Assembly

- Jurisdiction, General 2.27 The jurisdiction of the General Assembly is co-extensive with the Church.
- Original Jurisdiction 2.28 The General Assembly has original jurisdiction in every case of discipline and may either remit the case to a lower Court or, if the matter seems urgent, deal with it and dispose of it by the direct exercise of its own authority.
- Practice of G.A. 2.29 In ordinary practice the General Assembly exercises its powers of discipline only in cases brought before it from State Assemblies by reference or appeal.
- Nobile Officium 2.30 The General Assembly, as the supreme judicial Court of the Church in those matters which have been or may hereafter be assigned to its jurisdiction, claims and possesses the extraordinary (equitable) jurisdiction inherent in every supreme governing authority, commonly known as the *nobile officium*.

#### Judicial Commission

- Functions 2.31 The Judicial Commission shall hear all appeals and references to the General Assembly from State Assemblies in cases where a judicial process has been proposed, whether the decision has been for or against proceeding by such process, or where the decision on the case has been arrived at by a State Assembly in the course of judicial process.
- Final decision 2.32 The decision of the Judicial Commission shall be final except in appeals or references which involve the interpretation of doctrine.
- Doctrine 2.33 In cases involving interpretation of doctrine the Judicial Commission shall hear the case and come to a preliminary judgment which is reported to the General Assembly. The General Assembly shall confirm, reverse, modify, or suspend the judgment following upon review of the preliminary judgment. In this review, instead of a record of the case, the finding of the facts only by the

Judicial Commission shall be reported to the General Assembly, but the records shall be laid upon the table of the General Assembly.

- Report to Assembly 2.34 The Clerk of the Judicial Commission shall be responsible for certifying and forwarding to the Clerk of the General Assembly the preliminary judgment with such documents as are necessary in the case.
- Members not to participate 2.35 The members of the Judicial Commission shall take no part in a review of its preliminary judgment within the General Assembly by moving or seconding a motion, voting thereon or otherwise.
- Parties 2.36 No member of a Court from which the appeal or reference has been taken may, if a member of the Judicial Commission, take part in proceedings of the Judicial Commission which dealt with the case. Furthermore the prosecutors in any case, or the appellants or respondents who plead at the bar of the Judicial Commission shall not, if they are members of the Commission, adjudicate in the case at any stage of the proceedings of the Judicial Commission. By prosecutors, appellants or respondents are to be understood those prosecuting or appealing or responding on their own behalf or acting on behalf of the lower Court.
- Nobile Officium 2.37 In any case in which the Judicial Commission considers that a matter before it calls for the exercise of the *nobile officium*, it shall refer the case to the General Assembly, under whose express authority only this inherent power can be exercised by the Judicial Commission.

### PART 3 - PRELIMINARY STEPS

- Private dealing 3.01 Ordinarily a matter appearing to call for the exercise of discipline shall not be formally proceeded with until the Court, or a committee appointed by the Court, has in private conferred in a loving way with the alleged offender with a view to avoid, if possible, the necessity of formal process. The result of such conference shall be reported in general terms, bearing in mind the nature and purpose of the conference.
- Private wrong 3.02 In a case of alleged private wrong:
- (a) the accuser should first follow the course of private conversation with the alleged offender as prescribed by our Lord in Matthew Chapter 18 verses 15-17, and
  - (b) the Court may appoint one or more of its members to confer with both parties with a view of disposing of the case.

- Prosecuting charges      3.03 A Court cannot enter on a judicial process against an alleged offender unless:
- (a) some person or persons undertake to make and maintain the charge, or
  - (b) the Court itself find it necessary for the ends of discipline to investigate the alleged offence.
- Allegations              3.04 Since an offence alleged against a minister or licentiate or other member of the Church, even though groundless, is not easily extinguished, a Presbytery shall consider carefully at whose instance and by whose information and complaint it comes before them. The Presbytery shall not begin process unless:
- (a) some reliable person, either by a signed statement or orally and in presence of the Presbytery, makes a complaint with some account of its probability, and undertakes, by sufficient evidence, to prove such complaint, or
  - (b) there is public rumour of an offence ("fama clamosa") so serious that the Presbytery, for its own vindication and the purity of the Church, resolves that it is necessary to begin proceedings without an accuser.
- Notice of charges        3.05 Anyone bringing an accusation before a Court must:
- (a) give seven days notice thereof in writing to the person charged, either personally or to the person's last known address by confirmed delivery letter, and
  - (b) submit the charge to the Court in writing with a statement of the grounds on which the accuser makes it.
- Light or malicious charges      3.06 A member of the Church bringing a charge against a fellow-member lightly or maliciously is guilty of a serious offence, and is liable to censure.
- Fama clamosa              3.07 On the basis of a public rumour of an offence a Court may proceed to confer privately with the alleged offender and inquire into the nature of the alleged offence and the evidence available.
- Action on report          3.08 If:
- (a) the report appears to be ill-founded, or
  - (b) the alleged offence is not flagrant and the accused acknowledges the error and submits to such admonition as the Court may deem needful

no further proceedings are taken.

- Institution of inquiry 3.09 If the Court decides that the matter complained of ought to be more fully inquired into it shall institute a preliminary inquiry and thereafter determine whether a formal process should be entered upon or permitted. If, after such preliminary inquiry, it decides for a formal process the case should be proceeded with as speedily as practicable.

#### PART 4 - PRELIMINARY INQUIRY

- Preliminary inquiry 4.01 If, after the conference provided for in Rule 3.01 and pursuant to Rule 3.09, a Court resolves to institute a preliminary inquiry, the Court shall prepare and adopt a formal statement of the matter to be investigated. The alleged offender is then served with a copy of a formal statement certified by the Clerk of the Court. The alleged offender should submit to the Court any statement in reply within 14 days of receipt of the formal statement or such longer period as the Court may permit.
- Minutes 4.02 The minutes of the preliminary inquiry are kept in a separate record.
- By committee 4.03 A Court may appoint a committee to conduct the preliminary inquiry but the recommendations of the committee shall be submitted to the Court for its decision as to whether and what further proceedings may be necessary.
- Absence of accused 4.04 While the Court or committee shall allow the alleged offender reasonable opportunity of being present at the preliminary inquiry, the Court or committee may proceed with the inquiry in the alleged offender's absence.
- Effect of objections 4.05 Any objection taken by the alleged offender during the preliminary inquiry does not stay the proceedings of the committee, but it must be disposed of by the Court before coming to any finding on the report of the committee.
- Confession and  
contrition 4.06 If the committee reports that:
- (a) the alleged offender is prepared to confess and express contrition for the alleged offence or major portion thereof, and
  - (b) the offence calls for no more than admonition or rebuke

the Court, if it approves of such report, may proceed at once or may cite the alleged offender to appear at another meeting and, on such confession, admonish or rebuke the offender.

- Serious cases 4.07 If:
- (a) the committee reports that the charge is too serious to be dealt with in the manner provided for in the preceding Rule, and
  - (b) the Court approves of the report
- steps are then taken to proceed by judicial process.
- Charges frivolous or unsupported 4.08 If the alleged offence is found to be of a frivolous nature or unsupported by trustworthy evidence the case shall be discharged by the Court and the alleged offender be so informed. The party or parties making the charge are liable for such costs as the Court may determine.
- Access to documents 4.09 At any stage of the inquiry or trial the alleged offender shall have reasonable access to all documents received or proposed to be received by or on behalf of the Court.
- Evidence at inquiry 4.10 In the preliminary inquiry no statements by parties appearing before the Court or committee are taken on oath, nor can the parties be cross-examined on a statement, but any statement made is there and then, or at a later stage, read over to the party making it and signed by the party whose signature is witnessed by a member of the Court or committee. The party may then amend or correct any particular statement made, and such amendment or correction shall then be added to the original document and signed and witnessed as above.
- Treatment of same 4.11 No statements made at the preliminary inquiry shall be regarded as formal evidence should the Court decide to proceed further with the case, but such statements, being documents in the case may, when such witnesses are being examined in judicial process, be received in evidence for the purpose of contradicting the present testimony of the witness.
- Charge insubstantial 4.12 If the Court finds that the alleged offence is apparently well substantiated, yet is of a nature not calling for censure, the Court may thereupon decide to admonish the alleged offender, but the alleged offender shall have the right to object and to claim a formal process of trial.
- Judicial Process 4.13 If the Court finds that the alleged offence is apparently well substantiated and the action proposed in the preceding Rule will not in its judgment meet the case, it shall then proceed by judicial process.

#### PART 5 - JUDICIAL PROCESS

- 5.01 If the Court resolves to proceed by judicial process:
- (a) The accused person may be suspended from
- Suspension

office by the Court until the case is finally disposed of if the Court considers this to be advisable in the general interest of the Church, and having regard to the nature of the alleged offence. In the case of a minister or professor, or other salaried officer of the Assembly, such suspension shall not affect the right to stipend or salary, except in the case and in the proportion hereinafter provided for. (See under Church censures.).

- Prosecutors (b) If the charge is at the instance of the Court itself, or by direction of a higher Court, one or more members (not being complainants) are appointed to act as prosecutor or prosecutors. Such prosecutors shall not thereafter deliberate or vote in the case. It is the duty of prosecutors to prosecute the charge conscientiously and fairly.
- Copy of evidence (c) The Court shall furnish the accused with the names of the witnesses who are to give evidence against the accused, and the titles of books or articles or reports of speeches to be produced in evidence by the prosecutors.
- Witnesses (d) If the case deals in whole or in part with moral character, or in other cases if appropriate, a list of the names and addresses of witnesses who are to give evidence against the accused shall be supplied by the prosecutors to the accused, and the accused shall supply to the Clerk of the Court for the prosecutors a list of the name and address of witnesses whom the accused intends to call. In each instance such information shall be supplied at least seven days before being dealt with by the Court.
- Incapacity to plead 5.02 An allegation of incapacity to plead on the ground of insanity or otherwise must be disposed of before any further proceedings in a case.
- Confession 5.03 If the accused person at any stage admits the offence or offences and the Court is satisfied with the confession, this fact is recorded in the minutes and the Court may proceed to a judgment forthwith of such a nature as the offence seems to require.
- Adviser 5.04 An accused person may with the approval of the Court have the assistance of a minister or communicant member of the Presbyterian Church as adviser of the accused.
- Presence of adviser 5.05 The adviser counsels and assists the accused in the conduct of the case (including any appeal), and, as well as the accused, is entitled:



- (a) to put questions to witnesses,
- (b) to answer questions put by the Court,
- (c) to speak with or in lieu of the accused when the case of the accused is presented.

At the request of the accused the adviser may be heard at the close of the evidence prior to the Court considering its finding.

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| Accused to be present | 5.06 | When an accused has the assistance of an adviser the accused must be present during the hearing of the case unless the Court sanctions the absence of the accused.  |
| Adviser no vote       | 5.07 | An adviser may not deliberate or vote in the case and is subject to the authority of the Court before which the adviser appears.  |
| Recall of authority   | 5.08 | The Court may at any time during the case recall its approval for the adviser to act as such, should the adviser's conduct give occasion for it, in which event the adviser shall not be entitled to take any further part in the case. In such circumstances the accused may appoint another adviser approved by the Court.  |
| Form of charge        | 5.09 | <p>A charge (previously known as a libel) consists of three parts as follows:</p> <ul style="list-style-type: none"> <li>(a) the first part, known as the major premise or proposition, sets forth the nature of the offence charged, and declares it to be punishable according to the Word of God and the laws of the Church,</li> <li>(b) the second part, known as the minor premise, asserts that the accused is guilty of that offence and narrates the facts involving the accused's guilt, specifying time, place, and circumstances, in one or more distinct counts, and</li> <li>(c) the third part, known as the conclusion, states the necessity for punishment, if the accusation be found proven or confessed.</li> </ul> |
| Abbreviation          | 5.10 | A charge is (except in the case of heresy) usually abbreviated by omitting the major premise and only sets forth the alleged facts which constitute a censurable offence if established.  |
| Heresy                | 5.11 | A charge of heresy must state the doctrine which the accused is alleged to have impugned, or the false doctrine which the accused is alleged to have taught contrary to the Word of God and the subordinate standard of the Church read in the light of the declaratory   |

statement. The charge must set forth the statements from the teachings of the accused, or the quotations from the accused's writings, which are relied upon to establish the charge.

- Private wrong 5.12 In a case of alleged personal and private wrong the charge must be accompanied by a written declaration that the course prescribed by our Lord in Matthew 18:15-17 has been followed (see also Proverbs 25:8-12 and Luke 6:31-37).
- Preparation and costs 5.13 The charge is prepared by the prosecutors, or on their instructions and at their cost, by the Law Agent (or equivalent) of the State in which the case has arisen. The Court concerned may in all cases determine whether or not the prosecutors shall have the costs reimbursed by the Court.
- Settlement by Procurator 5.14 The proposed charge must be submitted by the prosecutors through the Law Agent of the General Assembly to the Procurator of the General Assembly for settlement. In settling the charge the Procurator considers whether the charge is in form and substance one which may properly be proceeded with in accordance with the laws and rules of the Church.

The Procurator:

- (a) settles the charge and in particular settles it so that it conforms with the said laws and rules; or
- (b) advises the prosecutors that he is not able to settle the proposed charge (whether due to deficiency or otherwise), in which case the charge proceeds no further unless the Court resolves that the charge shall be proceeded with notwithstanding such advice.

A Court cannot consider the relevancy of a charge unless and until the form of charge has been settled by the Procurator or the Procurator has advised the prosecutors in terms of paragraph (b) above.

- Settled charge 5.15 The prosecutor must seek to prepare the charge and have it submitted to the Procurator for settlement as soon as practicable after the resolution to proceed with the charge by judicial process has been carried. The Procurator shall settle the charge, or advise the Prosecutors as specified in Rule 5.14, as soon as practicable. Once settled the charge must be submitted promptly to the Court.
- Copy of charge for accused 5.16 When the charge is submitted to the Court and approved by it, the Court instructs that a copy attested by the Clerk is delivered to the accused either personally by someone authorised by the Court, or by confirmed

delivery letter addressed to the accused at the accused's last known place of residence. A preliminary list of witnesses and a list of the documents in the case shall be attached to the charge.

- Citation of accused 5.17 When delivering the charge the Court cites the accused if present, or orders that the accused be cited, to appear at a meeting to be held 10 or more days later for the purpose of:
- (a) receiving any statement the accused may desire to make, and
  - (b) considering the relevancy of the charge.
- Relevancy of charge 5.18 At the meeting held on the day appointed by the Court under Rule 5.17 the Court calls for the parties, hears any statement the accused may desire to make, and then proceeds to consider the relevancy of the charge. The prosecutors are entitled to be heard in support of the relevancy and the accused against it.
- Details of relevancy 5.19 The relevancy of a charge includes two questions:
- (a) whether the offence alleged against the accused is truly punishable according to the Word of God and the laws of the Church, and
  - (b) whether, if so, the allegations, if proved or admitted, would be sufficient to convict the accused of the offence and render the accused liable to punishment.
- Amendment of charge 5.20 Before deciding the question of relevancy the Court may, if it see cause, give leave to amend the charge.
- Finding of irrelevancy 5.21 If the charge is found by the Court to be irrelevant it is dismissed. If the Court finds the charge partly relevant and partly irrelevant, it may proceed on the relevant portion.
- Effect of objection or appeal 5.22 A formal objection or an appeal by the accused against the relevancy of the charge shall not stay procedure but it is to be noted and shall be included as part of any appeal by the accused at a later stage.
- Procedure on relevancy 5.23 When a Court has found a charge relevant it formally asks the accused whether the accused acknowledges the truth of the charge. If the accused then confesses, the fact of the confession is recorded in the minutes and the Court pronounces sentence.
- If charge denied 5.24 If the accused denies the truth of the charge the Court fixes a date not less than 14 days thereafter for hearing the case and resolves that parties and witnesses be

cited.

Procedure on hearing

5.25 When the Court meets to deal with the merits of the case the procedure is as follows:

- (a) The Moderator of the Court shall solemnly announce from the chair that the Court is about to pass to the consideration of the case, and invite members of the Court to recollect and regard their high character as judges of a court of Christ's Church and to consider the solemn duty in which they are about to engage.
- (b) The Clerk announces the charge and by whom and against whom it is made.
- (c) The Court enters in its records that the accused has been duly cited and has appeared or has failed to appear.
- (d) Parties are called.
- (e) The opening statement by one of the prosecutors is heard.
- (f) Witnesses for the prosecution are examined, cross-examined, and, if necessary, re-examined.
- (g) The opening statement for the defence is heard.
- (h) Witnesses for the defence are examined, cross-examined, and, if necessary, re-examined.
- (i) Parties or any member of the Court who may desire fuller information on any point may ask for it.
- (j) The record is then closed.
- (k) Parties are heard in the following order:
  - (1) the prosecutors;
  - (2) the accused and/or the accused's adviser;
  - (3) one of the prosecutors in reply.

No statements of fact outside the record are admissible, either for or against the accused.

- (l) Parties are removed from the bar and the Court proceeds to consider and reach its decision.
- (m) Parties are recalled to the bar and informed of the decision of the Court. This decision is final and given effect to forthwith unless notice of appeal

to a higher Court is then given. The Moderator of a lower Court shall inform the parties that they have such right of appeal to a higher Court.

- (n) An appeal by the accused or the prosecutor, or by a member of the Court, stays the execution of the judgment, but the suspension of the accused from office, if already determined on by the Court, remains in force until such appeal is disposed of. If, however, the Court acquits the accused on all charges, it may remove such suspension, even if an appeal is taken against such acquittal.
- (o) If the Court decides that the charge has not been proven, or that the accused is not guilty, this finding is duly intimated to the parties. If no appeal is taken by the prosecutor or a member of the Court, the case is discharged and the suspension, if any, is removed.

- Additions to finding 5.26 A Court may accompany its finding on a case with such expression of opinion or advice or as may seem to it to be suitable.
- Reference on censure 5.27 Prior to coming to a decision as to what admonition or censure shall be imposed the Court may, at that stage, refer the case to a higher Court.

#### PART 6 - APPEALS

- Appeal when made 6.01 Notice of appeal must be made immediately after the finding of the Court is intimated. The appellant shall then have 21 days (or such further period as the said Court may allow) to submit the written appeal with the reasons thereof, otherwise the appeal is held to be fallen from. The Clerk of the Court gives written acknowledgement of the receipt of the written appeal.
- Amendment of appeal 6.02 The appellant may with the leave of the Court to which appeal is made, amend or add to the reasons of appeal provided that the Court is satisfied that due notice of such amendment or addition has been given to the respondents.
- Answers 6.03 Written answers to reasons for appeal may be lodged with the Court but are not obligatory.
- Charge found proven 6.04 If the charge, in whole or in part, is found proven by the appellate Court, whose judgment finally disposes of the case, the Court may either confirm any censure appealed against or pronounce any other censure as it deems sufficient.
- Other appeals, effect of 6.05 Notwithstanding other appeals a case may be continued up to and including the finding as to the committal or non-committal of the alleged offence. If no appeal is

taken against that finding all previous appeals taken during the proceedings are held to be fallen from.

- Appeal against censure 6.06 An appeal may be taken against the proposed censure even if no appeal has been taken against the finding on which the proposed censure is based.
- Alternative appeal from Presbytery 6.07 An appeal from a Presbytery shall pass direct to the General Assembly if the latter should meet earlier than the State Assembly unless the General Assembly resolves that the appeal should be dealt with at the next meeting of the State Assembly.
- Documents in an appeal 6.08 In an appeal case no document shall be read or shall appear among the papers of the Court as part of the appeal unless it was before the lower Court or was tendered in evidence and rejected by it. But if in the prosecution of an appeal new evidence is tendered which in the judgment of the higher Court has an important bearing on the case it may either refer the whole case back to the lower originating Court, or, with the consent of parties, receive such evidence and determine the case.
- Certification of evidence 6.09 The evidence in a case, properly attested by the Clerk of the Court by which it has been taken, is held as valid evidence by a higher Court to which the case may be appealed.
- Questions on evidence 6.10 In dealing with questions of evidence the higher Court forms its judgment from the full record of the evidence transmitted from the lower Court with due attention to the pleading of the parties at its own bar.
- Corrections by higher Court 6.11 If in an appeal any irregularity or defect is found in the proceedings of the lower Court or in the record thereof the higher Court may correct it.

#### PART 7 - RULES OF EVIDENCE

- Rules a guide 7.01 These rules of evidence are intended to be a guide after the preliminary inquiry should the case go on to trial.
- Affirmation 7.02 Witnesses before being examined make the following solemn affirmation (repeating the words after the Moderator or chairman of a commission):
- I, ....., do solemnly declare, in the presence of Almighty God to whom all must account, that I will speak the truth, the whole truth, and nothing but the truth, and that in doing so I am free from malice.
- Evidence on Commission 7.03 If a witness is, by reason of distance or other cause, unable personally to attend, the Court may appoint a commission to take the evidence of such witness. The

accused is entitled to be present at such examination and to put questions.

- Presence of witnesses 7.04 Witnesses shall not be allowed in the Court except when under examination.
- Examination 7.05 Witnesses are:
- (a) first examined by the party calling them,
  - (b) then cross-examined by the opposite party,
  - (c) if so requested, then re-examined by the party calling them.
- Recall 7.06 A witness may be re-called at the request of either party or by the Court.
- Rules of evidence 7.07 In respect of the receiving of evidence the Court shall be guided as follows:
- (a) the Court may admit any evidence, including hearsay evidence, which appears to be relevant and possess probative value,
  - (b) the Court should bear in mind that the weight to be attached to any particular evidence calls for due consideration of the nature of that evidence and of the circumstances relating to its admission by the Court and its credibility, and
  - (c) the evidence of one witness is not sufficient to establish a charge unless it is supported by other evidence.
- Questions from Court 7.08 A member of the Court may put questions at any time. Questions raising collateral issues or entering into irrelevant inquiry are not allowed.
- Parties as witnesses 7.09 The prosecutor and accused may give evidence, and in such case shall be subject to cross-examination. Any other member of the Court who gives evidence in a case is thereby disqualified from further participation.
- Objections 7.10 Any member of the Court or party concerned may object, for reasons stated, to:
- (a) any person brought forward for examination,
  - (b) any question that may be put, or
  - (c) any document or other productions that may be proposed to be used.

Such objections shall be disposed of by the Court. A complaint or an appeal against the decision of the Court disposing of such

objections does not stay procedure.

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| Method of recording     | 7.11 | In general, evidence should be taken down in narrative form, and not in the form of question and answer. Important questions and answers should be recorded at length. Recording may be effected by any means approved by the Court including tape recording for subsequent transcription. Care should be taken that subsequent proceedings are not jeopardised by incomplete or inaccurate recording of evidence. Consideration should be given to recording evidence through two modes or through duplication of one mode. |
| When taken in shorthand | 7.12 | If the evidence is taken in shorthand, the writer makes the declaration <i>de fideli</i> , and furnishes a transcript, which is accompanied by a declaration as to its accuracy.   |
| Evidence to be signed   | 7.13 | The evidence is read over to the witness, and, after correction, if necessary, is signed by the witness in the presence of the Clerk or of a member of the Court appointed for the purpose.  |
| Recorded evidence       | 7.14 | If the evidence be taken in shorthand the transcript is read over to and signed by the witness. If evidence is recorded by tape recording or other device the Court may then or, if necessary, at a subsequent meeting direct that the transcript from the recording is read over to and signed by the witness.  |
| Witness not found       | 7.15 | The inability of either party to find any witness shall be no reason for delay unless the Court, in the particular circumstances, determines otherwise.  |
| Voting                  | 7.16 | No member of a Court may vote as a judge in a case unless the member has heard or read all the evidence and the pleadings of the parties.  |
| Documents               | 7.17 | A member of a Court who is called solely for the purpose of producing documents is not thereby disqualified from voting in a case.   |
| Evidence indecisive     | 7.18 | When the evidence is so conflicting that the Court cannot form an opinion either for or against the charge it proceeds to no verdict and dismisses the case, subject to the right to re-open the case if new evidence émerges.   |
| New evidence            | 7.19 | If new evidence is subsequently produced the Court may re-open the case provided that, after careful consideration, it deems the re-opening of it to be necessary in the interests of discipline or justice.   |
| Separate record         | 7.20 | The evidence taken in a case is kept in a separate record. A general statement of the terms or nature of the accusation and of the judgment arrived at is inserted in the permanent records of the Court. The separate record is kept as a permanent record.   |



Access to documents 7.21 An accused has the right of access at reasonable times to any documents in the case which are in the possession of the Court.

### PART 8 - CITATIONS AND CONTUMACY

- Oral citation of parties and witnesses 8.01 Parties and witnesses, if present in the Court, may be cited orally, and the fact of such citation must be recorded in the minutes. Parties and witnesses, not present in the Court, are cited in due form, and the fact of such citation having been ordered is recorded in the minutes.
- Citation of Court 8.02 A lower Court is cited through its Moderator or Clerk.
- Dispensing with citation 8.03 Formal citation may at times be (and in the Session generally is) dispensed with but no one can be called to account for disregarding any other than a regular citation.
- Service of citation 8.04 A written citation is duly served on a party or witness when delivered to the person personally by the hand of someone authorised by the Court, or sent by confirmed delivery letter to the person's last known place of residence.
- Obedience imperative 8.05 A member of the Church when duly cited by a Court to appear as a party or as a witness is bound to obey the citation. If after a second citation the member does not appear or furnish satisfactory reason for non-appearance the member may be dealt with as contumacious.
- Disregarding citation 8.06 Disregard of citation to its bar given by a State Assembly, the General Assembly or the Judicial Commission is regarded in all circumstances as contumacious.
- Witnesses refusing 8.07 Witnesses refusing to submit to examination may be dealt with as contumacious.
- Person under another Court 8.08 A person who is subject to the jurisdiction of another Court cannot be dealt with as contumacious except:  
(a) by the Court exercising jurisdiction over that person, and  
(b) if the person has been cited through that Court.
- Non-members 8.09 Witnesses who are not members of the Church may be requested to appear and give evidence.
- Suspension or deprivation of ministers or office-bearers 8.10 When a minister or other office-bearer:  
(a) is persistently absent from the discharge of that person's duties, or

- (b) disowns the authority of the Church Courts to which the person has promised to submit, or
- (c) is found guilty of following divisive courses or is contumacious,

the Court which after due process finds the minister or office-bearer guilty of such conduct may:

- (i) summarily suspend that person from office, or
- (ii) declare the that person to be no longer a minister or office-bearer of the Church.

- |                      |      |   |
|----------------------|------|---|
| Contumacy in a party | 8.11 | If after one oral citation of a person who is a party in a case who is present in the Court or two written citations duly served on such a person the person does not appear or furnish satisfactory reason for the person's non-appearance, the Court may declare the party contumacious and deal with the person as such. |
| Contumacy in others  | 8.12 | Other persons found guilty of contumacy, either in neglecting a citation or in any other respect, in the course of any proceedings, may be dealt with summarily by the Court after first giving the person the opportunity of being heard.  |

#### PART 9 - CHURCH CENSURES

- |                           |      |  |
|---------------------------|------|--|
| Essentials to censure     | 9.01 | A Court may impose a judicial censure only where a charge has been confessed to the Court or regularly proven.   |
| Contempt of Court         | 9.02 | Contempt of court committed in the presence of the Court may be summarily dealt with.  |
| Consideration of sentence | 9.03 | When: <ul style="list-style-type: none"> <li>(a) a charge has been confessed, or</li> <li>(b) a Court has found a charge proven, and <ul style="list-style-type: none"> <li>(i) no appeal has been taken against its decision, or</li> <li>(ii) any appeal has been dismissed by a higher Court and the higher Court has not itself determined censure,</li> </ul> </li> </ul> |

the Court, after hearing addresses from the prosecutors (if they so wish) and from the accused and/or the accused's advisor (if they so wish), considers what sentence should be pronounced upon the offender. The sentences of the Court are called censures.

- Sentence** 9.04 When a Court has determined what censure is due in a case of discipline it calls upon the offender to appear and, on the offender's appearance, the Moderator in the name and presence of the Court informs the offender of the finding of the Court. If the offender does not appeal the Moderator then pronounces sentence and addresses the offender in terms befitting the nature and circumstances of the case.
- Sentence in absence** 9.05 If, when duly cited once, the offender does not appear to receive the censure the offender is called at the door three times. If the offender fails to appear the Moderator pronounces sentence in the offender's absence and intimation thereof is forwarded to the offender by confirmed delivery letter to the offender's last known address.
- Church censures** 9.06 Church censures are: rebuke, suspension, deposition, and excommunication.
- Admonition** 9.07 **Admonition** is not a Church censure. If a person is censured, the person cannot be proceeded against in respect of the same charge again. Admonition is a solemn address to an offender which sets out the offence before the offender and exhorts the offender to watchfulness. This is usually the mode of dealing with offences which have arisen from error of judgment.
- In resolving to admonish it is desirable that the resolution contain the following words: "Without prejudice to adjudicating upon the offence in question in the future if it should assume a different aspect or faults of a similar character should be alleged."
- Rebuke** 9.08 **Rebuke** is a solemn reproof and is administered to persons guilty of serious offences.
- Suspension** 9.09 **Suspension** is a form of censure more severe than a rebuke, and prohibits the offender from exercising the functions of office or the rights and privileges of membership in the Church. This is to be distinguished from suspension during the investigation of a case (Rule 5.01) which is not of the nature of a censure.
- When resorted to** 9.10 Suspension is resorted to when the offence has been repeated after rebuke or when the continued exercise of office or of privileges by the offender would be injurious to religion.
- Period of suspension** 9.11 Suspension may be for a specified period or indefinitely according to the gravity of the offence and the circumstances of the case.
- Effect of** 9.12 If an offender suspended from the rights and privileges of Church membership is also an office-bearer, the offender is thereby suspended also from the offender's office. If

the offender's suspension is the act of a higher Court notice thereof must be given to the lower Court of which the offender is a member.

- Limitation in effect 9.13 Suspension from office does not of itself imply suspension from the rights and privileges of Church membership.
- Suspension of minister 9.14 Suspension of a minister from office for indefinite duration involves the dissolution of the pastoral tie or, for other officer of the Church, the person ceasing to hold such office. If the suspension is for a limited period exceeding six months it shall also involve the dissolution of the pastoral tie or ceasing to hold such office unless the Court otherwise direct.
- Stipends and salaries 9.15 In the case of a settled minister, professor or other officer of the Church, when the final sentence is suspension for six months or under, the Presbytery may set apart stipend or salary monies, not exceeding one-half of the total available, for the supply of ordinances or the maintenance of such office. Such sentence shall be equivalent to a legal assignment by the minister, professor or other officer of the Church of the proportion of the stipend or salary specified.
- Deposition 9.16 **Deposition** takes place only in the case of a minister or other office-bearer. It consists of depriving the offender of office and of every right enjoyed by the offender as an office-bearer and is inflicted on account of some very grave offence or of heresy. It is pronounced by the Moderator, after prayer, in the name of the Lord Jesus Christ.
- When sentence pronounced 9.17 Sentence of deposition is not pronounced until after judicial process unless the offence has been confessed or committed in presence of the Court or has been an act of contumacy.
- By lower Court 9.18 Sentence of deposition passed by a lower Court is reported to the State Assembly.
- Deposition. Effect on eldership 9.19 A minister or other officer deposed from office or suspended indefinitely is not eligible for election to the office of elder.
- Excommunication 9.20 **Excommunication** - In cases of:
- (a) contumacious resistance to the authority of the Courts of the Church,
  - (b) flight from discipline, or
  - (c) peculiar aggravation where the offence, although

fully proved, is obstinately denied, or if acknowledged is justified, and the offender continues unrepentant

the offender may be declared no longer a member or office-bearer of the Church and the offender's name is removed from the roll or rolls accordingly.

Deprivation of licence 9.21 A licentiate who is found guilty of a very grave offence or of heresy is deprived of the licentiate's licence.

#### PART 10 - SUPERVISION AND RESTORATION OF PERSONS UNDER CENSURE

Supervision by Sessions 10.01 Sessions should exercise kindly and helpful supervision over members of the Church under censure.

Supervision by Presbyteries 10.02 Presbyteries have the supervision of ministers and licentiates under censure.

Transference of supervision 10.03 If anyone under Church censure by a Session or Presbytery is transferred so as to be under the jurisdiction of another Session or Presbytery the person is placed under the supervision of the Court under whose jurisdiction the person has transferred.

Restoration by whom and when 10.04 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.

Removal of suspension 10.05 Suspension for a specified time ceases at the expiry of that time. In the case of an office-bearer the restoration to the exercise of the person's office should be recorded in the minutes.

When indefinite suspension 10.06 Suspension of indefinite duration may be removed when the Court is satisfied that the ends of discipline have been attained.

Removal of deposition 10.07 Deposition from office may be removed upon profession of repentance followed by a course of consistent conduct. But in the case of a minister, this may only occur with the authority of the General Assembly or State Assembly. In the case of an elder the authority of the General Assembly, a State Assembly or Presbytery is required.

Restoration to office 10.08 Restoration to office, after removal of deposition, is dependent in the case of an elder or deacon on due election by a congregation, and in the case of a minister

the offender's suspension is the act of a higher Court notice thereof must be given to the lower Court of which the offender is a member.

- Limitation in effect      9.13    Suspension from office does not of itself imply suspension from the rights and privileges of Church membership.
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- Stipends and salaries    9.15    In the case of a settled minister, professor or other officer of the Church, when the final sentence is suspension for six months or under, the Presbytery may set apart stipend or salary monies, not exceeding one-half of the total available, for the supply of ordinances or the maintenance of such office. Such sentence shall be equivalent to a legal assignment by the minister, professor or other officer of the Church of the proportion of the stipend or salary specified.
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- When sentence  
    pronounced            9.17    Sentence of deposition is not pronounced until after judicial process unless the offence has been confessed or committed in presence of the Court or has been an act of contumacy.
- By lower Court            9.18    Sentence of deposition passed by a lower Court is reported to the State Assembly.
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Restoration to office 10.08 Restoration to office, after removal of deposition, is dependent in the case of an elder or deacon on due election by a congregation, and in the case of a minister

on a call carried out according to the rules of the Church.

Restoration of licence 10.09 On profession of repentance followed by a course of consistent conduct, a licentiate who has been deprived of a licence may be restored by the Presbytery which so deprived the licentiate with the consent of the General Assembly or State Assembly.

Reception of those restored 10.10 Offenders who have been subjected to discipline and who have been duly restored ought to be received in their respective positions in the Church with tender and loving regard.

PART 11 - FORMS

Sample forms 11.01 The forms set out below, or forms to the like effect, may be used for the purposes and in the cases to which they refer with such variations as circumstances require.

Deviation 11.02 A form shall not be invalidated by any deviation which does not materially affect the substance and is not misleading.

(1) **Specimen Form of CHARGES (Rule 5.09)**

The Presbyterian Church of Australia in the State of .....  
The Presbytery of .....

To A.B. (name of accused) .....  
of ..... (address)/  
being a person under the jurisdiction of the Session/Presbytery of .....  
I, C.D. of ..... (address)/being  
(a) a person under the jurisdiction of the Session/Presbytery of ..... or  
(b) a person directed by the Session/Presbytery of ... (as the case may be)  
hereby charge you, a member of the Presbyterian Church of Australia in the  
State of ..... with the offence of  
..... contrary to the laws and constitution of the  
Presbyterian Church of Australia in the State of .....  
and I specify the following information in support of the said charge:

- (i) On the ..... day of ..... at or near  
..... you publicly stated matters detrimental to the Christian  
character of ..... namely, [here give the words used or  
the substance of them].
- (ii) On or about the ..... day of ..... at or  
near ..... you acted improperly and immorally by (here  
narrate the actions in question).

(Where charge is brought by an injured party.) And I solemnly and truthfully  
declare that before bringing these charges I have followed, [although without  
success] the course prescribed by our Lord in Matthew chapter 18 verses 15-  
17,



The following witnesses will be called in support of the charge

.....  
.....  
.....

Signed at ..... this ..... day of ..... 19 ..

Attested by

.....  
[Clerk of said (Session, Presbytery, Assembly)]  
Minister appointed by the Clerk of said (Session or  
Presbytery) to attest this charge.

**(2) Specimen Form of CHARGE OF HERESY (Rule 5.11)**

As in Form 1, but describing the offence as the offence of heresy and specifying the offence in such manner as this:

- (i) That on ..... and on other days you have by your actions and written or spoken words impugned the doctrine that .....  
..... (Here state the doctrine impugned.)
- (ii) That on ..... at ..... in the State of ..... and on other days you have preached and taught contrary to the said doctrine.
- (iii) That in a publication issued or authorised by you entitled ..... you stated on page ..... (here quote as relevant) and on page ..... you stated (again quote).
- (iv) That in the course of a discussion [recorded and afterwards] broadcast/shown on television on the ..... day of ..... you used words to the following effect:- (Here state them.)

**(3) Specimen Form of CITATION to accused (Rule 5.16)**

The Presbyterian Church of Australia in the State of .....  
The Presbytery of .....

To A.B. .... (name)  
..... (address)

You are hereby CITED to appear before the [Session or Presbytery] of ..... meeting in the ..... at ..... on the ..... day of ..... 19..... at ..... am/pm and then and there to answer charges brought against you by C.D. .... as specified in the [Form of Charge] [copy of the Form of Charge] attached hereto.

E.F. Clerk of said [Session or Presbytery]

Served by [recorded delivery service/posting as a confirmed delivery letter] as per annexed certificate, on the ..... day of ..... 19....  
[Or Served by personal delivery on the said A.B. on the ..... day of ..... by me Y.Z.]

(4) **Specimen Form of CITATION** to a witness who is a member of the Church (Rule 8.04).

The Presbyterian Church of Australia in the State of .....  
The Presbytery of .....

To A.B. .... (name)

As a member of the Presbyterian Church of Australia in the State of ..... bound by its laws and constitution you are hereby CITED to appear before the [Sessions or Presbytery] of ..... meeting in the .....

..... at ..... on the ..... day of ..... 19.... am/pm to give evidence in the charge against C.D. of ..... now pending before the said Presbytery [or Session]

E.F. Clerk of said [Presbytery or Session]  
or other person authorised by the Court

Served etc. [as in Form No. 3]

(5) **Specimen Form of REQUEST** to a witness who is not a member of the Church (Rule 8.09).

The Presbyterian Church of Australia in the State of .....  
The Presbytery of .....

To A.B. .... (name)  
..... (address)

The Presbytery [or Session] would be grateful if you could attend their meeting to be held in the ..... at ..... am/pm on the ..... day of ..... 19.... for the purpose of giving evidence in the charge against C.D. of etc. [continue as in Form No. 4].

(6) **Specimen Form of CITATION TO A COMPLAINANT (Rule 8.04)**

The Presbyterian Church of Australia in the State of .....  
The Presbytery of .....

To A.B. .... (name)  
..... (address)

You are hereby CITED to appear before the [Session or Presbytery] of ..... meeting in the ..... at ..... on the ..... day of ..... 19.... at ..... am/pm then and there to prosecute the charge brought by you [or, as the case may be, which you were appointed by

them to bring] against C.D. .... of ..... to the end that such charge be duly heard and determined.

(Signed and Served etc. as in No. 3)

(7) **Specimen Form of words to be added to No. 3 where the citation is a SECOND CITATION to a PARTY (Rule 8.05)**

This being your second citation, you are hereby informed that, under the relevant Rules of the Church, if you fail to appear at the time and place abovenamed or to cause satisfactory reason to be furnished for your non-appearance, the Presbytery [or Session] may proceed in your absence. In addition you may be held liable to censure for contumacy, declared no longer a member of the Church or a holder of any office therein or suspended from the communion of the Church.

(8) **Specimen Form of words to be added to No. 4 where the citation is a SECOND CITATION to a WITNESS (Rule 8.07)**

This being your second citation, you are hereby informed that, under the relevant Rules of the Church, if you refuse without good cause to give evidence or to submit to examination as a witness, you may be suspended indefinitely from membership or, in grave cases, declared to be no longer a member of the Church.

(9) **Specimen Form of SENTENCE of SUSPENSION by SESSION (Rule 9.09)**

The sentence of suspension from Church privileges by a Session shall be in the following words:

"In the name and by the authority of the Lord Jesus Christ, we, the Session of ..... having found ..... to be guilty of ..... do hereby suspend him [or her] from Church privileges till he [or she] submit satisfactory evidence of repentance".

(10) **Specimen Form of SENTENCE OF SUSPENSION from MINISTERIAL OFFICE (Rule 9.09)**

The sentence of suspension from the ministerial office shall be in the following words:

"Whereas ..... has been found, [after trial], [or on his own confession], guilty of ..... we the Presbytery of ..... in the name and by the authority of the Lord Jesus Christ, do hereby suspend him from exercising the office of the ministry or any part thereof, until he submit satisfactory evidence of repentance".

(11) **Specimen Form of SENTENCE of DEPOSITION of a Minister (Rule 9.16)**

The sentence of deposition of a minister shall be in the following terms:

"Whereas ..... minister of ..... has been proved before the Presbytery of ..... [or the State Assembly or General Assembly, as the case may be] to be guilty of

..... the said ..... adjudge him disqualified for the office of the ministry. Now they, therefore, in the name and by the authority of the Lord Jesus Christ, depose from the office of the ministry the said ..... and do hereby prohibit him from exercising the functions of the ministry, or any part thereof."

**(12) Specimen Forms of RESTORATION (Part 10)**

(A) To membership of the Church.

In the name of the Lord Jesus Christ, we the Session/[Presbytery Assembly] of ..... do hereby restore you ..... to the fellowship of His Church.

(B) To office as minister of a congregation.

In the name of the Lord Jesus Christ, the General Assembly of the Presbyterian Church of Australia in the State of ..... restores you ..... to the office of ...../the Christian ministry in the fellowship of His Church.

**(13) Specimen Form of NOTICE OF APPEAL (Rule 6.01)**

A.B. .... of ..... Appellant;  
The Session/Presbytery/State Assembly of ..... Respondent.

A.B. hereby appeals to the Presbytery/State Assembly of ...../the General Assembly from the decision made [or sentence imposed] by the Session/ Presbytery/State Assembly of ..... on the ..... day of ..... 19... at ....., whereby the Session/Presbytery/ State Assembly did ..... *(here specify the decision and/or sentence being appealed from.)*

The reasons for this appeal are as follows .....  
..... *(here set out the reasons).*

Date .....  
.....  
Signature of Appellant

**(14) Specimen Form of ACKNOWLEDGMENT to be signed by Clerk of the Court Appealed from on receipt of copy of Form 13 (Rule 6.01)**

I hereby acknowledge that I received a Notice of Appeal in the form above on the ..... day of ..... 19

(Signed) .....  
Clerk of [Session/Presbytery/  
State Assembly]

or to do otherwise as the Assembly in its wisdom may deem fit.

Mr. S.H. Fraser and the Rev. Dr. Paul Logan were appointed to state the overture.

**(xii) From the Presbytery of Sydney concerning question (1) asked of ministers, elders and licentiates.**

To the Venerable the General Assembly of the Presbyterian Church of Australia.

Whereas the Public Worship and Aids to Devotion Committee has been given the task of revising the book "Worship!" which is a proposed book of common order for the Presbyterian Church of Australia, and

Whereas the vows to be taken by ministers, elders and licentiates are part of any book of common order, and

Whereas it is important that the wording of ordination vows be clear, and

Whereas there exists some uncertainty surrounding the first vow which reads:

*Do you believe the Word of God which is contained in the Scriptures of the Old and New Testaments, to be the only rule of faith and practice?*

and

Whereas this vow has only been in use since 1954 when it was instituted by the General Assembly (Min. 133 (6) GAA BB 1954) and,

Whereas the action of the General Assembly in 1954 replaced a vow which was used by each of the State Presbyterian Churches prior to the 1901 Union and,

Whereas the action of the General Assembly in 1954 replaced a vow which had served the Presbyterian Church of Australia since shortly after its formation (Minute 131 GAA BB 1901)

and

Whereas this vow reads:

*Do you believe the Scriptures of the Old and New Testaments to be the Word of God, and the only rule of faith and practice?*

and

Whereas a return to use of the vow used by the church from 1901 until 1954 and by each of the State Presbyterian Churches prior to the 1901 Union would give greater clarity to what is being promised, and

Whereas a reversion to the use of the vow implemented shortly after the 1901 Union indicates that this proposal does not result in a change from the doctrinal position of the 1901 Basis of Union,

Now the Presbytery of Sydney humbly overtures the General Assembly of the Presbyterian Church of Australia to take these premises into consideration and:

Send down under Barrier Act procedure the following proposal:

Amend the first ordination vow for ministers, elders and licentiates by deleting all words after "Do you believe" and substituting "the scriptures of the Old and New Testaments to be the Word of God, and the only rule of faith and practice?" so that the first ordination vow would read:

*Do you believe the Scriptures of the Old and New Testaments to be the Word*

*of God, and the only rule of faith and practice?*

or to do otherwise as the General Assembly in its wisdom may deem fit.

The Rev. P.F. Cooper and J.A. Davies were appointed to state the Overture.

## PETITION

(iii) **From the Rev. P.I. Fa'avae-Eli to be received as a Minister of the Presbyterian Church of Australia.**

To the Venerable the General Assembly of the Presbyterian Church of Australia.

This petition shows that I, Paulo Itione Fa'avae-Eli was born in Samoa on 23 November 1940 and that I have now reached the age of 53 years.

After completing studies at Knox Theological College, Dunedin, New Zealand, I was awarded the Diploma of that College and granted a Licentiate in Theology Diploma by the Joint Board of Theological Studies in 1979.

I was ordained to the ministry within the Presbyterian Church of New Zealand on 10 September 1981. Since then I have served that Church as Assistant in the Parish of Tokoroa in the Presbytery of Waikato and from 1984 to 1990 as minister of the Sanson/Rongotea Co-operating Parish in the Presbytery of Manawatu. I have testimonials to my work from the Clerk of the Presbytery of Manawatu; the District Superintendent of the Hawkes Bay-Manawatu Methodist Synod; and the Executive Secretary of the General Assembly of the Presbyterian Church of New Zealand.

Since coming to Australia in 1991 I have ministered to a Samoan congregation in Ingleburn and Minto. I am a Samoan Australian citizen.

In 1992 I submitted by request to the Presbytery of the Hawkesbury to be recommended for acceptance as a minister of the Presbyterian Church of Australia. The Presbytery resolved not to make this recommendation and informed the Reception of Ministers committee accordingly. The Reception of Ministers Committee made a similar decision but informed me of my right to petition the General Assembly of Australia if I so desired.

Therefore I submit the foregoing petition expressing my desire to serve the Lord Jesus Christ as a minister of the Presbyterian Church of Australia.

Now therefore I, Paulo Itione Fa'avae-Eli ask the General Assembly of Australia to receive me as a minister of that Church or to do otherwise as the Assembly in its wisdom may deem fit.

(Rev.) Paulo Itione Fa'avae-Eli

## REFERENCE

(i) **From the Presbytery of Sydney re participation of elders in the ordination of ministers.**

The Presbytery of Sydney seeks the guidance of the General Assembly on whether there is anything in the constitution of the Church, or in any relevant and binding decision of the General Assembly which would be incompatible with the participation of elders in the laying on of hands at the ordination of a minister.

In 1 Tim. 4:14, Paul urges Timothy: "Do not neglect the gift, which was given you through a prophetic message when the body of elders (*presbyterion*) laid their hands on you" (NIV).

Calvin and Knox regarded the laying on of hands as a Scriptural practice, though not essential for the validity of ordination. Ordination by the laying on of hands was not practised in Scotland in the early decades of the Reformation, but became widespread by the end of the 16th century.

There has been considerable fluidity in Reformed and Presbyterian practice on the question of the participation of elders. The *Second Helvetic Confession* (1566), and the *Second Book of Discipline* (1578), both of which were adopted by the Church of Scotland, include the eldership in the laying on of hands. The *Presbyterial Form of Church Government* of the Westminster Assembly (1647) follows Calvin in restricting such participation to "the preaching presbyters".

The issue has been raised from time to time within the Australian Church. Prompted by a divergence of opinion and practice, the Presbytery of Tasmania raised the matter by way of Reference with the State Assembly of Victoria in 1939. The Victorian Assembly overtured the General Assembly of Australia [Overture vii, 1939]. The Assembly declared [min. 152] that it was "of the opinion that at the ordination of licentiates, the Moderator and the other Ministers present are the proper persons to take part in the imposition of hands at such ordination".

The Western Australian Assembly, also in 1939, addressed the problem which arises when an elder is elected as moderator of a presbytery, and overtured the G.A.A. [Overture 1, 1939] to determine whether such an elder could participate in the ordination of ministers. This matter was resolved by the G.A.A. [min. 214], which determined "that an Elder holding office as Moderator of a Presbytery has no authority to preside at the ordination of a minister, to propose the constitutional questions, to take part in the laying on of the hands of the Presbytery, or to offer the ordaining prayer." The Code Committee was instructed to draft a positive Rule governing these matters, but does not appear to have done so.

A report on "The Nature and Functions of the Ministry" was given general approval by the 1959 G.A.A. [min. 131]. This offered a rationale for the prevalent practice. "Ordination is by prayer and the imposition of hands by those already ordained to the ministry of the Word and Sacraments. The reasons for this practice appears to be not only that the practice is scriptural; but to ensure that the Ministry is renewed through the ordination of a presbyter by presbytery and to emphasise that this ordinance draws its origin from the Apostles and its authority from Christ". None of the abovementioned resolutions was enacted under Barrier Act procedure.

It is the current practice in a number of other Presbyterian denominations, including the major Presbyterian denominations in the U.S.A., for elders to participate in the laying on of hands.



This reference is not premised on a view that there is no distinction in our system of government between ministers and elders. While ministers of the Word and sacraments and elders jointly act as presbyters, their particular responsibilities and prerogatives are not undermined. However, it is the presbytery as a whole which is responsible for accepting candidates for the ministry, sustaining trials for licence, and determining whether to proceed to the ordination of a licentiate. The presbytery is also the body to which ministers are accountable in matters of discipline.

If there is no doctrinal or constitutional impediment, the Presbytery would wish to take whatever steps are open to it to encourage elders to join with ministers in future in the symbolic act of the laying on of hands at the ordination of ministers.

(Rev.) I.F. Ransom,  
Clerk of Presbytery.

The Rev. Prin. J.A. Davies was appointed to state the Reference.

**MINUTES OF PROCEEDINGS OF THE  
GENERAL ASSEMBLY OF THE PRESBYTERIAN CHURCH OF AUSTRALIA  
THE FORTY SECOND GENERAL ASSEMBLY**

**FIRST SEDERUNT**

**1. Assembly Constituted:** At Sydney and within the Chalmers Church, Chalmers Street, Surry Hills, at 7 p.m. on Monday 12 September 1994, the General Assembly of the Presbyterian Church of Australia, convened. Public worship was conducted by the Right Reverend the Moderator, the Rev M.J.K. Ramage.

Thereafter the Assembly was constituted with prayer.

**2. Roll of Assembly:** The Clerk laid on the table the list of commissioners appointed to this Assembly by the state assemblies and presbyteries of the Church. It was resolved that the list of commissioners as made up be the Roll of this Assembly.

**3. Apologies:** Apologies for absence were received from the Rev Dr G.R. Fullerton, Rev W.G. Morrow, Hon D.T. Gallagher, Messrs R. Fraser and P.J. Burke.

**4. Associates:** The following members of co-ordinate courts, being present, were welcomed and associated: the Rev Silas Nefefe of the Reformed Church of South Africa Soutspouberg synod; the Rev. Victor Atallah of the Orthodox Presbyterian Church in America.

**5. Election of Moderator:** The Clerk laid on the table the report of the Moderator's Nominating Committee.

The report was received.

It was resolved that the Assembly accept the nomination of the Moderator's Nominating Committee and elect the Rev Professor Allan MacDonald Harman, Principal of the Theological College of the Presbyterian Church of Victoria, as Moderator of the Assembly.

Professor Harman was welcomed and inducted into office with prayer by the past Moderator, took the chair and delivered an address.

**6. Motion of Loyalty:** The following Motion of Loyalty, submitted by the Acting Business Convener, was approved, the Assembly joining in the singing of "God save the Queen".

To the Queen's Most Excellent Majesty:

May it please Your Majesty:

We, your faithful subjects, Ministers and Elders of the Presbyterian Church of Australia convened in General Assembly at Sydney on the Twelfth day of September, 1994, take leave to assure your Majesty of our loyalty and devotion to your Person and to the Throne.

We pray that the Lord Jesus Christ, who is King of Kings and Lord of Lords, and the only Saviour of mankind, may, by His grace, continue to protect, sustain and uphold your Majesty and all your House in His providential care, and that He may grant to your Majesty personally all gifts needful for the discharge of the exacting duties of your high office.

We also pray that Christ, through His Inerrant Word and the guidance of His Holy Spirit, will grant to your Majesty, in your demanding position of leadership in church and nation, the wisdom, integrity, courage, and faithfulness to Him, which will

remind your subjects, and indeed the whole community of nations, that "righteousness exalteth a nation, but sin is a reproach to any people." We have the honour to be your Majesty's faithful servants, Ministers and Elders of the Presbyterian Church of Australia.

Signed in our name and in our presence at our appointing.

Allan MacDonald Harman, Moderator

**7. Prayers for the Australian Parliament:** Pursuant to notice the Clerk moved that the Assembly forward to the Speaker of the House of Representatives and the President of the Senate of the Australian Parliament assurances of the regular and continuing prayers of the people of the Presbyterian Church of Australia for the nation's elected representatives in the exercise of their responsibilities. The motion was seconded and approved.

**8. Representatives of Other Churches:** The following representatives of Other Churches, being present, were welcomed by the Moderator: Dr J. Tabart, President of the Uniting Church of Australia; Major G. Whybird, representing the Commissioner, Australian Eastern Territory, of the Salvation Army; Rev J.S. Butchard, representing the National President of the Baptist Churches of Australia; Rev J. Woo, representing the Anglican Archbishop of Sydney; Mr A. Best, of the Fellowship of Congregational Churches; Rev B. Kaye, representing the Primate of the Anglican Church of Australia.

**9. Greetings:** A communication was received from The Presbyterian Church of Aotearoa New Zealand conveying greetings to the Assembly.

**10. Communication (i):** Communication (i) from the Rev W.G. Morrow resigning as Business Convener was received.

**11. Business Committee:** The report of the Business Committee was laid on the table and received. The Rev P.J. Barson submitted the deliverance. Clauses (1) to (15) were approved. The debate was adjourned (Min. 17)

**12. Notices of Motion:** Notices of Motion 1 to 60 were laid on the table.

**13. Adjournment:** Thereafter the Assembly adjourned to meet tomorrow at 9.30 a.m. in the Chalmers Church for the celebration of Holy Communion and thereafter for the transaction of business whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

## SECOND SEDERUNT

**14. Holy Communion:** At Sydney and within the Chalmers Church on Tuesday 13th September 1994 at 9.30 a.m. the Assembly met for the celebration of Holy Communion. The Solemn Service was conducted by the Moderator assisted by the Rev. J.P. Wilson and J.M. Elliott, and the following Elders: Dr. R.F. Burns, Messrs. J.H. Searle, J. Mill, P.A. Burke, L. Jackson, A. Bray, I. Brown, K. Sietsma, F. Holder, R.G. Butcher, K. Sayers and G. Bell.

**15. Assembly Constituted:** At the Conclusion of the Solemn Service the Assembly was constituted with prayer, the Moderator presiding.

**16. Memorial Minute:** The Clerk presented a Memorial Minute for Mr. F. Maxwell Bradshaw, Procurator of the General Assembly of Australia from 1959 to 1992.

### **Frederick Maxwell Bradshaw, M.A., LL.M.**

The death of Mr F. Maxwell Bradshaw on Monday 11th May 1992 brought to a close the life of one of the greatest servants of the Presbyterian Church of Australia.

Mr Bradshaw was educated at the Scotch College, Melbourne where in latter years he became a member of Council and Deputy Chairman. His tertiary studies were at the University of Melbourne (M.A., LL.M.), he was admitted to the Bar in 1936. Possessed of an outstanding intellectual capacity Mr Bradshaw specialised in equity and was recognised as an authority in his field. For many years he was retained by the Victorian Government (of various political persuasions) as an adviser to the Attorney General. On two occasions he was offered elevation to the Supreme Court Bench in that State - a post then carrying an automatic knighthood - he declined (as he said "after careful consideration as I knew there would be no third offer"). One of his reasons for so doing was the restrictions that it would place on his work for the Church.

At the time of his death, Mr Bradshaw was writing the section on Charitable Trusts for the prestigious publication "Halsbury's Laws of Australia", a task which sadly he had only half completed. It is understood that Butterworths, the publishers, intended to dedicate this volume to his memory. His "The Law of Charitable Trusts in Australia" had been published by Butterworths in 1983 and is acknowledged as a standard text on the subject.

Like his parents before him, Mr Bradshaw was a member of the Hawthorn Presbyterian Church. In 1936 he was elected to the Board of Management, an Elder in 1941 and Session Clerk in 1945, a position he held until his death.

In 1959 the General Assembly of the Presbyterian Church of Australia appointed him to the office of Procurator, a position he was to hold to his last day.

It is a great tribute to the legal integrity of Maxwell Bradshaw that although he was a strong opponent of Church Union, his professional advice was heeded by all parties during those trying days.

When the history of the events that finally lead to the disruption of 1977 comes to be written, the figure of Maxwell Bradshaw will stand above all others in the defence of the Presbyterian Church of Australia. The abiding memorial of his life is the continued existence of the Church which he so dearly loved.

A shy, retiring and very private gentleman, he was often misunderstood. Few would have known that for the last ten years of his life he was legally blind. Some thought him aloof but he possessed a great capacity for laughter, and friendship with him was a treasured possession. The years spent over the Union issue, the constant demands on his time for legal advice, the struggle to ensure that the continuing Presbyterian Church was properly provided for took

an enormous toll on his time and energy. He never complained, unfailingly courteous, even to the bitterest opponent and to those whose motives were so patently self seeking. His whole life was ruled by an incredible self discipline and an overwhelming belief in the sovereignty of his God. Mr Bradshaw did not confine his service to the Christian Church solely within the bounds of his own denomination, he was for many years the Procurator of the Presbyterian Church of Eastern Australia.

That Church saw fit to publish a memorial tribute to him in their July 1992 edition of "The Presbyterian Banner" from the pen of the Rev. Rowland Ward.

In that tribute Mr Ward quoted words from the Rev. Dr. J.C. Andrews, "No Church has been so well served by its Procurator than the Presbyterian Church of Eastern Australia has been served by Maxwell Bradshaw".

It is impossible to express adequately the debt of gratitude that is owed to this man by so many people, we can but give thanks that it has been our privilege to have one among us who saw his duty with such clarity and fulfilled it with honour.

It was resolved that the Assembly record the Memorial Minute in the minutes of this Assembly and forward a copy to Mrs. Bradshaw.

The Moderator led the Assembly in prayer.

**17. Business Committee:** Debate was resumed on the report of the Business Committee.

Pursuant to notice the Rev. D.A. Burke moved:

That the Assembly:

Instruct the Business Committee to review the Committee structures of the G.A.A., with a view to their rationalisation, and report with recommendations to the next G.A.A., providing that such review is to be undertaken in consultation with G.A.A. Committees.

The motion was seconded and approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Receive and accept the resignation of the Rev. W.G. Morrow as Business Convener and thank him for his service to the Assembly in that office.
- (2) Appoint the Rev. P.J. Barson as Business Convener to act until the 31st January 1995.
- (3) Call for nominations for Business Convener, such nominations to close at 10a.m. during the 4th Sederunt, with the ballot to be conducted under the Ballot Committee Regulations at the time of the ballot for Assembly committees.
- (4) Determine the hours of meeting to be:

Morning Sederunt	9.30 a.m. to 5.30 p.m.
Lunch Interval	12.45 p.m. to 2 p.m.
Evening Sederunt	7 p.m. to 9.30 p.m.
- (5) Declare speeches to be limited as follows:-

Convener of Committee speaking to report	15 mins.
All other speakers	5 mins.
Overturists and Petitioners	10 mins.
Appellants, Complainants & Respondents - per party	15 mins.
- (6) Declare that the total time allowed for questions during the presentation of each report, overture, petition, appeal, or complaint be limited to 30 mins., such time to be subject to extension by resolution of the house.
- (7) Appoint the Ballot Committee as follows: Dr. P. Lush (Convener), Rev. G. Nicholson, Mr. E. Davey and the Rev. B. Christian, with power to co-opt.
- (8) Appoint the members of the Ballot Committee as Tellers of the Assembly.

- (9) Appoint the Committee to scrutinise the minutes as follows: Rev. D. Burke (Convener), C.R. Thomas, J.E. Webster and Mr. N. Taylor.
- (10) Declare that notices of motion must be in triplicate.
- (11) Appoint Mr. P. Graham as Assembly Officer.
- (12) Approve the Order of Business for Tuesday 13th September 1994.
- (13) Approve generally the Order of Business.
- (14) Declare that the Assembly should not receive, as a communication, a document which could be submitted in another form but may receive as a communication,
  - (i) the resignation of an Assembly Officer;
  - (ii) any other communication which has been approved by the Business Committee.
- (15) Appoint the Moderator-General or his representatives as the Assembly's representatives to the Assemblies of overseas churches without any commitment to costs.
- (16) Instruct the Business Committee to review the Committee structures of the G.A.A. with a view to their rationalisation, and report with recommendations to the next G.A.A., providing that such review is to be undertaken in consultation with G.A.A. Committees.

**18. Report of Retiring Moderator:** The report of the retiring Moderator was laid on the table and received.

The Very Rev. M.J.K. Ramage addressed the House.

Pursuant to notice the Clerk moved that the Assembly give thanks to God for the ministry and witness of the Very Rev. Murray J.K. Ramage as Moderator-General and for his recovery from the illness that beset him at the beginning of his Moderatorial term; and thank Mrs. Ramage for her support at all times in enabling Mr. Ramage to continue his term as Moderator-General.

The Motion was seconded and approved.

**19. Code Committee:** The report of the Code Committee was laid on the table and received.

The Rev. Dr. Paul Logan submitted the deliverance.

Clauses (1) to (3) were approved.

Pursuant to notice the Rev. Dr. Paul Logan moved.

That the Assembly:

- (a) Give thanks to God for the life and witness of Mr. F. Maxwell Bradshaw particularly for his service to this Church as Procurator for the period 1959 to 1992.
- (b) Express its appreciation to Mr. Lindsay J. Moore for his services as Law Agent of this Assembly for the period 1977 to 1991.
- (c) Thank Mr. Simon Fraser and Mr. Garry Downes for their service to the Church as Acting Law Agent and Acting Procurator following the resignation of Mr. Lindsay J. Moore and the death of Mr. F. Maxwell Bradshaw.

The motion was seconded and approved.

Pursuant to notice the Rev. Dr. Paul Logan moved.

That the Assembly:

Authorise the reprint as Chapter 8 in the 1993 edition of Constitution, Procedure and Practice the section on "The Spiritual Freedom of the Church and the nobile officium of the General Assembly" as printed in the 1950 edition of Constitution, Procedure and Practice of the General Assembly of the Presbyterian Church of Australia (pp. 36-43) viz.,

Declaration on the Spiritual Freedom of the Church

1. Whereas recent decisions affecting the relations of the administration and discipline of the Church to the Civil Courts have been given by the Civil Courts in the Commonwealth of Australia:  
And whereas the Presbyterian Church of Australia is directly interested in such decisions:  
It seems good and necessary to the General Assembly of the Presbyterian Church of Australia to make a Declaration on this matter, lest the Church be assumed to acquiesce in any infringement of the Crown Rights of Christ within His own Church, as declared in the Standards of the Church, or in any infringement of the essential principles of Presbyterianism, as held by Presbyterian Churches throughout the world.
2. Accordingly the General Assembly of the Presbyterian Church of Australia hereby declares as follows:  
That the General Assembly holds, in accordance with the Word of God and the Westminster Confession of Faith as accepted by this Church:
  - (a) That God has ordained Civil Magistrates to be, under Him, over the people, for His own glory and the public good, and the Church has ever been instant in teaching the people to pray for the sovereign of the realm, and all who under him administer the government, to honour their persons, to obey their lawful commands, and to be subject to their authority for conscience' sake.
  - (b) That the Lord Jesus has instituted His Church in the world as a society of His believing people, to which He has promised His own presence and Spirit to guide and rule the Church to the glory of His holy name and the advancement of His kingdom upon earth; and this Church of the Lord Jesus is distinct from the kingdoms of this world, both in its origin and its nature, and not subject to them in spiritual affairs.
  - (c) That the Lord Jesus, as King and Head of His Church, has therein appointed a government and jurisdiction, in the hands of Church Officers, distinct from the Civil Magistrate. With this distinct jurisdiction, which is directly from Christ, the only King and Head of His Church, the Civil Magistrate has no lawful right to interfere or to assume to himself any authoritative control over the same. This jurisdiction comprehends the determining, interpreting, changing, adding to and modifying its constitution and laws, its subordinate standards and Church formulas; the preaching of the Word; the administration of the Sacraments; the exercise of ecclesiastical discipline, including the admission and exclusion of members, and the ordination, induction, and suspension, or deposition of office-bearers; and generally all matters touching the doctrine, worship, discipline and government of the Church.
  - (d) That in all matters coming within the jurisdiction of the Church, as defined above, office-bearers and members of the Church are bound to abide by the decision of the Church Courts, and recourse to Civil Courts against any decision of the Church in these matters, or against the execution thereof, is excluded.
3. That Christ, having established His Church and appointed a distinct government and jurisdiction therein, the maintenance of the spiritual freedom of the Church specially concerns His Honour and dignity, as the Church's only Head and Ruler.
4. That, while the Church claims to be in the spiritual sphere under no authority other than that of Christ, whose mind and will it is bound

earnestly to seek to know and obediently to follow, it makes no claim to infallibility of interpretation as to the mind and will of Christ in any particular case, any more than the Civil Magistrate claims to be infallible in his own sphere; yet such absence of infallibility in either case does not warrant the intrusion of the Church into the sphere of the Civil Magistrate or of the Civil Magistrate into the sphere of the Church.

Declaration on the *nobile officium* of the General Assembly

5. Whereas the Presbyterian Church of Australia, in accordance with the Word of God and the Westminster Confession of Faith, as accepted by this Church, recognises "no other Head of the Church but the Lord Jesus Christ"; and whereas, by the Articles of Agreement contained in the Deed of Union of the Presbyterian Church of Australia, it is, among other things, provided that the General Assembly of the said Church shall have functions - legislative, administrative and judicial - supreme with regard to the doctrine, worship and discipline of the Church; and whereas questions have arisen as to the nature and extent of such functions and as to their exercise:  
Now, therefore, it is hereby declared:
6. That the General Assembly of the Presbyterian Church of Australia, as the supreme legislative, administrative, and judicial Court of the Church in those matters which have been or may hereafter be assigned to its jurisdiction, claims and possesses the extraordinary (equitable) jurisdiction inherent in every supreme governing authority, commonly known as the *Nobile Officium*.
7. That, while the limits of this inherent right cannot be drawn beforehand, as from its nature it must be exercised at the dictates of conscience, illuminated by the influence and the spirit of the Head of the Church, its exercise would be mainly in the direction of validating or correcting errors of procedure in the lower Courts of the Church; dealing with and disposing of any matters not specifically provided for in the laws or rules made by the Church; providing remedies for wrongs to individual members of the Church for the remedying of which there is no provision; restraining the application of any rule or law which would press with undue severity upon any member of the Church; and redressing any wrong to the Church for which no statutory or other provision had been made.
8. That this inherent power shall be exercised by the General Assembly alone, in those matters which belong to its jurisdiction; but in any case in which the Judicial Commission considers that a matter before it calls for the exercise of this power, the Judicial Commission shall refer the case to the General Assembly, under whose express authority only this inherent power can be exercised by the Judicial Commission.
9. That nothing in the foregoing shall interfere with State Assemblies in the exercise of the *Nobile Officium* in matters in which they are supreme.

Rules to Give Effect to the Declaration on the Spiritual Freedom of the Church

10. That the following Rules and all other Rules and any forms heretofore or hereafter to be made or prescribed by the General Assembly shall regulate and guide the several Courts and Judicatories, Congregations, Members and Office-bearers of the Church, in their respective proceedings; but such



Rules and forms refer, and are not to be held as limiting or prejudicing the *Nobile Officium* of the General Assembly, or of any State Assembly, in dealing with any matter in which it is the supreme authority of the Church.

11. That every office-bearer, member, and adherent of the Church is subject to the Church in the exercise of its functions relating to doctrine, worship, and discipline, and shall be deemed to have agreed to submit to every decision of the Court of the Church which has proper cognisance of the matter in question - whether such decision shall involve any question as to the meaning or effect of the Constitution, or of any Rules or Regulations of the Church, or as to the jurisdiction of the said Court to deal with the matter in question or otherwise, and every such decision shall be valid and final, unless upon an appeal to a Higher Court of the Church it shall be reversed or varied by such Higher Court.
12. That any office-bearer, member or adherent of the Church who shall bring any action or suit against any Court of the Church, or any member of any such Court, to compel any act to be done or in respect of, or to set aside or restrain, or have declared null and void, any act done or proposed to be done or decision come to by such Court, in the exercise of its functions relating to doctrine, worship or discipline, shall be guilty of contumacy, and if he shall be a Minister or Elder, shall also be guilty of a breach of his ordination vow.
13. That an act of contumacy may be dealt with summarily by the Court against the authority of which the offence has been committed, and punished at the discretion of the Court.
14. That nothing in these Rules shall apply to any action brought to determine the civil effects of the decisions and sentences of the Church, nor shall anyone be debarred by these Rules from raising an action for civil damages for an alleged infringement of his civil rights provided that any person who is or shall be entitled to hold or occupy any property, or to receive any emolument, by virtue of a spiritual office or position in the Church, shall, on ceasing to hold, or on being removed from such office or position by any Court of the Church, cease to be entitled to hold or occupy such property or receive such emolument.
15. That the General Assembly, and every State Assembly, has original jurisdiction in every matter and case of discipline, and may either remit the matter or case to an inferior Court, or deal with and dispose of it by the direct exercise of its own authority, subject to the provisions in the Rules of Procedure in regard to Discipline.
16. That nothing in these Rules, or in the Rules as to Procedure in regard to Discipline, shall be deemed to take away the right of State Assemblies and inferior Courts to exercise their administrative functions, as these are secured by the Articles of Agreement.

The motion was seconded.

The competency of the motion was challenged.

The Moderator ruled the motion was competent.

Dissent was moved from the Moderator's ruling.

The Moderator's ruling was upheld.

The motion as moved and seconded was approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Instruct the Code Committee to continue its revision of Constitution, Procedure and Practice.
- (2) Enact the following regulations for the Code Committee:
  1. There shall be a committee of the Assembly named the Code Committee.
  2. The Committee shall consist of three members from N.S.W., three from Victoria, three from Queensland and one each from South Australia, Western Australia and Tasmania, together with the Moderator, Clerk, Deputy Clerk, Business Convener, Law Agent and Procurator, with the Clerk of Assembly as Convener.
  3. The Committee shall:
    - (a) Assist in drafting rules and regulations for submission to the Assembly;
    - (b) Advise courts and committees of the Church in regard to the procedures and practices of the Church;
    - (c) Attend to all matters referred to it by the Assembly;
    - (d) Arrange for the publication of Constitution, Procedure and Practice and other material relating to the procedures and practices of the Church; and
    - (e) Promote understanding within the Church of its procedures and practices.
  4. Any committee or organisation of the Church which proposes to submit new constitution or regulations, or amendments to existing constitutions or regulations, to the Assembly shall first seek the advice and assistance of the Code Committee. A copy of the final proposal shall be submitted to the Committee for its consideration prior to the meeting of the General Assembly.
- (3) Authorise the Code Committee to undertake the revision of the Articles of Agreement and request presbyteries and state assemblies to submit comments on proposed revisions to the Convener of the Code Committee by 31 October 1995.
- (4)
  - (a) Give thanks to God for the life and witness of Mr. F. Maxwell Bradshaw particularly for his service to this Church as Procurator for the period 1959 to 1992.
  - (b) Express its appreciation to Mr. Lindsay J. Moore for his services as Law Agent of this Assembly for the period 1977 to 1991.
  - (c) Thank Mr. Simon Fraser and Mr. Garry Downes for their service to the Church as Acting Law Agent and Acting Procurator following the resignation of Mr. Lindsay J. Moore and the death of Mr. F. Maxwell Bradshaw.
- (5) Authorise the reprint as Chapter 8 in the 1993 edition of Constitution, Procedure and Practice of the section on "The Spiritual Freedom of the Church and the *nobile officium* of the General Assembly" as printed in the 1950 edition of Constitution and Procedure and Practice of the General Assembly of the Presbyterian Church of Australia (pp. 36-43) viz.,

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2. Accordingly the General Assembly of the Presbyterian Church of Australia hereby declares as follows:  
That the General Assembly holds, in accordance with the Word of God and the Westminster Confession of Faith as accepted by this Church:
  - (a) That God has ordained Civil Magistrates to be, under Him, over the people, for His own glory and the public good, and the Church has ever been instant in teaching the people to pray for the sovereign of the realm, and all who under him administer the government, to honour their persons, to obey their lawful commands, and to be subject to their authority for conscience' sake.
  - (b) That the Lord Jesus has instituted His Church in the world as a society of His believing people, to which He has promised His own presence and Spirit to guide and rule the Church to the glory of His holy name and the advancement of His kingdom upon earth; and this Church of the Lord Jesus is distinct from the kingdoms of this world, both in its origin and its nature, and not subject to them in spiritual affairs.
  - (c) That the Lord Jesus, as King and Head of His Church, has therein appointed a government and jurisdiction, in the hands of Church Officers, distinct from the Civil Magistrate. With this distinct jurisdiction, which is directly from Christ, the only King and Head of His Church, the Civil Magistrate has no lawful right to interfere or to assume to himself any authoritative control over the same. This jurisdiction comprehends the determining, interpreting, changing, adding to and modifying its constitution and laws, its subordinate standards and Church formulas; the preaching of the Word; the administration of the Sacraments; the exercise of ecclesiastical discipline, including the admission and exclusion of members, and the ordination, induction, and suspension, or deposition of office-bearers; and generally all matters touching the doctrine, worship, discipline and government of the Church.
  - (d) That in all matters coming within the jurisdiction of the Church, as defined above, office-bearers and members of the Church are bound to abide by the decision of the Church Courts, and recourse to Civil Courts against any decision of the Church in these matters, or against the execution thereof, is excluded.
3. That Christ, having established His Church and appointed a distinct government and jurisdiction therein, the maintenance of the spiritual freedom of the Church specially concerns His Honour and Dignity, as the Church's only Head and Ruler.
4. That, while the Church claims to be in the spiritual sphere under no authority other than that of Christ, whose mind and will it is bound earnestly to seek to know and obediently to follow, it makes no claim to

infallibility of interpretation as to the mind and will of Christ in any particular case, any more than the Civil Magistrate claims to be infallible in his own sphere; yet such absence of infallibility in either case does not warrant the intrusion of the Church into the sphere of the Civil Magistrate or of the Civil Magistrate into the sphere of the Church.

Declaration on the *nobile officium* of the General Assembly

5. Whereas the Presbyterian Church of Australia, in accordance with the Word of God and the Westminster Confession of Faith, as accepted by this Church, recognises "no other Head of the Church but the Lord Jesus Christ"; and whereas, by the Articles of Agreement contained in the Deed of Union of the Presbyterian Church of Australia, it is, among other things, provided that the General Assembly of the said Church shall have functions - legislative, administrative and judicial - supreme with regard to the doctrine, worship and discipline of the Church; and whereas questions have arisen as to the nature and extent of such functions and as to their exercise:

Now, therefore, it is hereby declared:

6. That the General Assembly of the Presbyterian Church of Australia, as the supreme legislative, administrative, and judicial Court of the Church in those matters which have been or may hereafter be assigned to its jurisdiction, claims and possesses the extraordinary (equitable) jurisdiction inherent in every supreme governing authority, commonly known as the *Nobile Officium*.
7. That, while the limits of this inherent right cannot be drawn beforehand, as from its nature it must be exercised at the dictates of conscience, illuminated by the influence and the spirit of the Head of the Church, its exercise would be mainly in the direction of validating or correcting errors of procedure in the lower Courts of the Church; dealing with and disposing of any matters not specifically provided for in the laws or rules made by the Church; providing remedies for wrongs to individual members of the Church for the remedying of which there is no provision; restraining the application of any rule or law which would press with undue severity upon any member of the Church; and redressing any wrong to the Church for which no statutory or other provision had been made.
8. That this inherent power shall be exercised by the General Assembly alone, in those matters which belong to its jurisdiction; but in any case in which the Judicial Commission considers that a matter before it calls for the exercise of this power, the Judicial Commission shall refer the case to the General Assembly, under whose express authority only this inherent power can be exercised by the Judicial Commission.
9. That nothing in the foregoing shall interfere with State Assemblies in the exercise of the *Nobile Officium* in matters in which they are supreme.

Rules to Give Effect to the Declaration on the Spiritual Freedom of the Church

10. That the following Rules and all other Rules and any forms heretofore or hereafter to be made or prescribed by the General Assembly shall regulate and guide the several Courts and Judicatories, Congregations, Members and Office-bearers of the Church, in their respective proceedings; but such Rules and forms are not to be regarded as laws which can in no instance

be added to or deviated from, but as indications of what is considered by the Church to be the ordinary method of procedure in the cases and under the circumstances to which the Rules and forms refer, and are not to be held as limiting or prejudicing the *Nobile Officium* of the General Assembly, or of any State Assembly, in dealing with any matter in which it is the supreme authority of the Church.

11. That every office-bearer, member, and adherent of the Church is subject to the Church in the exercise of its functions relating to doctrine, worship, and discipline, and shall be deemed to have agreed to submit to every decision of the Court of the Church which has proper cognisance of the matter in question - whether such decision shall involve any question as to the meaning or effect of the Constitution, or of any Rules or Regulations of the Church, or as to the jurisdiction of the said Court to deal with the matter in question or otherwise, and every such decision shall be valid and final, unless upon an appeal to a Higher Court of the Church it shall be reversed or varied by such Higher Court.
12. That any office-bearer, member or adherent of the Church who shall bring any action or suit against any Court of the Church, or any member of any such Court, to compel any act to be done or in respect of, or to set aside or restrain, or have declared null and void, any act done or proposed to be done or decision come to by such Court, in the exercise of its functions relating to doctrine, worship or discipline, shall be guilty of contumacy, and if he shall be a Minister or Elder, shall also be guilty of a breach of his ordination vow.
13. That an act of contumacy may be dealt with summarily by the Court against the authority of which the offence has been committed, and punished at the discretion of the Court.
14. That nothing in these Rules shall apply to any action brought to determine the civil effects of the decisions and sentences of the Church, nor shall anyone be debarred by these Rules from raising an action for civil damages for an alleged infringement of his civil rights provided that any person who is or shall be entitled to hold or occupy any property, or to receive any emolument, by virtue of a spiritual office or position in the Church, shall, on ceasing to hold, or on being removed from such office or position by any Court of the Church, cease to be entitled to hold or occupy such property or receive such emolument.
15. That the General Assembly, and every State Assembly, has original jurisdiction in every matter and case of discipline, and may either remit the matter or case to an inferior Court, or deal with and dispose of it by the direct exercise of its own authority, subject to the provisions in the Rules of Procedure in regard to Discipline.
16. That nothing in these Rules, or in the Rules as to Procedure in regard to Discipline, shall be deemed to take away the right of State Assemblies and inferior Courts to exercise their administrative functions, as these are secured by the Articles of Agreement.

**20. Overture (i):** An Overture from the Code Committee to enact a new Article of Agreement was take up and received.  
The Rev. B.M. Meller and Mr. S.H. Fraser stated the Overture.  
Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice the Rev. B.M. Meller moved that the Assembly remit the Overture to state assemblies and presbyteries, under Barrier Act procedures, for approval or disapproval, with replies to be in the hands of the Clerk of Assembly by 31 December 1996.

The motion was seconded and approved.

**21. Overture (xi):** An Overture from the Code Committee concerning the Code of Discipline was taken up and received.

Mr. S.H. Fraser and the Rev. Dr. Paul Logan stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice the Rev. Dr. Paul Logan moved that the Assembly:

1. Send the revised Code of Discipline to presbyteries and state assemblies for approval or disapproval, replies to be returned to the Clerk of Assembly by 31 December 1996.
2. Repeal the existing Code of Discipline enacted by the General Assembly in 1954 (B.B. 1954 Min. 133(7)) and enact the revised Code of Discipline under Article IV of the Articles of Agreement.

The motion was seconded and approved.

**22. Amendment to Constitution, Practice and Procedure 4.1:** Pursuant to notice Mr. S.H. Fraser moved.

That the Assembly:

Amend the regulations governing the position of the Procurator by deleting paragraph (h) of Chapter 4.1 of Constitution, Procedure and Practice and substituting the following new paragraph:

- 4.1(h) The Procurator shall settle all charges in accordance with the provisions of the Code of Discipline as enacted by the Assembly from time to time.

The motion was seconded and approved.

**23. Finance Committee:** The report of the Finance Committee was laid on the table and received.

Mr. D.R. Brierley submitted the deliverance.

Clauses (1) to (5) were approved.

Clauses (8) to (10) were approved.

Pursuant to notice the Rev. D.A. Burke moved.

That the Assembly:

Authorise the Finance Committee to make arrangements for publication of a low budget, mass circulation federal church newsletter in the event of Australian Presbyterian Living Today ceasing publication.

The motion was seconded,

The debate on the motion was adjourned (Min. 98)

Pursuant to notice Mr. D.R. Brierley moved.

That the Assembly:

Pay the cost of Motel accommodation up to \$47.50 per night per person, for a maximum of 4 nights, for commissioners to the Assembly who requested billets but for whom billets were not available.

The motion was seconded and approved.

The debate was adjourned (Min. 98)

**24. Overture (iv):** An Overture from the General Assembly of Queensland concerning Article III was taken up and received.

Mr. R.W. Pilkington and the Rev. R.C. Clark stated the Overture.

Questions were called for.

Pursuant to notice Mr. R.W. Pilkington moved.

That the Assembly:

In clause (a) line 5 change the words "alternative or alternatives" to read "alternate/s".

The motion was seconded and approved.

It was moved and seconded:

That the Assembly:

Sustain the Overture.

The motion was disapproved.

It was resolved that the Overture be dismissed.

**25. Trustees:** The report of the Trustees was laid on the table and received.

**26. Relations with Other Churches:** The report of the Committee on Relations with Other Churches was laid on the table and received.

The Rev. G.J. Nicholson submitted the deliverance.

Clauses (1) to (4) were approved.

The debate was adjourned (Min. 55)

**27. Defence Forces Chaplaincy Committee:** The report of the Defence Forces Chaplaincy Committee was laid on the table and received.

The Rev. Dr. G.F. Lyman submitted the deliverance.

Clauses (1) to (4) were approved.

Pursuant to notice the Rev. Dr. R.S. Keith moved:

That the Assembly:

1. Direct the Committee to meet.
2. Authorise the Committee to meet by correspondence, teleconferencing or by face-to-face meeting.
3. Direct the Committee to submit to the next Assembly revised Regulations which reflect:
  - a. the Federal nature of the Church and the Presbyterian form of government, namely by providing for approval by the whole committee, the appropriate state committee and Presbytery having jurisdiction over a minister prior to the finalisation of an appointment to the Australian Defence Forces; and
  - b. that the mechanism be provided for appointment of Chaplains to the Australian Defence Forces which is appropriate to both full-time and reserve service;
4. Direct the Committee, through its convener, to provide timely advice to the appropriate State Committees, and if possible to the Presbyteries, when a vacancy exists for the appointment of a Chaplain to the Australian Defence Forces.

The Motion was seconded and approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Request the Chaplaincy Committees in the various States to take urgent action to fill available and pending Chaplaincy positions.
- (2) Urge eligible ministers to prayerfully consider chaplaincy to the Defence Forces as part of their ministry within the Presbyterian Church of Australia.
- (3) Remember with thanksgiving the contribution to the ADF and R.A.C.S. of the late Chaplain General K.J. Gibson.
- (4) Thank the Rev. Tony Lang, the Rev. Jack Pilgrim and the Rev. Hugh Gallagher for their years of service in the ADF and wish them God's blessing on their

- future ministry.
- (5) Direct the Committee to meet.
  - (6) Authorise the Committee to meet by correspondence, teleconferencing or by face-to-face meeting.
  - (7) Direct the Committee to submit to the next Assembly revised Regulations which reflect:
    - a. the Federal nature of the Church and the Presbyterian form of government, namely by providing for approval by the whole committee, the appropriate state committee and Presbytery having jurisdiction over a minister prior to the finalisation of an appointment to the Australian Defence Forces; and
    - b. that the mechanism be provided for appointment of Chaplains to the Australian Defence Forces which is appropriate to both full-time and reserve service;
  - (8) Direct the Committee, through its convener, to provide timely advice to the appropriate State Committees, and if possible to the Presbyteries, when a vacancy exists for the appointment of a Chaplain to the Australian Defence Forces.

**28. Christian Education:** The report of the Christian Education Committee was laid on the table and received.

The Rev. D.A. Burke submitted the deliverance.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Commend the publications of the Christian Education Committee to Ministers, Sessions and members of the church.
- (2) Determine that the Christian Education Committee should not now proceed towards publication of a national Presbyterian Sunday School curriculum, but should seek to make all Presbyterian publications known to the church through publication of a national catalogue.
- (3) Request state assemblies to bring youth ministry and organisations under active consideration.

**29. National Journal Committee:** The report of the National Journal Committee was laid on the table and received.

The Rev. R.P. Benn submitted the deliverance. The debate was adjourned (Min. 61)

**30. Petition (ii):** A petition was received from Mr. S. Amosa concerning ordination to the ministry.

**31. Private Sitting:** The Assembly sat in private.

**32. Petition (ii):** The petitioner was called to the bar. There appeared for the petitioner Mr. S. Amosa.

Questions were called for.

The petitioner was removed from the bar.

It was moved that the Assembly grant the prayer of the petition.

The motion was seconded and approved.

The debate was adjourned (Min. 40)

**33. Open Court:** The Assembly resumed in open court.

**34. Overture (ix):** An Overture from Randwick Session concerning the ordination of women was taken up and received.

The Rev. Dr. R.S. Keith and Dr. S. Hardy stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.



The Previous Question was moved, seconded and disapproved.  
The motion to sustain the overture was disapproved.  
It was resolved that the Overture be dismissed.

**35. Minutes:** The Minutes of the First Sederunt were laid on the table and confirmed.

**36. Notices of Motion:** Notices of motion 61 to 74 were laid on the table.

**37. Adjournment:** Thereafter the Assembly adjourned to meet at 7 p.m. whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

### THIRD SEDERUNT

**38. Assembly Constituted:** At Sydney and within the Chalmers Church on Tuesday 13th September, 1994, at 7 p.m. the Assembly met, pursuant to adjournment, and was constituted with praise, the reading of Scripture and prayer, the Moderator presiding.

**39. Private Sitting:** The Assembly resolved to sit in private with the Rev. W.G. Camden permitted to remain in the House during the private sitting.

**40. Petition (ii):** The Assembly resumed debate on Petition (ii) (Min. 32). Pursuant to notice the Rev. D.J. Bullen moved:

That the Assembly:

Instruct the Presbyterian Theological Centre, Burwood, N.S.W. to arrange for Mr. S. Amosa to study the course, Presbyterian Polity, with assessment by written assignment rather than by formal examination and on the successful completion of this course to advise the College Committee to issue Mr. Amosa with an Exit Certificate.

The motion was seconded.

The competency of the motion was challenged.

The Moderator ruled the motion competent.

Dissent was moved from the Moderator's ruling.

The Moderator's ruling was upheld.

Pursuant to notice the Rev. G.J. Nicholson moved as an amendment:

That the Assembly:

Add the following words between "Polity" and "with assessment":

- N.T. Exegesis in English
- Systematic Theology
- Reformation Church History

The Amendment was seconded.

The debate was adjourned (Min.49)

**41. Open Court:** The Assembly resumed in open court.

**42. Privilege:** The Rev. D.A. Burke raised a matter of privilege in that the rights of the Presbytery of Bathurst and the Rev. P.C. Moore had been breached as the Rev. P.C. Moore had been appointed a commissioner to the General Assembly of Australia in place of the Rev. L.G. Fowler but that had not been communicated to the Clerk of the General Assembly before the Roll of Assembly had been made up. The Moderator ruled that there had been a breach of privilege.

**43. Suspension of Standing Orders:** It was resolved that the Assembly suspend Standing Orders to allow the Roll of Assembly to be reconsidered.

**44. Roll of Assembly:** It was resolved that the name of the Rev. P.C. Moore be added to the Roll of Assembly as a commissioner from the Presbytery of Bathurst in place of the Rev. L.G. Fowler.

**45. Resumption of Standing Orders:** It was resolved that Standing Orders be resumed.

**45a. Communication (ii):** Communication (ii) from Mr. L.J. Moore resigning as Law Agent of the Presbyterian Church of Australia was received.

**45b. Communication (iii):** Communication (iii) from the Deputy Clerk of the Victorian General Assembly notifying the death of Mr. F. Maxwell Bradshaw,

Procurator of the Presbyterian Church of Australia, was received.

**46. Appointment of Law Officers:** Pursuant to notice the Rev. Dr. Paul Logan moved:

That the Assembly:

In terms of Constitution, Procedure and Practice Chapter 4.1(d) and 4.2(d)

- (1) Appoint Mr. G.K. Downes, Q.C., B.A., LL.B., to be Procurator of the Presbyterian Church of Australia.
- (2) Appoint Mr. S.H. Fraser, B.A., LL.M., to be Law Agent of the Presbyterian Church of Australia.

The motion was seconded and approved.

**47. Australian Presbyterian World Mission:** The report of the Australian Presbyterian World Mission Committee was laid on the table and received.

Dr. R.F. Burns submitted the deliverance.

By leave of the House the Rev. W.G. Camden, missionary translator to Vanuatu; the Rev. R.P. Benn, National Mission Co-ordinator; the Rev. V. Atallah, Middle East Reformed Fellowship; and the Rev. S. Nefefe of the Reformed Church of South Africa; addressed the Assembly.

Clauses (1) to (5) were approved.

Clause (6) was moved and seconded.

The competency of the motion was challenged.

The Moderator ruled the motion incompetent.

Pursuant to notice Dr. R.F. Burns moved:

That the Assembly:

Take note that A.P.W.M. in the determination of Terms of Appointment of Partner Church Missionaries, is considering that salary and allowances be based on the following:

- (1) A Field Allowance taking into account the local cost of living and based on family responsibilities. The allowance is not necessarily related to Australian rates or living conditions.
- (2) The Field Allowance includes accommodation, food, clothing and sufficient saving for holidays. Other costs are supplementary and for these, allowances will be paid or reimbursement provided.
- (3) During home assignments in Australia, missionaries will be paid Australian related wages.

The motion was seconded and approved.

The Rev. W. Zurrer and the Rt. Rev. T.S. Fishwick lead the Assembly in prayer for missionaries and their work.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Enact the following regulations of the Australian Presbyterian World Mission Committee to take effect immediately in place of the existing Regulations.
  1. There shall be a Committee of the General Assembly known as the Australian Presbyterian World Mission Committee.
  2. The Committee shall consist of:
    - A Convener elected by the General Assembly
    - The Convener of each of the APWM State Committees of Tasmania, South Australia and Western Australia
    - Two representatives appointed by the APWM State Committees of Queensland, Victoria and New South Wales, one of whom shall be the State Convener
    - National World Mission Co-ordinator
    - Seven members elected by the Assembly
    - Ex-Officio appointments from the General Assembly.
  3. The Executive shall consist of:

### The Convener

#### National World Mission Co-ordinator

One representative appointed by each of the State Committees of Victoria, Queensland and New South Wales

Committee Members as elected by the General Assembly who are from the State in which the Convener resides

Such other members appointed by the Executive so that there will be a total of seven members from the state in which the Convener resides.

4. The functions of the Committee are as set out in the Articles of Agreement (VII) as approved by the 40th General Assembly and otherwise to implement any other relevant decisions of the General Assembly.
  5. APWM Committee is responsible for:
    - Final acceptance of missionary candidates after interview and recommendation by their State Committee;
    - Accreditation of Missionary Societies;
    - Formulation of mission policy;
    - Control of mission work of the Presbyterian Church of Australia and ensuring that it is consistent with the Church's doctrine and practice;
    - Develop mission initiatives to which the Lord is calling.
  6. APWM will request each State assembly to form a Standing Committee under its own complementing Regulations.
  7. APWM State Committee shall:
    - Promote the work of APWM;
    - Accept financial responsibility for supporting projects and personnel according to the policies of the APWM Committee;
    - Undertake all appropriate matters relating to the State's candidates for mission service, and making recommendations to APWM;
    - Co-operate with the Presbytery concerned in Services of Commissioning;
    - Arrange all aspects of home assignments for the State's missionaries in consultation with APWM and the Societies.
- (2) Encourage the Australian Presbyterian World Mission Committee on behalf of the General Assembly, to enter into formal relationships with:
    - (a) The Presbyterian Church of Japan
    - (b) The Presbyterian Church in Korea (Hap Dong)
  - (3) In view of responses received to Overture (3) from Presbytery of Darling Downs, authorise the Australian Presbyterian World Mission to continue in its policy of Partner Church and Assigned Missionaries while being flexible towards new opportunities that may arise.
  - (4) Advise the Australian Presbyterian World Mission Committee in the establishment of mission work among Aborigines, to liaise with any involved Presbytery for their co-operation, but the final authority for such work remains with the Australian Presbyterian World Mission.
  - (5) Authorise the Australian Presbyterian World Mission Committee to make known throughout the Church, the financial needs required for the support of its missionaries.
  - (6) Take note that A.P.W.M. in the determination of Terms of Appointment of Partner Church Missionaries, is considering that salary and allowances be based on the following:
    1. A Field Allowance taking into account the local cost of living and based on family responsibilities. The allowance is not necessarily related to Australian rates or living conditions.
    2. The Field Allowance includes accommodation, food, clothing and sufficient saving for holidays. Other costs are supplementary and for these, allowances will be paid or reimbursement provided.
    3. During home assignments in Australia, missionaries will be paid Australian related wages.

**48. Private Sitting:** The Assembly sat in private.

**49. Petition (ii):** Debate was resumed on Petition (ii) (Min. 40).

By leave of the House the Rev. B.M. Meller moved the following amendment to the amendment:

That the Assembly:

Delete all words after "Assembly" and insert the following:

- (a) Instruct the Presbyterian Theological Centre, N.S.W., to arrange for Mr. S. Amosa to study the equivalent of a one-year course in New Testament Exegesis in English, Systematic Theology, Reformation Church History and Presbyterian Church Polity with appropriate forms of assessment other than by formal examination.
- (b) On the successful completion of the above requirements, instruct the College Committee to issue Mr. Amosa with an Exit Certificate.

The amendment to the amendment was seconded and disapproved.

The amendment of the Rev. G.J. Nicholson was disapproved.

The motion of the Rev. D.J. Bullen was approved as follows:

That the Assembly:

Instruct the Presbyterian Theological Centre, Burwood, N.S.W. to arrange for Mr. S. Amosa to study the course, Presbyterian Polity, with assessment by written assignment rather than by formal examination and on the successful completion of this course to advise the College Committee to issue Mr. Amosa with an Exit Certificate.

The Rev. G.K. Kettniss recorded his dissent for the following reasons:

- (1) The Assembly has gone against the Articles of Agreement namely Article VIII.4.
- (2) The Assembly has in fact expressed a vote of no confidence in the Committee it has appointed to be responsible for the training of men for the ministry.

The Rev. G.A. Tosh, J.K. Brown, P.W. Phillips and Mr. J.S. Baker associated themselves with the dissent.

The Petitioner was recalled to the bar and informed of the decision of the Assembly.

**50. Open Court:** The Assembly resumed in open court.

**51. Adjournment:** Thereafter the Assembly adjourned to meet tomorrow at 9.30 a.m. whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

## FOURTH SEDERUNT

**52. Assembly Constituted:** At Sydney and within the Chalmers Church on Wednesday 14th September, 1994, at 9.30 a.m. the Assembly met pursuant to adjournment and was constituted with praise, the reading of Scripture and prayer, the Moderator presiding.

**53. Business:** The order of business for the fourth and fifth sederunts was approved.

**54. Presbyterian Women's Association:** Mrs. D. Fell, retiring President; Mrs. M. Boase, President; Mrs. M. Jux, Secretary and Mrs. J. Thorpe, Treasurer were presented to the Moderator and at his invitation Mesdames D. Fell and M. Boase addressed the House.

Pursuant to notice the Clerk moved:

That the Assembly:

- (1) Give thanks to God for the work of the Presbyterian Women's Association of Australia over the past forty years.
- (2) Commend the Association to the women of the Church as an effective way of serving the Church.
- (3) Commend its office-bearers and members for the work done in the past and pray continued blessings upon the work of the Presbyterian Women's Association in the future.

The motion was seconded and approved.

**55. Relations with Other Churches:** Debate was resumed on the report of the Committee on Relations with Other Churches (Min. 26).

Pursuant to notice the Rev D.A. Burke moved:

That the Assembly:

Appoint two members as delegates to the R.E.C., one being the Moderator-General or his deputy, and the other to be elected by the Assembly.

The motion was seconded.

Pursuant to notice the Rev C.D. Balzer moved as an amendment:

That the Assembly

Delete the words "two members as delegates to the R.E.C., one being" and "or his deputy, and the other to be elected by the Assembly" and insert the following words after "Moderator-General" "to represent the Church at the Reformed Ecumenical Council" so that the motion will read:

Appoint the Moderator-General to represent the Church at the Reformed Ecumenical Council.

The amendment was seconded and approved.

The motion as amended was approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Enact the Regulations as follows:
  1. There shall be a committee of the General Assembly known as the Committee on Relations with other Churches.
  2. The Committee shall be elected by the Assembly and shall consist of 13 members as follows:
    - a Convener plus two representatives from each State.
  3. The functions of the Committee shall be to:
    - a) initiate and maintain relationships with appropriate ecumenical bodies and recommend to the Assembly membership in such bodies;
    - b) arrange for appropriate representation at conferences and councils of such bodies within the restraints applied by the Assembly;
    - c) transmit study documents and resolutions of such bodies to relevant

- Assembly and State Committees and to make submissions thereon to such bodies;
- d) foster relationships with other Presbyterian and Reformed Churches throughout the world;
  - e) advise the Assembly on relations with other Churches within Australia on a national level; and
  - f) deal with other matters referred to the Committee by the Assembly.
4. a) When the Australian Presbyterian World Mission Committee desires to enter into reciprocal arrangements for mission with a Church overseas, it should do so after consultation with the Committee on Relations with Other Churches;
- b) Where the Australian Presbyterian World Mission Committee has entered into a reciprocal arrangement for mission with a Church overseas, liaison with that Church in the area of mission shall be the responsibility of that Committee.
- (2) Urge the two existing committees, APWM and CRWOC to liaise with one another with a view to determining precisely their different important tasks in hearty collaboration with one another, and consider the possibility of bringing a proposal for a possible merging of the two committees into one new committee.
- (3) Urge State Churches to seek opportunities to work together with other bodies in Australia affiliated with the Reformed Ecumenical Council.
- (4) Commend to State Assemblies and Presbyteries the precis of the reports by Rev L.E. Timms on the 1992 Reformed Ecumenical Council Assembly and his contacts with the Greek Evangelical Church.
- (5) Appoint the Moderator-General to represent the Church at the Reformed Ecumenical Council.

**56. Communication (viii):** Communication (viii) from the Orthodox Presbyterian Church concerning the International Conference of Reformed Churches was received.

Pursuant to notice the Rev G.J. Nicholson moved:

That the Assembly:

Appoint the Moderator-General as an observer to the conference to be held in Korea by the International Council of the Reformed Church in 1997.

The motion was seconded and approved.

Pursuant to notice the Rev G.J. Nicholson moved:

That the Assembly:

Request the Finance Committee to allocate funds for that purpose.

The motion was seconded and approved.

**57. Reception of Ministers Committee and the Ballot:** Pursuant to notice the Rev C.D. Balzer moved:

That the Assembly:

Declare that for the purposes of the ballot for the Reception of Ministers Committee, the composition of the Committee be as follows:

The Committee shall consist of:

- (a) 5 ministers and 5 elders elected by the General Assembly;
- (b) the Principal of each Theological Hall of the Church recognised by the General Assembly; and
- (c) the Convener of the College Committee.

Each State shall be represented by at least one person and the Convener shall be elected from the members of the Committee by the General Assembly.

The motion was seconded and approved.

**58. Public Worship and Aids to Devotion:** The report of the Public Worship

and Aids to Devotion Committee was laid on the table and received.

The Rev P.F. Cooper submitted the deliverance.

Clauses (1) to (3) were approved.

Pursuant to notice the Rev N.A.G. Ericksson moved:

That the Assembly:

Request the Committee on Public Worship and Aids to Devotion to revise the questions put to ministers and elders at their ordination/induction so that they are expressed in modern language and report to the next Assembly.

The motion was seconded and disapproved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Encourage the Public Worship and Aids to Devotion Committee to continue its work on "Worship", "Pray!" and the production of a words only version of "Rejoice!".
- (2) Thank Mr. & Mrs. O. Todd for their sacrificial service to the Presbyterian Church as distributors of "Rejoice!".
- (3) Authorise the Public Worship and Aids to Devotion Committee to distribute \$40,000 from the profits of "Rejoice!" to the Christian Education Committee as a final payment in recognition of the work done by the Christian Education Committee on the original edition of "Rejoice!".

**59. Church and Nation Committee:** The report of the Church and Nation Committee was laid on the table and received.

The Rev J.C. Ellis submitted the deliverance.

Clause (2) was approved.

Clause (3) was moved and seconded.

A point of order was raised concerning Standing Order 57.

The Moderator ruled that Standing Order 57 concerning the "Previous Question" referred to the whole matter before the House and the effect of carrying such a motion against a clause would be that the House would depart from the entire report. Dissent was moved from the Moderator's ruling.

The Moderator's ruling was disagreed with.

The Previous Question was moved on Clause (3) and disapproved.

It was resolved to deal with the clause sub-section by sub-section.

By leave of the House the Rev A.C. McMillan moved as an amendment that the Assembly delete all words after "sin" in Clause (3)(a).

Arising from the debate the Rev Prof D.J.W. Milne moved that the Assembly delete the following words "and exclude the doer from salvation until that person repents and trusts in Jesus Christ" from Clause (3)(a).

The amendment to the amendment was approved.

The amendment as amended was approved.

The motion as amended was approved.

Clauses (3)(b) and (c) were approved.

Pursuant to notice the Rev J.C. Ellis moved:

That the Assembly:

Note that Scripture does not require Christian people to support either constitutional monarchical government as now existing in Australia or a republican form of government.

The motion was seconded.

Arising from the debate the Rev L. Percy moved:

That the Assembly insert the words "the form of" between the words "either" and "constitutional".

The amendment was seconded and approved.

The motion as amended was approved.

Pursuant to notice the Rev C.D. Balzer moved:

That the Assembly:



Thank and discharge the Church and Nation Committee.

The motion was seconded and disapproved.

Clause (1) was approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Determine that:
  - (a) Abortion is always unacceptable except when at least two competent medical authorities (other than the person under consideration to perform the operation) deem the abortion essential to protect the life of the mother when that is threatened with immediate death should the pregnancy continue. (A caesarean section to save the life of an unborn child (or children) should not be confused with abortion).
  - (b) If and when the rare contingency noted in the previous clause arises, everything medically possible should be done to seek the continuation of the lives in danger.
  - (c) Abortion is an improper means of birth control or of avoiding parental responsibilities in the case of "unwanted" pregnancies.
- (2) Determine that:
  - (a) Homosexual practices are sin. The person who comes to Christ honestly seeking to leave this lifestyle will find Christ able to liberate from this sin.
  - (b) Marriage is the union before God, and at law, of a heterosexual couple. The family ought not to be redefined so as to permit homosexual marriage or to permit homosexual couples to adopt or foster children.
  - (c) The Church, in a humble spirit, is to exercise ministries of compassion towards, and to evangelise homosexual persons.
- (3) Note the Scripture does not require people to support either the form of constitutional monarchical government as now existing in Australia or a republican form of government.
- (4) Amend section 3 of the regulations of the Church and Nation Committee by:
  - (a) Deleting all words in clause b. and replacing them with the following words:

"To issue statements between assemblies, and report thereon to the next subsequent assembly in each case"; and
  - (b) Adding an additional clause as clause c. with the following words:

"Prepare statements on matters falling within the committee's mandate for approval by the assembly as a guide for public statements by the committee under clause b. above.

**60. Communication (vi):** Communication (vi) from the Commission of the General Assembly of the Presbyterian Church of Victoria concerning the National Journal was received.

**61. National Journal Committee:** Debate was resumed on the report of the National Journal Committee (Min. 29).

Clauses (1) to (3) were approved.

By leave of the House Clause (4) was approved in an amended form.

Clause (5) was moved and seconded.

Pursuant to notice the Rev C. Abel moved:

That the Assembly delete the figure "\$10,000" and insert the figure "\$15,000".

The amendment was seconded and approved.

The motion as amended was approved.

Clauses (6) to (9) were approved.

Pursuant to notice Mr A.G. Matheson moved:

That the Assembly:

- (1) Note the unsatisfactory position of the A.P.L.
- (2) Note that despite knowing the financial position of the A.P.L., the Finance

- Committee has done little to effectively contain the escalating losses.
- (3) Remove from office the whole of the Board of the A.P.L. including the executive and corresponding board members.
  - (4) Remove from office the Editor.
  - (5) Cancel all employment contracts, appointments and such-like upon which the publication of the A.P.L. now depends.
  - (6) Completely disregard the A.P.L. 'Action Plan' submitted to the Board meeting on April 27th 1994.
  - (7) Instruct the Finance Committee to:
    - (i) repay all A.P.L. debts, and
    - (ii) make provision for a subsidy not exceeding \$10,000 in any year, to be paid to A.P.L. if the need is substantiated by the A.P.L. Board.
  - (8) Appoint an A.P.L. Board comprising:
    - (i) four experienced business men one of whom shall be convener;
    - (ii) one ordained minister who has had relevant editorial experience;
    - (iii) two elders with business experience.
  - (9) Express a preference for the Board to be situated and meet in Sydney.
  - (10) Instruct the new Board to advertise and invite applications for the position of editor, to work on a part-time basis; 80 hours per month maximum.
  - (11) Instruct the new Board to fix the following costs for the period 1994 to 1997 inclusive:
    - (i) Year Book, not to exceed \$20 per copy;
    - (ii) National Journal, not to exceed \$27.50 per annum;
    - (iii) Advertising at the highest practical market rate.
  - (12) Give the Board discretion in the choice of location of the office of the Editor and the premises for the production of the A.P.L. and the Year Book.

The motion was seconded and disapproved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Affirm the vital role that the National Journal plays in giving expression to the unity and fellowship of the membership of the Presbyterian Church of Australia.
- (2) Note the growth in subscriptions by 25% and also growth in advertising revenue during the last triennium.
- (3) Note the National Journal Committee's resolve to further cut costs and increase revenue in order to make the National Journal a "break even" operation.
- (4) Note with appreciation that the N.S.W. General Assembly is "willing to bear its respective share of the amount overdrawn by the National Journal Committee to the end of 1994"; the Queensland Assembly agreed to "approve the increased cost of funding requested by the National Journal Committee"; and request that the General Assembly of Australia urge the State Assemblies of Victoria, South Australia, Western Australia and Tasmania to bear their share of the deficit incurred by the National Journal Committee during the triennium 1991-1994.
- (5) Approve a communication service fee to the National Journal Committee of \$15,000 per annum for the forthcoming triennium from the Presbyterian Church of Australia.
- (6) Thank the Editor Robert Humphreys for his commitment to the National Journal.
- (7) Thank Dennis Roams for his ministry as Convener of the National Journal Committee for three years, and the Rev David Cook for his contribution as a Committee member.
- (8) Thank those who make contributions to the magazine either on a casual basis or a regular basis.
- (9) Congratulate Mr Chris Morgan for receiving the Australasian Religious Press

Association annual award in 1993 for the "best cover design" amongst other publications.

**62. Appeals: Rev Dr P.S. Cameron:** The Appeal from the Rev Dr P.S. Cameron against a decision of the 1993 N.S.W. General Assembly (Relevancy Appeal) was received.

The Appeal (No. 2) from the Rev Dr P.S. Cameron against a decision of the 1993 N.S.W. General Assembly (Trial Appeal) was received.

**63. Communication (vii):** Communication (vii) from the Rev Dr P.S. Cameron withdrawing his appeals to the General Assembly of Australia against decisions of the 1993 N.S.W. General Assembly, was received.

**64. Protestation:** The Rev B.M. Meller took protestation on behalf of the N.S.W. General Assembly that the appeals had been fallen from and that the decision of the N.S.W. General Assembly had become final.

Pursuant to notice the Rev B.M. Meller moved:

That the Assembly:

Instruct the Clerk to supply to the General Assembly of New South Wales and the Presbytery of Sydney extract minutes of the fact that the decisions of the said Assembly against which Dr P.S. Cameron appealed have become final.

The motion was seconded and approved.

Pursuant to notice the Rev B.M. Meller moved:

That the Assembly:

Release Dr P.S. Cameron from the obligation to pay for the printing of documents associated with his appeals against the General Assembly of New South Wales.

The motion was seconded and disapproved.

Arising from the debate the Rev Dr Paul Logan moved:

That the Assembly:

Distribute the costs of the printing of the documents in the Appeals of the Rev Dr P.S. Cameron against the decisions of the N.S.W. General Assembly to the states.

The competency of the motion was challenged.

The Rev J.F. Bartholomew raised a question of privilege.

The Moderator ruled that there had been no breach of privilege.

The Moderator ruled the motion of the Rev Paul Logan incompetent.

Dissent was moved from the Moderator's ruling.

The Moderator's ruling was disagreed with.

The motion of the Rev Dr Paul Logan was disapproved.

**65. Overture (v):** An Overture from the Presbytery of Sydney concerning a request to the General Assembly of Australia (admonition and censure in the case of the Presbytery of Sydney v. the Rev Dr Peter Scott Cameron) was taken up and received.

Leave was granted to the Presbytery of Sydney to fall from the Overture.

**66. Reference (i):** Reference (i) from the Presbytery of Sydney re participation of elders in the ordination of ministers, was laid on the table and received.

The Rev J.A. Davies stated the Reference.

Questions were asked.

The Reference was sustained.

Pursuant to notice Dr P.E. Lush moved:

That the Assembly:

Declare that it finds nothing in the constitution of the Church or in any relevant and binding decision of the General Assembly which would be incompatible with the participation of elders in the laying on of hands at the ordination of a minister.

The motion was seconded and approved.

**67. Presbyterian Inland Mission:** The report of the Presbyterian Inland Mission Committee was laid on the table and received.

The Rev J.J. Knapp submitted the deliverance.

The Rev L. and Mrs. Gwen Peake (Blackall Patrol), and Mr R. Whiting (Richmond Patrol) were introduced to the Assembly.

By leave of the House the Rev L. Peake and Mr R. Whiting addressed the Assembly.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1)
  - (a) Express appreciation to the Trustees of the General Assembly and the Law Officers, Mr Garry Downes Q.C., Mr Simon Fraser B.A. LL.M (Hons), and Mr Lindsay Moore LL.B, for their wise counsel and dedicated service on behalf of the Presbyterian Inland Mission during the protracted legal proceedings since 1977.
  - (b) Express appreciation to members and organisations within the Church who have made donations to the Presbyterian Inland Mission Committee and prayerfully request members of the Church to consider making financial donations to the PIM as part of their on-going commitment.
  - (c) Express appreciation to the ministers, elders and lay preachers who have rendered faithful service to the congregation of Darwin during their periods of vacancy.
  - (d) Express appreciation and commend to the prayers of the Church the Presbyterian Inland Mission Patrol Ministry Sub-committee in Darwin under the leadership of Dr L.H. Greenwood.
- (2) Note that Darwin remains a Presbyterian Inland Mission Patrol Area for which the Presbyterian Inland Mission has financial and administrative responsibility.
- (3) Resolve that the Presbyterian Inland Mission shall employ in its patrol or other ministries the following two classifications of personnel:-
  - (a) Ordained ministers of the Presbyterian Church of Australia;
  - (b) Home Missionaries who may be seconded to the Presbyterian Inland Mission from one of the States in which they are serving or non-ordained men who have applied to the Presbyterian Inland Mission for employment and who would have been approved by the relevant State Home Mission Committee or equivalent for employment within that State as a Home Missionary.

In relation to such appointments, the appointee shall complete the requirements for Home Mission service as set by the individual state.

The Presbyterian Inland Mission Committee shall pay stipends equivalent to those paid to ordained ministers or home missionaries in the State in which the Presbyterian Inland Mission appointee is serving.
- (4) Commend to the prayers of the Church the following padres and their families:- Pastor Rupert Hanna, Pastor Bob Whiting, Rev Laurie Peake, Mr Pier Schurer, and Pastor Ron Lyons.
- (5) Note the continued appointment of the Rev J.J. Knapp as Superintendent (part-time) and commend him and the Committee to the prayers of the Assembly.

**68. Communication (iv):** Communication (iv) from the Queensland General Assembly concerning G.A.A. B.B. 1991(Min. 91) (Darwin) was received.

Pursuant to notice the Rev R.C. Clark moved:

That the Assembly:

Note the comments of Communication (iv) from the Queensland Assembly anent G.A.A. B.B. 1991 Minute 91.

The motion was seconded and approved.

**69. Ad Hoc Committee on Ordination:** The report of the Ad Hoc Committee on Ordination was laid on the table and received.

The Rev J.A. Davies submitted the deliverance.  
The deliverance as a whole was approved as follows:  
That the Assembly:

- (1) Receive and note the contents of the papers relating to ordination and ministry.
- (2) Encourage presbyteries to continue to think through the biblical and confessional issues involved in the concepts of ordination, ministry and leadership in the church.
- (3) Thank and discharge the committee.

**70. Ad Hoc Committee on the Declaratory Statement:** The report of the Ad Hoc Committee on the Declaratory Statement was laid on the table and received.  
The Rev C.D. Balzer submitted the deliverance.  
Clause (1) was moved and seconded.  
The debate was adjourned (Min. 100)

**71. Ballot:** The ballot was held for the following: Finance Committee Members; Defence Forces Chaplaincy Convener; Presbyterian Inland Mission, Western Australian Members; Relations with Other Churches, N.S.W. Members; Relations with Other Churches, Queensland Members; Reception of Ministers Members; Public Worship and Aids to Devotion Members; Australian Presbyterian World Mission Members; Judicial Commission Members; Finance Committee Convener; and the Defence Forces Chaplaincy Committee Members.

**72. Notices of Motion:** Notices of motion 75 and 76 were laid on the table.

**73. Adjournment:** Thereafter the Assembly adjourned to meet at 7 p.m. whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

## FIFTH SEDERUNT

**74. Assembly Constituted:** At Sydney and within the Chalmers Church on Wednesday 14th September 1994 at 7 p.m. the Assembly met, pursuant to adjournment, and was constituted with praise, the reading of Scripture and prayer, the Moderator presiding.

**75. Business:** The order of business was approved for the sixth and seventh sederunts.

**76. Returns to Remits:** The report on Returns to Remits was laid on the table and received.

Pursuant to notice the Rev Dr Paul Logan moved:

That the Assembly:

Enact a new Article (VIII) as follows:

- (a) There shall be a course of training for the ministry of Word and Sacrament as hereinafter in the Article provided.
- (b) The General Assembly shall prescribe the course of training, together with the prerequisites for entry to the course.
- (c) The General Assembly shall appoint a committee to be known as the College Committee, which shall supervise the course of training. It shall admit candidates for the ministry to the course of training, grade students throughout the course, approve syllabi, conduct examinations as necessary, and issue certificates on completion of the course of training.
- (d) The State Assemblies shall administer the course of training through the operation of such theological halls or colleges as may be recognised from time to time by the General Assembly.
- (e) Each State Assembly operating a theological hall or college shall appoint professors or lecturers, together with faculty and a committee to administer each such hall or college.
- (f) The course of training shall consist of a theological course, at degree standard, whose subjects are prescribed in regulations approved by the General Assembly after receiving advice from the College Committee.
- (g) A candidate for the ministry shall be licensed only after such a candidate has been issued with a certificate when all requirements have been met.

The motion was seconded and approved.

**77. College Committee:** The report of the College Committee was laid on the table and received. The Rt Rev Prof A.M. Harman submitted the deliverance.

Clauses (1) to (3) were approved.

Pursuant to notice the Rev S.M. Bonnington moved:

That the Assembly:

Approve the provision of air fares to enable the Convener, Theological Education Committee in Western Australia, to join with Conveners and Lecturers from other States in attending the annual Meeting of the College Committee.

The motion was seconded.

Pursuant to notice the Rt Rev Prof A.M. Harman moved:

That the Assembly:

Amend the clause by:

Inserting after "Western Australia" the following words "Theological Education Committee in South Australia and Theological Committee in Tasmania" and for the alteration of the words "Convener" to "Conveners" so that the clause would read:

Approve the provision of air fares to enable the Conveners, Theological Education Committee in Western Australia, Theological Education Committee in South Australia, Theological Education Committee in Tasmania, to join with Conveners and Lecturers from other States in attending the annual meeting of the College Committee.

The amendment was seconded and approved:

The motion as amended was approved.

Pursuant to notice the Rev S.M. Bonnington moved:

That the Assembly:

Approve the provision of additional teaching for theological students and refresher courses for Ministers in service in Western Australia, by providing funding for an annual lecture trip, of approximately two week's duration, to Perth, by one of the Lecturers from the Theological Hall or Colleges in Brisbane, Melbourne or Sydney; to ensure acquaintance with students in Western Australia, and to maintain the standards of the Assembly for theological education.

The motion was seconded and approved.

Pursuant to notice the Rev S.M. Bonnington moved:

That the Assembly:

Request the College Committee to investigate the financial problems associated with training students for the ministry from Western Australia, and make recommendations to the Assembly for approval.

The motion was seconded and approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Amend regulation 9(b) of the College Committee by deleting the current words and substituting "the candidate has submitted one thesis during the final year of the theological course in the area of Biblical Studies, such thesis having been supervised by an appropriate lecturer in the theological college (or hall) and passed by an external examiner appointed by the College Committee."
- (2) Recognise the Queensland Presbyterian Theological Hall, the NSW Presbyterian Theological Centre and the Victorian Presbyterian Theological College as approved theological colleges for the training of candidates for the ministry.
- (3) Approve the Committee's action in being prepared to treat the existing candidates studying at Moore College (and those enrolling the years 1994 to 1997) under the terms of Regulation 10 (Special Cases) and to give them full credit for all B.Th. subjects; such recognition to continue until the 1997 General Assembly of Australia.
- (4) Approve the provision of air fares to enable the Conveners, Theological Education Committee in Western Australia, Theological Education Committee in South Australia, Theological Education Committee in Tasmania, to join with Conveners and Lecturers from other States in attending the annual meeting of the College Committee.
- (5) Approve the provision of additional teaching for theological students and refresher courses for Ministers in service in Western Australia, by providing funding for an annual lecture trip, of approximately two week's duration, to Perth, by one of the Lecturers from the Theological Halls or Colleges in Brisbane, Melbourne or Sydney; to ensure acquaintance with students in Western Australia, and to maintain the standards of the Assembly for theological education.
- (6) Request the College Committee to investigate the financial problems associated with training students for the ministry from Western Australia, and make recommendations to the Assembly for approval.

**78. Overture (xiii):** An Overture from the College Committee concerning the recognition of Theological Halls was taken up and received.

The Rt Rev Prof A.M. Harman and the Rev G.K. Kettmiss stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice the Rt Rev Prof A.M. Harman moved:

That the Assembly:

Remit the Overture for the additional paragraph (h) to Article VIII under the Barrier Act for the approval or disapproval of state assemblies and presbyteries, with replies to be in the hands of the Clerk of Assembly by 31st December, 1996.

The motion was seconded and approved.

**79. Dissent and Complaint:** The Moderator called for the Dissent and Complaint of the Rev J.F. Boyall against a decision of the 1994 N.S.W. General Assembly.

The Rev D.A. Burke challenged the competency of the Dissent and Complaint.

**80. Privilege:** The Rev C.R. Thomas raised a question of Privilege in terms of standing order 92.

The Moderator ruled that there had been no breach of privilege.

**81. Dissent and Complaint:** The Moderator ruled the Dissent and Complaint competent.

Dissent was moved from the Moderator's ruling.

The Moderator's ruling was disagreed with.

The Dissent and Complaint having been ruled incompetent was not taken up.

**82. Overture (viii):** An Overture from the N.S.W. General Assembly concerning the role of State Assemblies in Theological Education, approval for study at Moore Theological College was taken up and received.

The Rev D.A. Burke stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

It was moved that the Assembly seek the Procurator's opinion on the legality of the Overture.

The motion was seconded and disapproved.

**83. Privilege:** The Rev J.J. Knapp raised a matter of Privilege.

The Moderator ruled that there had been no breach of Privilege.

**84. Overture (viii):** The motion to sustain the Overture was approved.

Pursuant to notice the Rev D.A. Burke moved:

That the Assembly:

- (1) Permit the use of Moore Theological College as a venue for satisfying part of the course requirements for the training of candidates for the ministry, subject to the continuing desire of the NSW Assembly to use Moore College and subject to a triennial review of the arrangements in the report of the College Committee to the G.A.A.
- (2) Instruct the College Committee and the N.S.W. Presbyterian Faculty to permit candidates for the ministry, who are enrolled at the Presbyterian Theological Centre, to also enrol at Moore Theological College, in order to prepare for the award of the Bachelor of Theology of the Australian College of Theology, as part of their course of training, subject to the supervision of the College Committee of the G.A.A. and subject to administrative arrangements as made by the appropriate bodies in the N.S.W. Church.

The motion was seconded and approved.

Pursuant to notice the Rev D.A. Burke moved:

That the Assembly:

Determine that, in the exercise of its power to recognise theological halls and approve or disapprove courses of training, the General Assembly and its College Committee shall consider any relevant decisions of the State Assembly affected and shall not take any decisions without consultation with the State(s) concerned.

The motion was seconded.



The competency of the motion was challenged.  
The Moderator ruled that the motion was incompetent.  
Dissent was moved from the Moderator's ruling.  
The Moderator's ruling was disagreed with.  
Arising from the debate the Rev J.M. Elliott moved that the words "where possible" be added after the words "State Assembly affected and".  
The amendment was seconded and approved.  
The motion as amended was approved as follows:  
That the Assembly:

- (3) Determine that, in the exercise of its power to recognise theological halls and approve or disapprove courses of training, the General Assembly and its College Committee shall consider any relevant decisions of the State Assembly affected and where possible shall not take any decisions without consultation with the State(s) concerned.

The competency of the notice of motion of the Rev D.A. Burke to remit a matter to state assemblies and presbyteries under Article XIII when the substance of the matter was not mentioned in the recitals of the Overture was challenged.

The Moderator ruled the motion incompetent.  
It was resolved that the Assembly ask the Procurator's opinion on the matter.  
The Procurator gave an oral opinion.  
Dissent was moved from the Moderator's ruling.  
The Moderator's ruling was disagreed with.  
The debate was adjourned (Min. 110)

**85. Ballot:** The report of the Ballot Committee was laid on the table and received.

Dr. P.E. Lush submitted the deliverances.  
The deliverance as a whole was approved as follows:  
That the Assembly:

1. Confirm the following elections: [\* = no ballot (alphabetical order)]:

**JUDICIAL COMMISSION:**

Members: Rev P.F. Cooper, J.A. Davies, B.H. Christian, C.R. Thomas, G.K. Kettmiss, B.M. Gorton, J.S. Woodward, P.J. Bloomfield, Mr. G.S. Rutherford, Rev D.M. Smith, R.D. Garland, J.F. Bartholomew

**AUSTRALIAN PRESBYTERIAN WORLD MISSION:**

Members: Rev R. Humphreys, Dr R.S. Keith, E.L. Noble, Mrs J. Lu, Rev J.M. Elliott, Dr D.C. Mitchell, T.S. Fishwick  
Convener: Dr R.F. Burns.

**CHRISTIAN EDUCATION:**

Members: \* NSW: Rev D.A. Burke, G.P. Smith, Messrs H. Fraser, P. Boggs  
\* VICTORIA: Rev A.D. Lendon, C.R. Thomas  
\* QUEENSLAND: Rev R.C. Clark, Mr J. Mansfield  
\* TASMANIA: Rev R Tsai  
\* SOUTH AUSTRALIA: Rev J.J.T. Campbell  
\* WESTERN AUSTRALIA: Rev S.McN. Bonnington  
Convener: Rev D.A. Burke

**CODE:**

Members: \* NSW: Rev D.A. Burke, S. Coulton, P.W. Hastie  
\* VICTORIA: Rev D.A. Capill, I.H. Touzell, J.P. Wilson  
\* QUEENSLAND: Very Rev Dr. K.J. Gardner, Prof F.N. Lee, G.J. Nicholson  
\* TASMANIA: Rev Dr D.C. Mitchell

- \* SOUTH AUSTRALIA: Mr R.W. Arstall
- \* WESTERN AUSTRALIA: Rev R.J. Lee

**DEFENCE FORCES CHAPLAINCY:**

Members: Rt Rev Prof A.M. Harman, Rev Dr R.S. Keith, Very Rev A.C. Stubs, Rev K. Bell, S.L. DePlater, Dr G.F. Lyman, Mr J.C. Mackillop, Rev A.D. Lang (no members of Tas., S.A. & W.A.)

Convener: Rev Dr R.S. Keith

**FINANCE:**

Members: Messrs. P.A. Burke, K.P. Mar, D.R. Brierley, Rev F. Avent

Convener: Mr J. Mill

**NATIONAL JOURNAL:**

Members: Rev S. McN. Bonnington, T.K. Cannon, J.C. Ellis, P.W. Hastie, G.K. Kettmiss, J.S. Lindsay, Messrs. A. Matheson, R. McTaggart, D. Wilson

Convener: Rev R.P.F. Benn

**PRESBYTERIAN INLAND MISSION:**

Members: \*

- QUEENSLAND: Rev R.C. Clark, Mr. G. Dunkley, Very Rev Dr K.J. Gardner, Rev A. MacNicol, Mrs A.F. Petherick, Messrs. R.W. Pilkington, B.T. Scott, R.C. Scott
- \* NSW: Rev D.A. Burke, P. Burke
- \* VICTORIA: Rev R.D. Taylor, C.R. Thomas
- \* SOUTH AUSTRALIA: Rev R.M. Waterhouse
- \* WESTERN AUSTRALIA: Rev S. McN. Bonnington
- \* TASMANIA: Mr A.B. Finlay
- \* NORTHERN TERRITORY: Dr L.H. Greenwood

Convener: Rev J.J. Knapp

**PUBLIC WORSHIP AND AIDS TO DEVOTION:**

Members: \*

- NSW: Rev P.F. Cooper, J.A. Davies, P.W. Hastie, C.D. Balzer, C. Abel
- \* VICTORIA: Rt Rev Prof A.M. Harman, Rev R. Humphreys, I.H. Touzel
- \* QUEENSLAND: Rev R. van Delden
- \* SOUTH AUSTRALIA: Rev M.S. Grieve
- \* WESTERN AUSTRALIA: Rev K.W. Morris
- \* TASMANIA: Rev D.S. Wishart

Convener: Rev P.F. Cooper

**RECEPTION OF MINISTERS:**

Minister: Rev C.D. Balzer, D.J. Innes, D.B. Fraser, M.S. Grieve, G.K. Kettmiss

\*Elders: Messrs W. McLaren, J. Searle, N. Taylor, A.D. Turner, Dr A. Vaughan

Convener: Rev C.D. Balzer

**RELATIONS WITH OTHER CHURCHES:**

Members:

- QUEENSLAND: Rev G.J. Nicholson, Prof N.T. Barker
- NSW: Rev D.A. Burke, C.J. Letcher
- \* VICTORIA: Rev R. Humphreys, C.R. Thomas
- \* WESTERN AUSTRALIA: Rev D.B. Fraser
- \* TASMANIA: Mr A Crawford, T.S. Penning

Convener: Rev G.J. Nicholson

Business Convener: Rev P.J. Barson

College Committee Convener: Rt Rev Prof A.M. Harman

2. Authorise the General Secretary to destroy the ballot papers.
3. Thank and discharge the Committee.

**86. Minutes:** The Minutes of the Second and Third Sederunts were laid on the table and confirmed.

**87. Notice of Motion:** Notice of Motion 77 was laid on the table.

**88. Adjournment:** Thereafter the Assembly adjourned to meet tomorrow at 9.30 a.m. whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

## SIXTH SEDERUNT

**89. Assembly Constituted:** At Sydney and within the Chalmers Church on Thursday 15th September, 1994, at 9.30 a.m. the Assembly met, pursuant to adjournment, and was constituted with praise, the reading of Scripture and prayer, the Moderator presiding.

**90. Business:** The order of business for today was approved.

**91. Elders of the Assembly:** Pursuant to notice the Rt Rev Prof A.M. Harman moved:

That the Assembly:

Record its thanks for the contribution made to the Assembly by each commissioned elder; especially noting that some elders have sacrificially given a week's leave and in some instances a week's absence from their business in order to attend this General Assembly.

The motion was seconded and approved.

**92. Overture (vii):** An Overture from the General Assembly of N.S.W. concerning Standing Order 20 was taken up and received.

Dr P.E. Lush and the Rev B.H. Christian stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice Dr P.E. Lush moved:

That the Assembly:

Amend Standing Order 20 as follows:

a. label the present Standing Order 20 as 20A;

b. enact a new standing Order 20B as follows:

Reports concerned with

(i) doctrinal matters that do not require Barrier Act procedures, or

(ii) changes to regulations,

shall be submitted to presbyteries and state assemblies for consideration and report at least nine months before the next meeting of the General Assembly of Australia.

Matters that fall within this Standing Order, and for which nine month's notice has not been given, may be considered by the Assembly by Leave of a majority of the House.

The motion was seconded and approved.

**93. Private Sitting:** The Assembly sat in private.

**94. Reception of Ministers:** The report of the Reception of Ministers Committee was laid on the table and received.

The Rev C.D. Balzer submitted the deliverance.

Clauses (1) to (2) were approved.

Clause (3) was moved as follows:

That the Assembly:

Receive the Rev. Dallas CLARNETTE as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee the decision to take effect when the study is completed and he thereafter signs the Formula.

The motion was seconded and disapproved.

Clauses (5) to (7) were approved.

The debate was adjourned (Min. 96)

**95. Petition (iii):** A petition was received from the Rev P.I. Fa'avae-Eli to be received as a Minister of the Presbyterian Church of Australia.

The petitioner was called to the bar.

There appeared for the petitioner the Rev P.I. Fa'avae-Eli.

Questions were called for.

The petitioner was removed from the bar.

It was moved that the Assembly grant the prayer of the petition.

The motion was seconded and approved.

The Rev D.A. Burke moved:

That the Assembly:

Meet as a committee of the whole with the Moderator as Chairman and the Clerk as Secretary to consider the matter.

The motion was seconded and approved.

The Clerk reported that the Committee of the whole resolved to recommend to the Assembly certain motions relating to the Petition of the Rev P.I. Fa'avae-Eli.

The report was received.

It was moved and seconded:

That the Assembly:

- (1) Inform the Rev P.I. Fa'avae-Eli that granting the prayer of the Petition means that the Assembly has considered his Petition worthy of discussion.
- (2) Advise the Rev P.I. Fa'avae-Eli that at this stage it cannot receive him as a minister of the Presbyterian Church of Australia.
- (3) Advise the Rev P.I. Fa'avae-Eli that should he wish to submit a further application to be received as a minister of the Presbyterian Church of Australia he should do so having undertaken such studies as may be set for him by the College Committee.
- (4) Should such study be completed before the 1997 General Assembly of Australia and a new application for reception as a minister of the Presbyterian Church of Australia be received from the Rev P.I. Fa'avae-Eli, the N.S.W. General Assembly be empowered to deal with the application under Article IX.
- (5) Request the Moderator-General to convey the decision of the Assembly to the Rev P.I. Fa'avae-Eli in person as well as within the confines of the Court.
- (6) Assure the Rev P.I. Fa'avae-Eli of its continual prayers for him.

The motion was approved.

It was moved and seconded:

That the Assembly:

Appoint the Rev S. Cowley and R. Humphreys to work with the Rev P.I. Fa'avae-Eli.

The motion was disapproved.

The Petitioner was recalled to the bar and informed of the decision of the Assembly.

**96. Reception of Ministers Committee:** Debate was resumed on the report of the Reception of Ministers Committee (Min. 94)

Clauses (9) to (14) and (16) to (23) were approved.

Clause (24) was moved and seconded.

Arising from the debate the Rev P.W. Phillips moved:

That the Assembly:

Amend clause (24) by deleting all words after "Assembly", and insert the following:

If the Rev Yono Abadi has not completed the studies set by the College Committee to the satisfaction of the Faculty by 31 December 1995, his application be terminated as of that date.

The amendment was disapproved.

Clause (24) was approved.

Clause (25) was approved.

The Moderator ruled on a point of order.

The Moderator's ruling was challenged.

The Moderator's ruling was upheld.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Note that the Rev. William Francis SAVAGE and the Rev. Diederick Rudolph SCHWARTZ have been inducted into parishes, and condone the action of the Committee in receiving Mr. Savage under Regulation 7.
- (2) Receive the Rev Peter BARCLAY as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.
- (3) Not receive the Rev Norman Leslie FAGG as a minister of the Presbyterian Church of Australia.
- (4) Receive the Rev Mikhael GIRGIS as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.
- (5) Receive the Rev Christo Frederick HEIBERG as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and when he receives and accepts either a call to a congregation of the Presbyterian Church of Australia or a full-time appointment by a state or federal Assembly or Assembly Committee and consequently signs the Formula.
- (6) Receive the Rev Fayek Yassa ISKANDER as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and he thereafter signs the Formula.
- (7) Receive the Rev Jeung Oh, JOO as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and he thereafter signs the Formula.
- (8) Receive the Rev Chang Jin, KIM as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and he thereafter signs the Formula.
- (9) Receive the Rev Jung Tae, KIM as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.
- (10) Receive the Rev Tae Hyun, KIM as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and he thereafter signs the Formula.
- (11) Receive the Rev Kang Wan, KO as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and when he receives and accepts either a call to a congregation of the Presbyterian Church of Australia or a full-time appointment by a state or federal Assembly or Assembly Committee and consequently signs the Formula.
- (12) Receive the Rev Joe MOCK as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.

- (13) Receive the Rev Man-Kyoung, PARK as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and when he receives and accepts either a call to a congregation of the Presbyterian Church of Australia or a full-time appointment by a state or federal Assembly or Assembly Committee and consequently signs the Formula.
- (14) Receive the Rev. Henry PENNINGS as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.
- (15) Receive the Rev Jung Hyun, SHIM as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and when he receives and accepts either a call to a congregation of the Presbyterian Church of Australia or a full-time appointment by a state or federal Assembly or Assembly Committee and consequently signs the Formula.
- (16) Receive the Rev Darrell Bryan THATCHER as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and he thereafter signs the Formula.
- (17) Receive the Rev Martin Jacques LEVINE as a minister of the Presbyterian Church of Australia subject to his completing the study determined by the College Committee, the decision to take effect when the study is completed and when he receives and accepts either a call to a congregation of the Presbyterian Church of Australia or a full-time appointment by a state or federal Assembly or Assembly Committee and consequently signs the Formula.
- (18) Receive the Rev. Kwang Soo, LEE as a minister of the Presbyterian Church of Australia subject to his demonstrating competence in English and his completing the study determined by the College Committee, the decision to take effect when competence in English is demonstrated, the study is completed and he thereafter signs the Formula.
- (19) Condone the action of the Committee in receiving the Rev David Jones and the Rev Billy Lim under Regulation 7.
- (20) Repeal the existing regulations for the Reception of Ministers Committee and enact the following regulations.

#### **RECEPTION OF MINISTERS COMMITTEE**

1. **Establishment:** There shall be a Committee of the General Assembly of Australia entitled the Reception of Ministers Committee ("the Committee") which is established under the powers of the General Assembly contained in Articles IV and IX in respect of the reception of ministers from other churches.
2. **Composition:** The Committee shall consist of:
  - (a) 5 ministers and 5 elders elected by the General Assembly;
  - (b) the Principal of each Theological Hall of the Church recognised by the General Assembly; and
  - (c) the convener of the College Committee.
 Each state shall be represented by at least one person and the Convener shall be elected from the members of the Committee by the General Assembly.
3. **Function:** The Committee shall be responsible for considering applications for admission to the ministry of the Presbyterian Church of Australia ("the Church") from ministers of other churches ("applicants").
4. **Application Form:** The Committee shall prepare and make available an

application form ("the Form") which shall require an applicant to provide information on the following matters:

- (a) personal particulars of the applicant (age, place of birth, marital status, nationality, etc.);
- (b) evidence of the applicant's status as a minister;
- (c) details of the applicant's past employment with particular stress on the recent past;
- (d) the applicant's reasons for desiring to enter the ministry of the Church;
- (e) the applicant's reasons for leaving the church with which he had been connected;
- (f) a testimony of the applicant's Christian experience.
- (g) a statement regarding the applicant's attitude to the Scriptures, the Westminster Confession of Faith with declaratory statement and the Formula;
- (h) evidence of completion of a course of theological studies including details of the subjects studied, the standard obtained and any degrees received;
- (i) the names and addresses of at least two referees engaged in a recognised Christian ministry; and
- (j) such other matters as the Committee may from time to time determine.

**5. Application Procedure:** A minister of another church who wishes to be accepted as a minister of the Church shall make application to the General Assembly through a presbytery. For this purpose an applicant shall:

- (a) obtain a Form from the Committee;
- (b) complete the Form and provide all the information required by the Form;
- (c) lodge the completed Form with the presbytery within whose bounds he resides, or, if the applicant is not resident in Australia, with such presbytery as the Committee directs.

**6. Presbytery Responsibility:**

- (a) The presbytery to which the applicant has applied shall interview the applicant and consider the applicant's suitability to be a minister of the Church.
- (b) The Presbytery will examine the applicant regarding his statements on the Form, particularly the applicant's Christian experience, his views on the Scriptures, his understanding of the Westminster Confession of Faith and declaratory statement and his understanding of the Formula.
- (c) The presbytery should satisfy itself that the applicant at the time of his quitting the church with which he had previously been connected was not under any censure or liability to censure on any moral or doctrinal grounds.
- (d) If it is impracticable for the presbytery or a committee thereof to meet with the applicant, the requirements of this regulation may be carried out by correspondence.

**7. Presbytery Recommendation:** The presbytery shall forward the Form as completed by the applicant to the Committee together with its recommendation (favourable or otherwise) and any comments. Once a presbytery has forwarded the application to the Committee, the presbytery may (if its recommendation is favourable) recommend to a state Home Missions Committee (or its equivalent) that the applicant be given temporary employment. The granting of any such temporary employment shall have no



bearing on the consideration of the application by the Committee and the General Assembly.

**8. Committee Interview:** The Committee shall interview (or arrange for members of the Committee to interview) the applicant. For an overseas applicant, such interview may be carried out by correspondence and/or by a person appointed by the Committee. The Committee shall consider the recommendation and any comments of the presbytery and if it disagrees with the recommendation of the presbytery the Committee shall say so in reporting to the General Assembly.

**9. Theological Training:** Unless the Committee is satisfied on the basis of the evidence before it that the applicant has completed a course of theological training equivalent to the standard set by the College Committee of the Church, it shall refer the application to the College Committee. The College Committee may prescribe a period of study for the applicant in specified areas at one of the Theological Halls of the Church. The Faculty of the Theological Hall attended by the applicant shall determine the manner in which the requirements of the College Committee shall be fulfilled by the applicant.

**10. Competence in English:** The Committee is empowered to set a minimum standard of English for applicants applying through the Committee.

**11. Report to Assembly:** The Committee shall report to the General Assembly on each applicant for admission to the ministry for the decision of the General Assembly. Such report shall include its recommendation, the recommendation of the presbytery which should obtain a report from the Home Mission Committee of the State, provided the applicant was employed by such a Committee and (so far as is applicable) that of the College Committee. The Clerk shall have the report printed as a confidential paper to be placed in the hands of members of the Assembly at least twenty-four hours before the Assembly shall deal with it. The General Assembly shall consider an application in closed court and may approve or refuse the application, and if approved may impose conditions.

**12. Minister Under Call:** If an applicant is:

- (a) a minister of another Presbyterian Church; and
- (b) under call to a congregation of the Church

the decision to approve the application may be made by the Committee, which approval may be subject to conditions for further study if prescribed by the College Committee. The Committee shall report any such approvals to the General Assembly.

**13. Former Missionary:** If an applicant:

- (a) was formerly a minister or licentiate of the Church, and
  - (b) has placed himself under the jurisdiction of another church whilst undertaking missionary service approved by the Australian Presbyterian World Mission Committee,
- the Committee may approve such application in accordance with Article IX. The Committee shall report any such approvals to the General Assembly.

**14. Completion of Studies:** When an application is approved and the applicant is required to undertake further study the applicant shall be taken under care by the presbytery to which he made application. The College Committee shall supervise the study and shall issue an exit certificate when the study is completed satisfactorily.

If an applicant has not completed the study requirements within 3 years of being advised of them, the Committee shall review the continuance of his application and a recommendation shall be made to the General Assembly.

**15. Exit Arrangements:** A minister who has more than one year's pastoral experience shall be permitted to accept a call once the requirements of these regulations have been fulfilled. A minister with one year or less of pastoral experience will come under the jurisdiction of the relevant State committee for an exit appointment in the same way as candidates for the ministry.

**16. Formula:** A successful applicant will initially be under the care of the presbytery which received his application. Once the application is approved by the General Assembly (or the Committee as permitted in regulations 11 and 12) and all conditions have been satisfied, the Presbytery shall give to the applicant the opportunity to sign the Formula. The applicant shall become a minister of the Church when he signs the Formula. Before signing the Formula, the applicant must satisfy the presbytery that he has transferred or relinquished his connection with his previous church.

**17. Australian Residency:** When an applicant has neither Australian citizenship nor permanent residence, any decision by the General Assembly to approve such an application will only take effect when the applicant receives and accepts either:

- (a) a call to a congregation of the Church, or
- (b) a full-time appointment made to an institution of the Church or by the General Assembly, a State Assembly, or a committee or board thereof and subsequently signs the Formula.

**18. Distance Education:** If an applicant receives and accepts either:

- (a) a call from a congregation of the Church, or
- (b) a full-time appointment made to an institution of the Church or by the General Assembly, a State Assembly, or a committee or board thereof, the Committee may approve that any studies required of the applicant be completed in whole or in part by distance education methods.

- (21) Terminate the application of the Rev. Peter Hermann.
- (22) Terminate the application of the Rev. Owen Gregory.
- (23) Terminate the application of the Rev. R.I. Kellam.
- (24) Terminate the application of the Rev. Yono Abadi.
- (25) Note that the Rev. William Ellery-Dyer has withdrawn his application and therefore is no longer an applicant.

**97. Open Court:** The Assembly resumed in open court.

**98. Finance Committee:** Debate was resumed on the report of the Finance Committee (Min. 23)

By leave of the House the Rev. D.A. Burke fell from his motion.

Clause (6) was moved and seconded.

Pursuant to notice the Rev J.C. Ellis moved:

That the Assembly:

Amend clause 6(a) by the deletion of the amount of \$1,000 allocated to the Church and Nation Committee and its replacement with the amount of \$2,000.

The motion was seconded and disapproved.

Pursuant to notice the Rt Rev Prof A.M. Harman moved:

That the Assembly:

Amend clause 6(a) by altering the College Committee allotment of funds from

\$13,000 to \$15,000 in order to accommodate the extra air fares for Conveners of the Theological Education Committees from Western Australia, South Australia and Tasmania to attend the annual meeting of the College Committee.

The motion was seconded and approved.

Pursuant to notice the Rev G.J. Nicholson moved:

That the Assembly:

Amend clause 6(b) of the Finance Committee deliverance as follows:

Delete the amount of \$2,000 and replace it with the amount of \$6,000.

The motion was seconded and disapproved.

Clause (6) as amended was approved.

Pursuant to notice Mr D.R. Brierley moved:

That the Assembly:

Instruct the Finance Committee to recoup from all State Finance Committees the outstanding debts of the National Journal Committee to the 30 September, 1994 in yearly payments over the next three years.

The motion was seconded and approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Receive and note the Balance Sheets as at 31 December, 1993 and associated statements.
- (2) Approve the reimbursement of the actual expenses incurred for Travelling and Accommodation of commissioners not resident in the city in which the General Assembly is held on the following basis:
  - Commissioners having to travel more than 750km by rail
    - return economy class air fares
  - Commissioners from Tasmania
    - return economy class air fares
  - Commissioners having to travel 750 km or less by rail
    - second class concession return rail fares;
    - (where not available - ordinary rail fares).
    - where a train does not run - ordinary coach fares
- (3) (a) Until such time as the General Assembly determines otherwise, approve payment of Honoraria as follows:

Clerk of Assembly	\$ 700 for each General Assembly
Deputy Clerk	\$ 350 for each General Assembly
Assistance to Clerks	\$ 350 for each General Assembly
Business Convener	\$ 350 for each General Assembly

  - (b) Authorise the Finance Committee to pay appropriate honoraria to one or more persons acting in positions listed in (a):
- (4) (a) Approve the following provisions for the Moderator assuming office in September, 1994, and for succeeding Moderators until such time as the General Assembly determines otherwise:
  - (i) An allowance of up to \$15,000 to cover the costs of travel, accommodation, telephone, postage, stationery, secretarial expenses for the total period of office (three years);
  - (ii) An allowance sufficient to cover the cost of moderatorial court dress;
  - (iii) Costs of pulpit supply during the Moderator's absence on moderatorial duty;
  - (iv) An honorarium of \$1,000 per annum.
  - (b) Declare that when the Moderator is invited to special congregational and institutional functions the parties concerned should, as a general rule, meet all relevant moderatorial expenses.
  - (c) Authorise the Finance Committee to approve any necessary additional expenditure in respect of the Moderator.
- (5) Request State Assemblies, when called upon to do so, to reimburse the Finance Committee without delay for expenditure in connection with the

holding of the 1994 General Assembly of Australia and committee expenses in the proportion of commissioners as approved by the Thirty-seventh General Assembly in 1979 (Min. 95:6).

- (6) Convey its appreciation and thanks to Mr. R.E. Thorpe for his contribution to the work of the Finance Committee.
- (7) (a) Until further notice pay for motel accommodation during the course of the Assembly for the Moderator, Clerks and Business Convener;  
(b) Declare that, until further notice, other Commissioners to the Assembly will be allocated accommodation with billets, where these are offered, and that those who find this unacceptable will be responsible for their own accommodation.
- (8) Approve the reimbursement of the travelling expenses incurred by members of committees attending committee meetings on the same basis as determined for meetings of the General Assembly of Australia, that is, as per (2) above, with incidental expenses as determined by each committee.
- (9) Pay the cost of Motel accommodation up to \$47.50 per night per person, for a maximum of 4 nights, for commissioners to the Assembly who requested billets but for whom billets were not available.
- (10) (a) Approve the following amounts as "maximum allocations" to the Committees listed for the period 1 January, 1995 to 31 December, 1997 in order to take up deficiencies that cannot be financed from within their own resources:
- |                                   |                 |
|-----------------------------------|-----------------|
| Christian Education               | 5,000           |
| Church and Nation                 | 1,000           |
| Code                              | 10,000          |
| College                           | 15,000          |
| Defence Forces                    | 7,000           |
| Public Worship & Aids to Devotion | 5,500           |
| Reception of Ministers            | 1,000           |
| Relations with Other Churches     | <u>3,000</u>    |
|                                   | <u>\$47,500</u> |
- (b) Approve a contribution of \$2,000 to the Reformed Ecumenical Council for the period 1 January, 1995 to 31 December, 1997.
- (c) Authorise the Finance Committee to approve additional expenditure that may arise after consultation with any committee, reporting details to State Finance or equivalent committees.
- (d) Authorise payment of audit fees and office service charges and include such costs with committee expenses to be recovered from State Assemblies.
- (e) Request State Assemblies to make any necessary arrangements for reimbursement to the Finance Committee without delay of relevant proportions of the expenses of committees of the General Assembly of Australia as and when such expenses are incurred and recorded in the minutes of the Finance Committee.
- (f) Request the Trustees to finance expenditure authorised by the Finance Committee, pending reimbursement by State Finance or equivalent committees.
- (11) Instruct the Finance Committee to recoup from all State Finance Committees the outstanding debts of the National Journal Committee to 30 September 1994 in yearly payments over the next three years.

**99. Overture (ii):** An Overture from the Presbytery of Western Australia regarding Theological Education was taken up and received. Leave was granted for the Presbytery of Western Australia to fall from the Overture.

**100. Ad Hoc Committee on the Declaratory Statement:** Debate was

resumed on the report of the Ad Hoc Committee on the Declaratory Statement (Min. 70).

Clause (1) was approved.

Clause (2) was moved and seconded.

Arising from the debate Mr. S.I. Tomlinson moved as an amendment:

That the Assembly delete the word "substantially" from the motion.

The amendment was seconded and disapproved.

Pursuant to notice the Rev.G.J. Nicholson moved:

That the Assembly:

Amend clause (2) by the addition of the following words:

... and that anyone who denies the Calvinistic teaching of the sovereignty of God in salvation as taught in Chapters 3 to 18 of the Westminster Confession of Faith read in the light of the Declaratory Statement Clauses (1) to (4) should not sign the Formula.

The amendment was seconded and approved.

The motion as amended was approved.

Clauses (3) to (5) were approved.

The deliverance as a whole was approved as follows:

That the Assembly:

- (1) Rescind the following sections of Min. 29 B.B. 1991
  1. *"Affirm that, with respect to the Basis of Union 1901,*
    - (a) *the subordinate standard is the Westminster Confession of Faith (II:iv, vi) and as such is the Church's Confession of Faith (II:ii,iv);*
    - (b) *the Church is bound to the essential doctrine within the Confession of Faith (II:v);*
    - (c) *no doctrine within the Confession of faith has been declared by declaratory statement to be not essential to the doctrine of the Confession (II:iv,vi);*
    - (d) *the declaratory statement has not altered any doctrine within the Confession of Faith but has added alongside statements concerning certain doctrines within the Confession of Faith (II:i-iv, vi);*
    - (e) *the Church has power to alter what is not essential to the doctrine of the Confession, whether by revision or abridgment of the Confession or restatement of its doctrine (III-v).*
  2. *Rule that the doctrines of any part of the Confession of Faith remain essential to the doctrine therein taught unless:*
    - (a) *this can be established otherwise from the text of the Confession itself or*
    - (b) *the Church itself determines otherwise through revision or abridgment of the Confession or restatement of its doctrine, accordingly, the doctrines of Total Inability, Unconditional Election, Definite Atonement, Efficacious Grace and Perseverance of the Saints as taught in chapters 3 to 18 of the Confession are essential to the doctrine therein taught and thereby binding on the Church.*
- (2) Express the opinion that the Declaratory Statement of the Basis of Union 1901 does not substantially alter or nullify the distinctive Reformed doctrine taught in the Westminster Confession of Faith, particularly the sovereignty of God in grace as taught in chapters 3-18 and that anyone who denies the Calvinistic teaching of the sovereignty of God in salvation as taught in Chapters 3 to 18 of the Westminster Confession of Faith read in the light of the Declaratory Statement Clauses 1 to 4 should not sign the Formula.
- (3) Express the opinion that the Basis of Union (1901) II(5) grants liberty of opinion *"on matters in the subordinate standard not essential to the doctrine therein taught."*
- (4) Express the opinion that *"the doctrine therein taught", includes* the specifically Calvinistic system of theology for which the Westminster Confession of Faith

is well known.

- (5) Thank and discharge the committee.

**101. Overture (vi):** An Overture from the Queensland Assembly concerning the Westminster Confession of Faith and the Declaratory Statement was taken up and received.

The Rev R.C. Clark and G.J. Nicholson stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice the Rev R.C. Clark moved:

That the Assembly:

Send the Overture to State Assemblies and Presbyteries for study with comments to be forwarded to the Code Committee by 31st October 1995; and that the Code Committee report on the Overture to the Assembly.

Arising from the debate the Rev C.D. Balzer moved:

That the Assembly:

Amend the clause by the insertion of the following words after the word "overture" when first occurring; "and the report of the Ad Hoc Committee on the Declaratory Statement and B.B. 1994 Min. 100". The amendment was seconded and approved.

The motion as amended was disapproved.

**102. Overture (x):** An Overture from the Church and Nation Committee concerning the ordination of practising homosexuals to the ministry was taken up and received.

The Rev J.C. Ellis and Scott Wishart stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice the Rev J.C. Ellis moved:

That the Assembly:

Remit the Overture to presbyteries and state assemblies for approval or disapproval under Barrier Act procedures with replies to be in the hands of the Clerk of the Assembly by 31 December, 1996.

The motion was seconded and disapproved.

Arising from the debate the Rev S. Andrews moved:

That the Assembly:

Pursuant to Article IV enact as a law of the Church that the Presbyterian Church of Australia shall not ordain practising homosexual persons to the Ministry of Word and Sacraments.

The motion was seconded.

The debate was adjourned (Min. 111)

**103. Centenary of the Presbyterian Church of Australia:** Pursuant to notice Mr S.H. Fraser moved:

That the Assembly:

- (1) Note that the Centenary of the establishment of the Presbyterian Church of Australia will take place on 24 July, 2001.
- (2) Agree that the Centenary of the establishment of the Presbyterian Church of Australia should be celebrated in an appropriate manner.
- (3) Establish a Centenary Committee to:
  - (a) consider how best to mark the centenary of the Presbyterian Church of Australia, and
  - (b) report to the 1997 meeting of the General Assembly.
- (4) Establish the Centenary Committee as follows: the Moderator-General (Convener), the Clerk of the General Assembly, the Convener of the Finance

Committee, the Very Rev M.J.K. Ramage, Dr K.J. Gardner, Rev D.A. Burke, S. Bonnington, M.S. Grieve, Dr G.R. Fullerton, Dr D.C. Mitchell, Messrs. P.J. Graham, J. Mill, S.H. Fraser, Mesdames J. Angus and J. Stewart.

- (5) Authorise the Centenary Committee to operate by correspondence and request the Finance Committee to provide administrative expenses for the Committee to a sum not exceeding \$500.

The motion was seconded and approved.

**104. Proclamation of Christ:** Pursuant to notice the Rev G.K. Kettmiss moved:

That the Assembly:

Call on all Ministers and Elders to faithfully proclaim Christ, who died on the cross and rose physically from the dead on the third day to defeat sin and death, and who is therefore the only way to eternal life; to never be ashamed of the Gospel for it is the power of God unto salvation, and to reject all false gospels - for every spirit that does not confess Jesus is not from God. (Rom 1:16, 1 John 4:3)

The motion was seconded and approved.

**105. Elders and members of the Church:** Pursuant to notice the Rev G.K. Kettmiss moved:

That the Assembly:

Call upon all elders and members of the Church to continually respond to the great love which Christ showed for them on the Cross: by daily repenting of the sins of complacency and compromise; continually seeking to love the Lord their God with all of their heart, mind and strength; by God's grace always desiring to commit themselves to loving, obedient and sacrificial service; being good stewards of all that has been entrusted to them; and going out to share the Gospel with the lost.

The motion was seconded.

Arising from the debate the Rev J.A. Davies moved:

That the Assembly:

Add the word "ministers" after "all" in line 1.

The amendment was seconded and approved.

Arising from the debate Mr J.C. Mackillop moved:

That the Assembly:

Delete the words "the sins of complacency and compromise".

The amendment was seconded and approved.

The motion as amended was approved as follows:

Call upon all ministers, elders and members of the Church to continually respond to the great love which Christ showed for them on the Cross: by daily repenting; continually seeking to love the Lord their God with all of their heart, mind and strength; by God's grace always desiring to commit themselves to loving, obedient and sacrificial service; being good stewards of all that has been entrusted to them; and going out to share the Gospel with the lost.

**106. Notices of Motion:** Notices of Motion 78 to 80 were laid on the table.

**107. Adjournment:** Thereafter the Assembly adjourned to meet at 7 p.m. whereof public intimation having been given the sederunt was closed with prayer.

Allan M. Harman, Moderator  
Paul G. Logan, Clerk  
B.M. Meller, Deputy Clerk

## SEVENTH SEDERUNT

**108. Assembly Constituted:** At Sydney and within the Chalmers Church on Thursday 15th September, 1994, at 7 p.m., the Assembly met pursuant to adjournment and was constituted with praise, the reading of Scripture and prayer, the Moderator presiding.

**109. Minutes:** The Minutes of the Fourth and Fifth sederunts were laid on the table and confirmed.

**110. Overture (viii):** Debate was resumed on Overture (viii) (Min.84). The Rev D.A. Burke withdrew the motion of which notice had been given.

**111. Overture (x):** Debate was resumed on Overture (x) (Min.102). By leave of the House the Rev J.C. Ellis moved the motion in the following form:  
That the Assembly:  
Pursuant to Article IV, enact as a law of the Church that no person who is a practising homosexual shall be ordained to the Ministry of Word and Sacraments within the Presbyterian Church of Australia.  
The motion was seconded and carried unanimously.

**112. Overture (xii):** An Overture from the Presbytery of Sydney concerning Question (1) asked of Ministers, Elders and Licentiates was taken up and received. The Rev P.F. Cooper and the Rev Prin J.A. Davies stated the Overture. Questions were called for.  
It was moved and seconded that the Assembly sustain the Overture.  
The motion was approved.  
Pursuant to notice the Rev P.F. Cooper moved:  
That the Assembly:  
Remit the Overture to state assemblies and presbyteries, under Barrier Act procedures, for approval or disapproval, with replies to be in the hands of the Clerk of Assembly by 31 December 1996.  
The motion was seconded and approved.

**113. Petition (i):** A petition was received from the Queensland General Assembly concerning Deaconesses.  
The petitioner was called to the bar.  
There appeared for the petitioner the Rev B.E.G. Napper.  
Questions were called for.  
The petitioner was removed from the bar.  
It was moved that the Assembly grant the prayer of the petition.  
The motion was seconded and approved.  
Pursuant to notice the Rev B.E.G. Napper moved:  
That the Assembly:  
(1) Rescind G.A.A. Blue Book 1954, Minute 262(3).  
(2) Resolve to constitute an Order of Deaconesses to which Exit deaconess students may be commissioned by a presbytery upon the satisfactory completion of Deaconess trials as set by the presbytery and at which commissioning she signs the formula. The Presbytery shall advise the appropriate state assembly committee that she has completed her training and has been accepted as a Deaconess.  
The motion was seconded and approved.  
Pursuant to notice the Rev Dr Paul Logan moved:  
That the Assembly:  
Declare that:  
(3) (a) The procedures for the acceptance of Deaconess candidates shall be the



same as those for the acceptance of candidates for the ministry as determined by each State.

- (b) For the duration of her course of training a Deaconess candidate shall be under the jurisdiction of the Presbytery that accepted her as a candidate or within whose bounds she is working.

The motion was seconded and approved.

Pursuant to notice the Rev Dr Paul Logan moved:

That the Assembly:

- (4) Instruct the College Committee to draw up regulations for the training of Deacon/Deaconess candidates.

The motion was seconded and approved.

Pursuant to notice the Rev Prof D. Milne moved:

That the Assembly:

- (5) Appoint a committee to examine the biblical mandate for diaconal ministry, to make suggestions for its implementation in the Presbyterian Church of Australia, and report to the next General Assembly of Australia.
- (6) Appoint the following Committee: Prof D.J.W. Milne, Prof I. McIver, Rev P. Barnes (Convener), P.F. Cooper, T. Fishwick, Miss M. Geddes and Deaconess P. Vaughan.

The motion was seconded and approved.

The Petitioner was recalled to the bar and informed of the decision of the Assembly.

**114. Overture (iii):** An Overture from the General Assembly of Tasmania concerning Long Service Leave was taken up and received.

Messrs A.D. Turner and G.K. Roberts stated the Overture.

Questions were called for.

It was moved and seconded that the Assembly sustain the Overture.

The motion was approved.

Pursuant to notice Mr. A.D. Turner moved:

That the Assembly:

Appoint the Finance Committee as the committee to negotiate with the relevant state committees for the purposes of investigating a national long service leave scheme for ministers of the Presbyterian Church of Australia.

The motion was seconded and approved.

Pursuant to notice the Rev J.M. Elliott moved:

That the Assembly:

Instruct the Finance Committee, in consultation with the relevant state committees, to investigate the establishment of a national superannuation scheme.

The motion was seconded.

Arising from the debate Mr D.R. Brierley moved:

That the Assembly:

- (a) Delete the words "the Finance Committee in consultation" and add other words so that the clause will read:

"Instruct a committee appointed by the Assembly to consult with the relevant state committees to investigate the establishment of a national superannuation scheme."

- (b) Appoint the Committee as follows - Dr P.E. Lush (Convener), Messrs E.C.W. Davey, P.A. Burke and S.H. Fraser.

The amendment was seconded and approved.

Arising from the debate Mr C. Morrow moved:

That the Assembly:

- (d) if it is found that the investigation proves a national superannuation scheme is viable then, with the agreement of the state assemblies, the said national superannuation scheme is instituted, appoint the N.S.W. Property Trust as Trustees of the scheme.

The motion was seconded and approved.

**115. Communication (v):** Communication (v) from the Presbytery of Brisbane concerning Miss A. Sherrington was received.

**116 Commission of Assembly:** Pursuant to notice the Rev Dr Paul Logan moved:

That the Assembly:

- (1) In accordance with Standing Order 99 and the general powers of the Assembly under Article IV appoint a Commission of the General Assembly with the following powers and duties:
  - (a) to deal with and determine each matter referred to it by the General Assembly; and
  - (b) to consider and determine any matter or issue or take such other action, being of a kind which would normally be dealt with by the General Assembly, but which because of its urgent nature requires prompt executive or judicial action.
- (2) Direct the Commission of Assembly as follows:
  - (a) to act in the interest of the Church on every occasion so that the Church does not suffer or sustain any prejudice or harm which can be prevented;
  - (b) to observe all instructions given to the Commission by the General Assembly;
  - (c) to act in all its proceedings in accordance with the rules and constitution of the Church;
  - (d) to be accountable to and censurable by the General Assembly as the Assembly shall see fit;
  - (e) to refrain from enacting, amending or repealing any rules or regulations of the General Assembly, or entering into a consideration of any overture or motion proposing legislation;
  - (f) to deal only with matters specified in 1(a) and (b);
  - (g) to submit its minutes duly confirmed and all relevant papers to the next General Assembly through the Clerk.
- (3) Establish the membership of the Commission of Assembly as follows:
  - (a) the Moderator, who shall be Chairman (see Standing Order 99);
  - (b) the Other Officers of the General Assembly (being the Clerks, Business Convener, Procurator and Law Agent);
  - (c) all past Moderators of the General Assembly;
  - (d) members from the States as follows:

	Ministers	Elders
New South Wales	3	3
Victoria	3	3
Queensland	2	2
South Australia	1	1
Western Australia	1	1
Tasmania	1	1

- (4) Direct each State Assembly to appoint members of the Commission from that State.
- (5) Authorise any vacancy which may occur to be filled by the State Assembly of the relevant State or in such manner as the State Assembly shall or shall have directed.
- (6) Declare that the quorum for a Commission of Assembly shall be 16 members from at least four of the States.
- (7) Authorise the Moderator to convene the Commission of Assembly when so appointed by the General Assembly, or when requested by a quorum of the members of the Commission, such Commission to meet in the first instance in the Chalmers Church, Sydney, or thereafter in such other place as the Commission may determine.

- (8) Authorise the Clerk of Assembly to take all steps which may be necessary or desirable to arrange for any meeting of the Commission of the General Assembly.
- (9) Authorise the Finance Committee to provide such funds as may properly be required in respect of any meeting of the Commission of the Assembly.

The motion was seconded and approved.

**117. Report:** The report from the General Assembly of Tasmania under Article X was received.

**118. Appointment next Assembly:** Pursuant to notice the Rev Dr Paul Logan moved:

That the Assembly:

Resolve to convene at Sydney and within the Chalmers Church, Surry Hills, on Monday 14 September, 1997 at 7 p.m., and appoint a Commission consisting of the Moderator, Clerks, Business Convener, Procurator and Law Agent, with the Moderator as Chairman, of whom three members shall be a quorum, to appoint another time, place or date of meeting should it become impracticable for the Assembly to discharge its function at the time, or place on the date appointed.

The motion was seconded and approved.

**119. 1997 Assembly:** Pursuant to notice the Rev G.K. Kettmiss moved:

That the Assembly:

Request the Commission of Assembly and the Finance Committee to investigate the feasibility of holding the 1997 G.A.A. commencing on a Friday evening at 7 p.m., meet on the Saturday, then on the Monday and until the Assembly concludes.

The motion was seconded.

The Previous Question was moved, seconded and disapproved.

The Previous Question was moved, seconded and approved.

**120. The Sudan:** Pursuant to notice Mr K.J. Swan moved:

That the Assembly:

1. Draw the attention of the Australian Government to the following facts about the African territory known as The Sudan:
  - a. both the Southern Sudan and the Northern Sudan contain separate national peoples on the bases of ethnicity, culture and religion;
  - b. from about 1900 until the establishment of the independent Republic of the Sudan in 1956 Great Britain had effectively administered The Southern Sudan and The Northern Sudan as separate colonies;
  - c. the events of 1956 enabled The Northern Sudan, under the pretence of being the government of both former colonies - that is, The Southern Sudan and The Northern Sudan - to attempt to recolonise The Southern Sudan by imposing on it an alien government, culture and religion, against the will of its people; and
  - d. the relentless pursuit of that policy has been responsible for the death, injury and sickness of countless thousands of Southern Sudanese during the last 30 years.
2. Believes that the present appalling conflict in The Sudan may only be resolved by setting up The Southern Sudan as an independent Republic recognised by the United Nations Organisation.
3. Requests the Australian Government
  - a. to demonstrate leadership on this issue in the interests of freedom, humanity and peace; and
  - b. to press through the United Nations Organisation for international recognition of The Southern Sudan as a separate independent republic.

Arising from the debate the Rev Dr D.C. Mitchell moved:

That the Assembly:

Substitute the word "nation" for "republic" where appearing.

The amendment was seconded and approved.

The motion was approved.

Arising from the debate the Rev C.R. Thomas moved:

That the Assembly:

4. Call the Church to prayer for the people of the Sudan and other persecuted people.

The motion as amended was approved as follows:

That the Assembly:

- (1) Draw the attention of the Australian Government to the following facts about the African territory known as The Sudan:
  - a. both the Southern Sudan and the Northern Sudan contain separate national peoples on the bases of ethnicity, culture and religion;
  - b. from about 1900 until the establishment of the independent Republic of the Sudan in 1956 Great Britain had effectively administered The Southern Sudan and The Northern Sudan as separate colonies;
  - c. the events of 1956 enabled The Northern Sudan, under the pretence of being the government of both former colonies - that is, The Southern Sudan and The Northern Sudan - to attempt to recolonise The Southern Sudan by imposing on it an alien government, culture and religion, against the will of its people; and
  - d. the relentless pursuit of that policy has been responsible for the death, injury and sickness of countless thousands of Southern Sudanese during the last 30 years.
- (2) Believes that the present appalling conflict in The Sudan may only be resolved by setting up The Southern Sudan as an independent nation recognised by the United Nations Organisation.
- (3) Request the Australian Government
  - a. to demonstrate leadership on this issue in the interests of freedom, humanity and peace; and
  - b. to press through the United Nations Organisation for international recognition of The Southern Sudan as a separate independent nation.
- (4) Call the Church to prayer for the people of the Sudan and other persecuted people.

The Moderator led the Assembly in Prayer.

**121. Drought:** Pursuant to notice the Rev Dr Paul Logan moved:

That the Assembly:

- (1) Urge the Commonwealth and State Governments to do all they can, including the easing of the assets test and streamlining of the processes of administration associated with relief programmes, to alleviate the plight of those suffering because of the current drought.

The motion was seconded and approved.

Arising from the debate, the Rev S. Andrews moved:

That the Assembly:

- (2) Call the church to repentance and to prayer for those suffering as a result of the present drought.

The motion was seconded and approved.

**122. Assembly Minutes:** Pursuant to notice the Rev K.R. Bell moved:

That the Assembly:

Send to all ministers and session clerks:

- (1) A copy of the Minutes of the Assembly.
- (2) A copy of changes in the "Presbyterian Church of Australia": Constitution, Procedure and Practice" in a form which can be placed immediately into the book.

The motion was seconded and disapproved.

**123. Presentations to Assembly:** Pursuant to notice the Rev R. van Delden moved:

That the Assembly:

- (1) Establish an Ad Hoc Committee to investigate, report and make recommendations to the General Assembly of Australia in 1997 on the issues of socially, culturally and/or intellectually disadvantaged persons in presenting communications, petitions, appeals, overtures, references or other formal presentations to the Assembly.
- (2) Appoint the Committee as - the Rev R. Humphreys (Convener), S. Cowley, Dr M. Kim, Messrs B. Hafner, R. Whiting and R. Neems.

The motion was seconded and approved.

**124. Rev Dr D. Clarnette:** Pursuant to notice the Rev J.E. Webster moved:  
That the Assembly:

Authorise the Commission of Assembly to receive and deal with a petition from the Rev Dr D Clarnette to be received as a minister of the Presbyterian Church of Australia.

The motion was seconded and approved.

**125. Homosexuality:** Pursuant to notice the Rev D.S. Wishart moved:  
That the Assembly:

1. Communicate to the Premier of Tasmania, copies to the leader of the opposition in Tasmania, the Prime Minister; the leader of the Federal opposition; the Federal Parliamentary National Party and the Media, the following decisions of the Assembly.
2. Declares that homosexual practices are an act of idolatrous rebellion against the holiness of God in worshipping the creature rather than the creator and as Sin exclude the doer from salvation until that person repents and trusts in the Lord Jesus Christ.
3. Commends the Parliament of Tasmania for refusing to decriminalize sodomy or supporting the retention of section 122 and 123 of the Tasmanian Criminal Code.
4. Encourages the Parliament or Government of Tasmania to resist moves by the Federal Government to circumvent the Constitution of Australia and our English Common law based on the scriptures of the Old and New Testaments by the use of International Covenants based on the pagan philosophy of humanism.
5. Request the Clerk of Assembly to advise the following media agencies of the foregoing if possible before the Assembly concludes:

ABC Radio & TV

Network 10

Network 7

Network 9

"SBS"

"The Australian" and

The Australian Associated Press

It was moved and seconded that the Assembly meet as a committee of the whole for 5 minutes with the Moderator as Chairman and the Clerk as Secretary to discuss the matter.

The motion was disapproved.

The Previous Question was moved, seconded and disapproved.

The Rev D.A. Burke moved as a procedural motion:

That the Assembly:

Refer the matter of the laws of Tasmania and homosexuality to the Church and Nation Committee for response to the appropriate authorities.

The motion was seconded and disapproved.

The Previous Question was moved, seconded and approved.

**126. Committee Discharged:** The Clerk moved that the Assembly thank and discharge the Committee to scrutinise the minutes and discharge the tellers. The motion was seconded and approved.

**127. Commission to Confirm Minutes:** It was resolved that the Assembly appoint the Moderator, Clerks, Business Convener, the Rev D.A. Burke, C.R. Thomas and J.E. Webster, a Commission to examine, correct and confirm the minutes of the sixth and seventh sederunts.

**128. Thanks:** It was resolved that the Assembly record its thanks to Mr Keith Mar, General Secretary, and the staff of the church offices in Sydney for their work in preparing for this Assembly and in particular to Miss Suzanne Jensen; Mr P.J. Graham, Assembly Officer; the N.S.W. Christian Education Committee for organising the service centre and the Assembly prayer meeting; the Rev J.E.D. Seaton and those who helped him in operating the overhead projector; Miss E. Ham for engrossing the Loyal Address; the Rev S. de Plater for printing the name tags; Messrs A. Unwin and E. Grantham for assisting the Clerks and Business Convener; the Rev C.A. Alston, Mr J. Williams and the elders who assisted them in arranging the Communion Service; the Assembly organists; Mrs J. Angus and the ladies who assisted her in the provision of morning and afternoon teas, lunches and dinners; and all those who assisted in the operations of the Assembly.

**129. Dissolution:** The business of the Assembly having been completed, the Moderator after briefly addressing the House, intimated that the Assembly would next convene in terms of Minute 118 and dissolved the Assembly with praise, prayer and the pronouncing of the Benediction.

Allan M. Harman, Moderator.  
Paul G. Logan, Clerk.  
B.M. Meller, Deputy Clerk.

#### CERTIFICATE

The Minutes of the Sixth and Seventh sederunts, having been carefully corrected are confirmed as authorised in terms of Minute 127 thereof.

Allan M. Harman, Moderator.

## OVERTURES

**(xiii) From the College Committee concerning the recognition of Theological Halls.**

To the Venerable the General Assembly of the Presbyterian Church of Australia.

This overture humbly shows that:

Whereas:

- i) The General Assembly in the previous Article VIII had recognised the theological hall in Ormond College and the theological hall in St. Andrew's College, Sydney, and
- ii) The General Assembly had by simple resolution recognised the theological hall in Brisbane 1910 and the theological hall in Perth (1914), and
- iii) It is expedient to have all three presently operating and authorised colleges/halls approved together in the articles, and
- iv) It would strengthen the hand of the colleges/halls to have the more enduring recognition of the articles rather than that afforded by simple resolution of assembly.

Now therefore, the College Committee humbly overtures the General Assembly of Australia to take these premises into consideration and amend Article VIII as enacted by the 1994 General Assembly by the addition of the following clause:

- (h) The Colleges/Halls the General Assembly shall recognise for the training of candidates for the ministry shall be the Queensland Presbyterian Theological Hall, the NSW Presbyterian Theological Centre and the Victorian Presbyterian Theological College,

or do otherwise as the Assembly in its wisdom may deem fit.

Rt. Rev. A.M. Harman and Rev. G.K. Kettmiss were appointed to state the overture.

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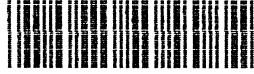
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