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A. THE CHURCH

The Church

The Presbyterian Church of Queensland is a part of the Church Catholic, is a constituent part of The Presbyterian Church of Australia, and is in historic continuity with the Church of Scotland, reformed in 1560.

It was founded in 1863 with the formation of a Synod, in which congregations deriving from the Church of Scotland directly, and others deriving from the Free Church of Scotland and from the United Presbyterian Church, were represented.

The Presbyterian Church of Australia was constituted in Sydney on the 24th day of July, 1901, by the Union of The Presbyterian Churches of New South Wales, Queensland, South Australia, Tasmania, Victoria and Western Australia. At that date The Presbyterian Church of Queensland, under the "Deed of Union", surrendered to The Presbyterian Church of Australia the power to determine finally in matters of doctrine, worship, and discipline.

Standards

(a) The Supreme Standard of the Church is the Word of God contained in the Scriptures of the Old and New Testaments, and which this Church regards as the only rule of faith and practice. This definition of the Supreme Standard is derived from the Westminster Shorter Catechism, and is understood by this Church in the light of the doctrine taught in Chapter One of the Westminster Confession of Faith.

(b) The Subordinate Standard of the Church is the Westminster Confession of Faith, as amended by the General Assembly of Australia and read in the light of the Declaratory Statement contained in the Basis of Union.

Westminster Confession of Faith and the Declaratory Statement

The General Assembly of the Presbyterian Church of Australia in 1991 (GAA BB 1991 Min. 29) resolved
That the Assembly:-
(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.

Powers, Duties, Rights, Privileges, and Jurisdiction

As a constituent part of The Presbyterian Church of Australia, The Presbyterian Church of Queensland has and exercises such powers, discharges such duties, and enjoys such rights and privileges as are provided for in the Basis of Union and the Articles of Agreement of the Deed of Union of the 24th July, 1901, and in subsequent competent amendments thereto.

The Presbyterian Church of Queensland has full autonomy in all matters except insofar as power relative to any particular matter has been assigned to the General Assembly of The Presbyterian Church of Australia under the Basis of Union and the Articles of Agreement of the Deed of Union. Matters in respect to which the powers of The Presbyterian Church of Queensland are modified in more or less degree by those of The Presbyterian Church of Australia are:-

- the Doctrine, Worship and Discipline of the Church,
- the Mission to the Heathen,
- the Training of Students for the Ministry,
• the Reception of Ministers from other Churches,
• Welfare of Youth, and
• Home Missions.

Power in respect of other matters may by amendment of the Articles of Agreement be assigned by the State Churches to The Presbyterian Church of Australia.

The only King and Head of the Church is the Lord Jesus Christ, from whom its powers and prerogatives are derived, so that all its functions are to be exercised in His Name, under the guidance of His Word and Spirit, and in subjection to His authority alone.

The spiritual oversight of the Church is vested in duly ordained Presbyters, chosen by the communicants, and sitting in representative courts, designated sessions, presbyteries and general assemblies, in gradation of authority in the order named.

The temporal affairs of the Church are administered by office-bearers, chosen by the members.

**Law of the Church**

The law of the Church finds expression in the Supreme Standard of the Church supremely [see Standards (a) preceding] and partially in the following:-

a. the Subordinate Standard;

b. legislative enactments;

c. declarations, directions and enactments of Church courts;

d. unprescribed customary arrangements, practices and procedures.

Upon The Presbyterian Church of Queensland the following explicit formulations of Church Law are binding:-

e. the Constitution of The Presbyterian Church of Australia, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly thereof insofar as they are applicable to The Presbyterian Church of Queensland;

f. the Constitution of The Presbyterian Church of Queensland as modified by the "Basis of Union" of the 24th July, 1901, and the rules, regulations, declarations and directions lawfully made or given by the General Assembly of the said Church.
Rules of the Church and Procedure for Amending etc.

This paragraph and the preceding paragraphs of this chapter, and the numbered paragraphs of chapters 1-13 following, are hereby declared to be, and may be referred to as "rules" of the Church, and may only be amended, repealed, or added to under the "Barrier Act" procedure as provided in the relevant rules following.

Church Crest

During its first session, 1901, the General Assembly of Australia adopted as its "emblematic device" the one in use in the Churches of New South Wales and Queensland, substituting the word "Australia" for the names of these States. The crest was approved by the New South Wales Assembly in 1883, and was first used in 1884. The Queensland Church adopted it in 1895.

Besides the words "Presbyterian Church of Australia" and "Nec tamen consumebatur", the crest consists of the Burning Bush, St Andrew's Cross, the Southern Cross, a Latin Cross, the Rose, the Thistle and the Shamrock.

Non-profit Status

The assets and income of the organisation shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to the members of the organisation except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.
B. LETTERS PATENT

THE CORPORATION OF THE PRESbyterian

CHURCH OF QUEENSLAND

V. – LETTERS PATENT

VICTORIA by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the faith.

To The Rev. William Lambie Nelson of Toowoomba, Doctor of Laws, The Rev. Charles Ogg of Brisbane and James Bryden of Brisbane, all in the Colony of Queensland

Greeting -

WHEREAS by “The Religious Educational and Charitable Institutions Act of 1861” it is enacted, that it shall be lawful for the Governor, with the advice of the Executive Council from time to time, to issue LETTERS PATENT under the seal of the Colony, and therein to declare that any person or persons and their successors for ever, holding any religious or secular office or preferment, or exercising any religious or secular functions, to which he or they should have been called or appointed, in accordance with the rites, laws, rules, and usages of the Community or institution to which such person or persons shall belong, should be a Body Corporate, by such name and style as might in and by the said LETTERS PATENT be given to such Corporation. And WHEREAS it has been represented to us that you the said Reverend William Lambie Nelson, Reverend Charles Ogg and James Bryden respectively hold and exercise the offices of Moderator, Clerk, and Treasurer of the Presbyterian Church of Queensland, and that you have been appointed to such offices respectively in accordance with the rites, laws, rules, and usages of the said General Assembly of the Presbyterian Church of Queensland. And WHEREAS it has been further represented to us that you are desirous of being incorporated and designated by the style of THE PRESBYTERIAN CHURCH OF QUEENSLAND under the provisions of the said Act, and have complied with the provisions thereof, entitling you in that behalf. NOW KNOW YOU, that We, in pursuance of the power and authority vested in us by the said Act, and by and with the advice of the Executive Council of the said Colony DO BY THESE LETTERS PATENT, declare that you the said Reverend William Lambie Nelson, Reverend Charles Ogg, and James Bryden and your successors for ever shall be a Body Corporate by the name and style of THE PRESBYTERIAN CHURCH OF QUEENSLAND.
In Testimony whereof We have caused these OUR LETTERS PATENT to be sealed with the seal of the said Colony.

Witness our Trusty and Well-beloved William Wellington Cairns, Esquire, Companion of our Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies, at Government House, Brisbane, this Thirteenth day of June in the year of Our Lord one thousand eight hundred and seventy six, and in the thirty-ninth year of our Reign.

By Command
R.M. STEWART, W.W. CAIRNS.

Entered in Record by me, in the Register of Patents, No. 5, page 38, this thirteenth day of June, A.D., 1876. H.H. MASSIE,
For the Colonial Secretary and Registrar.
C. CHILD PROTECTION POLICY

PRESBYTERIAN CHURCH OF QUEENSLAND
PROTECTION POLICY (Children and Young People)

The Presbyterian Church of Queensland (the Church) is aware of its duty of care and responsibility for the welfare and well-being of children and young people within the Church. The Church recognizes the need to protect them from all manner of abuse by members of the Church and the wider community and to manage risk in its activities and programmes involving children and young people. Wherever the words “child” and “children” occur throughout this document hereafter, they are inclusive of the words “young person” and “young people” respectively.

This Policy applies to all persons, whether paid or unpaid, who are involved in a child-related activity, whether permanently or temporarily. Such persons will consider themselves to be mandatory reporters of Reportable Conduct, because all reportable conduct is unacceptable. The purpose of this Policy is:

- to provide written processes about the appropriate conduct of staff, volunteers, and children within the church that accord with legislation in Queensland about the care and protection of children;
- to promote and strive to provide a safe, supportive and ethical environment within the Church;
- to provide a mandatory process for reporting and managing allegations within the Church, which is clear and consistent;
- to respond to allegations of Abuse made under this Protocol in a manner which is sensitive to the dignity, respect and confidentiality of all involved, including the alleged perpetrator;
- to manage allegations in a fair and timely manner;
- to provide a document which proclaims through a clear and complete explanation the attitudes and accepted accountabilities and responses of the Church in relation to Abuse.

PRINCIPLES
The Church will be guided in respect of issues of Abuse and Risk by the example of the love and compassion of Jesus Christ and will uphold the following principles under this Policy.
1. Staff and volunteers within the Church must ensure that their behaviour towards, and relationships with, children reflects proper standards of care for children, and is not unlawful.
2. Members of the Church communities must not, under any circumstances, Abuse a child.
3. Abusive acts are a breach of trust and when perpetrated by paid staff are regarded as matters of professional misconduct.
4. Because of the authority that exists between a staff member or volunteer within the Church and a child, that child cannot "consent" to Abuse.
5. Abuse may result in criminal proceedings as well as disciplinary action, including dismissal in the case of staff members, whilst in the case of children, abuse may result, where appropriate, in relocation to another centre or programme.
6. Sexual Acts by an employee or volunteer, with a child, will always be Sexual Abuse.
7. The Church recognises that people who are subjected to Abuse are harmed by it.
8. In every preventative or protective action relating to harm to a child, the welfare and best interests of the child will always be a primary consideration.
9. The Church expects children within the Church to show respect to staff and volunteers within the Church and to comply with safe practices.
10. The Church will respond diligently to a report of suspected or actual harm, or risk of harm to a child.
11. The Church will not tolerate reprisals against children or others making a complaint.
12. Within the Church, practices relating to the management of children will be administered with respect and in a manner which maintains the dignity of the children.
13. The Church will act fairly and reasonably towards an employee or volunteer within the Church who is the subject of allegations of improper conduct.
14. The Church will support an employee or volunteer within the Church who is the subject of a proven false allegation of causing harm to a child.
15. The Church will take disciplinary action against employees and volunteers within the Church who harm others.
16. The Church will not permit people to work in a position within the Church if the Church believes on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed.
17. The Church may accept a moral obligation to help people who have been Abused where there is no legal obligation to do so. This obligation may extend to others affected by the Abuse such as family, close friends, other members of the Church, and Church Workers.

18. The Church will co-operate with state authorities in resolving allegations of harm.

19. The Church will publish this Protocol widely and require people to use it.

20. Persons receiving information about Abuse or suspected Abuse should explain to the informant that the information supplied will be confidential to the extent that this is possible, given the need to investigate allegations and requirements of the law.

21. Victimisation of the informant will not be tolerated.

22. In order to reduce the chance of Abuse occurring, the Church will ensure that:
   • within the Church, sexual abuse is discussed openly;
   • each staff member and volunteer within the Church understands and fulfills their obligations under this Policy;
   • there is an acceptable reference from their previous employer for each staff member within the Church and an acceptable reference from someone of good standing and known Christian commitment who has been a communicant member of a congregation for at least six months for each volunteer engaged since the commencement of this protocol (See Definitions) at 22 March 2006;
   • each staff member and volunteer within the Church who has contact with children has a current positive prescribed notice issued by the Blue Card Services, Public Safety Business Agency. It may be a requirement of any staff member that the Church shall be authorised to confirm the validity of the positive suitability notice (ie Blue Card).

23. The Church will ensure that all staff and volunteers undergo training with respect to Abuse/Harm through the ChildSafe Organisation’s [http://www.childsafe.org.au](http://www.childsafe.org.au) training modules.

GUIDELINES
In complying with these principles, the Church will be guided by the following:

Procedural Fairness
The principles of Procedural Fairness will apply to decisions to be made under this Policy. The two fundamental principles of Procedural Fairness are:
• that those making a decision are not biased;
• that nobody should be condemned unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.
Confidentiality
Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. The Church is unable to promise absolute confidentiality since its polices will require disclosing, internally and externally, certain details involved in responding to any complaint. State authorities can compel people to give evidence about actions under the Policy and to produce documents.

Defamation
A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability for defamation.

Promptness
All steps under this Policy should be carried out promptly. The Church will keep the alleged victim and the alleged perpetrator informed of progress.

Public Relations
The Church will ensure that it is able to react quickly to allegations of harm so that accurate and relevant information is available for staff members, children and their families within the Church and/or the media.

Church Disciplinary Procedure and Police Action
1. It will not be necessary to wait until the police have decided whether to charge an alleged sexual abuser before taking any internal disciplinary or administrative action. In the case of:
   (a) a Church Office-holder, the Church must immediately suspend the alleged abuser acting under its powers contained in The Code Of Discipline of the Presbyterian Church of Australia and set forth in Rule 3.12 (Suspension) viz If an allegation is made against a person who holds office in the Church, including a minister of a parish, which concerns inappropriate behaviour with young people, including child molestation, then having regard to the need to protect children the Court may at any time suspend the accused person from office even though the Court has not at the time resolved to proceed to judicial process as referred to in Rule 5.01.

   In the case of any such suspension the provisions of Rule 5.01(a) shall apply as though the suspension had occurred after the decision to proceed by judicial process. If the Court subsequently resolves to proceed by judicial process it may either continue or
discontinue the suspension and may in any event discontinue the suspension at any time.

(b) a Volunteer, the Church must immediately stand down the alleged abuser from all activities of the Church involving children and young people

2. The police are not required to inform the Church about their investigation. Some of their material may possibly be acquired under a Freedom of Information request when their work (and any court proceedings) on the case has been completed

**Insurer**
The Church will keep its insurer informed about developments.

**Review**
The Church will ensure that this Policy is reviewed at least once every year.

**REPORTING ABUSE/HARM**
1. Anyone who witnesses Abuse/Harm must report it immediately to a Person in Authority within the Church.

2. Anyone who becomes aware or reasonably suspects that Abuse/Harm has been caused by anyone to a child should report it immediately to a Person in Authority and keep a written record of the actions taken. If the subject of the allegations falls into one of the categories of people designated in the definition “Person in Authority”, the report should be made to someone in one of the other categories.

3. On receipt of a report of Abuse/Harm other than the suspected Sexual Abuse of a child as set out in paragraph 8, the Person in Authority will carry out a preliminary assessment to determine whether that Person in Authority reasonably suspects that the Abuse/Harm has occurred.

4. There will be two Persons in Authority present at interviews, where practical. In cases of allegations of serious Abuse/Harm, it is best not to interview a child unless a properly qualified person conducts the interview.

5. If as a result of the preliminary assessment in paragraph 3, the Person in Authority reasonably suspects Abuse/Harm to have been caused, that
Person in Authority should report it to the police or the Department of Child Safety, and keep a written record of the actions taken, which should be forwarded to the ChildSafe Risk Management Officer.

6. Any staff member or volunteer within the Church who becomes aware or who reasonably suspects that a child has been Sexual Abuse should immediately give a written report about the Sexual Abuse or suspected Sexual Abuse to a Person in Authority within the Church.

7. A child who wishes to report behaviour by a staff member or volunteer considered by that child to be inappropriate should report the behaviour to a Person in Authority.

8. A child who wishes to report sexual abuse by a staff member or volunteer should report the sexual abuse to a Person in Authority.

9. The Person in Authority, upon receiving a report of sexual abuse from a child, staff member or volunteer who is aware or reasonably suspects that a child has been Sexually Abused should immediately give a copy of the report to a police officer, and provide a copy of that report to the ChildSafe Risk Management Officer.

10. The report must contain the following particulars:
    • the name of the person giving the report (the “first person”);
    • the child’s name and sex;
    • details of the basis for the first person becoming aware, or reasonably suspecting, that the child has been Sexually Abused by an employee or volunteer within the Church;
    • details of the Sexual Abuse or suspected Sexual Abuse;
    • any of the following information of which the first person is aware –
      (i) the child’s age;
      (ii) the identity of the employee or volunteer within the Church or other person who has Sexually Abused, or is suspected to have Sexually Abused, the child;
      (iii) the identity of anyone else who may have information about the Sexual Abuse or suspected Sexual Abuse.

11. The Person in Authority will ensure that the child is supported by:
    • offering pastoral support;
    • offering to arrange professional counselling, if circumstances warrant it, even if any allegation is not yet proved or disproved;
treating the child with respect and dignity;
being sensitive to the child's needs, feelings and concerns; and
maintaining confidentiality, to the degree possible in the circumstances.

12. The Person in Authority will, if the accused person is from within the Church:
• ensure that pastoral support is offered;
• ensure that the accused person is treated with respect and dignity;
• ensure that professional counsel
• ling is arranged if it is requested, until the matter has been resolved.

13. The Person In Authority will, in respect of a Presbytery inducted or appointed person, report the matter to the Clerk of Presbytery and the Presbytery, after a duly convened meeting, will stand down any member of staff who is a Presbytery inducted or appointed person.

14. The Person in Authority will, in respect of volunteers and congregational employees, report the matter to the Session Clerk and the Session, after a duly appointed meeting, will stand down the volunteer or congregational employee from their position.

15. When a police prosecution relating to the information is completed or if there is no police prosecution, the Person in Authority will investigate the information to recommend whether:
• redress should be offered to the child;
• outstanding disciplinary action should be taken.
The Person in Authority may involve independent professionals in the investigation.

16. If the Person in Authority believes disciplinary action must be taken against the accused person, the Person in Authority will initiate that action and ensure that the principles of Procedural Fairness are observed (see under GUIDELINES in this Policy).

17. If the Person in Authority believes redress should be offered, that Person in Authority will recommend which of the following forms the redress will take:
   (a) provision of minor costs eg transport to attend hearings and the like;
   (b) provision of ongoing professional support and counselling;
   (c) a simple apology;
(d) financial restitution, legal and other associated costs or compensation. Where redress involves (a), (b) or (c) the Session will determine how this is to be provided but where redress involves (d), the matter will be referred to the insurance underwriter, the Trustees and appropriate legal advisors for resolution.

18. A Person in Authority must, upon becoming aware of all allegations of pedophilia, immediately refer them in writing to the police, including those from the past, except where the alleged perpetrator is deceased.

19. A Person in Authority must, upon becoming aware of a circumstance concerning child exploitation material, refer the situation to the ChildSafe Risk Management Officer who will determine the nature of action to be taken including that of referring the situation to the police when the laws of the Commonwealth of Australia or State Legislation require disclosure.

RISK MANAGEMENT
The Church is committed to safe practices and environments and will ensure that all staff and volunteers undergo training with respect to Risk Management through the ChildSafe Organisation’s [http://www.childsafe.org.au](http://www.childsafe.org.au) training modules applicable to their responsibilities within the Church, and that risk management plans and strategies are put in place for all activities and programmes involving children according to the procedures set forth in the training modules, resources, and reporting components.

DEFINITIONS
"Abuse/Harm" means activity or deliberate or careless inactivity which causes significant harm, that is to say, any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing. The harm can be caused by:

- physical, psychological or emotional Abuse;
- Sexual Abuse or exploitation;
- neglecting to assess risk to provide safe activities.

"Child" means a person under 18 years of age.

"ChildSafe Risk Management Officer" means the person appointed to the position by the General Assembly of the Presbyterian Church of Queensland.

“Minister” means a person officially ordained into the ministry by the Presbyterian Church of Australia.
"The Church" means The Presbyterian Church of Australia.

“Pastoral Care” or “Pastoral Support”
The provision of care, counsel and education to persons who seek the support of the Church including:
• guiding to make decisions concerning spiritual matters by means of Biblical readings;
• prayer;
• provision of practical support, such as medical care or counseling;
• reconciling someone to God and/or other people;
• spiritual guidance;
• sustaining through a period of hardship and/or crisis.

“Person in authority” means the ChildSafe Risk Management Officer, Clerk of the Assembly, Ministers, Accredited Ministry Workers, and Licentiates.

“Reportable Conduct” is anything which an individual, an institution or a process does or fails to do which directly or indirectly harms a child. All reportable conduct is unacceptable. It includes:
• “Abuse” as defined above;
• use of pornography depicting children;
• neglect ie chronic failure to provide the basic necessities of life such as love and affection, safety, food, clothing, hygiene, medical care and education.

"Sexual Abuse" means any actions with a child for the sexual gratification of the perpetrator.

“Staff” includes employees (for example “Persons in Authority” as defined, administration people and grounds staff) and volunteers (for example leaders and camp parents).

POLICY DISSEMINATION
This Policy will be made available to children and parents of children within the church via a church website and will be on display on at least one notice board in each church, always. The attention of children and parents of children within the church will be drawn to the Policy at least twice a year via church newsletters. The Minister of each church will ensure that a copy of this Policy is always available in the foyer of each church. The Policy will be directed to the attention of all new staff and volunteers within the church at the time of their
appointment and to all within the church via church handbooks and newsletters. All staff and volunteers within the church will be provided with appropriate training on child protection issues on an annual basis, such training to be approved by the Assembly or its Commission.

STATEMENT OF COMMITMENT
The Presbyterian Church of Queensland is committed to the safety and holistic wellbeing of all children and young people involved in its events. To ensure that children and young people are kept safe from harm, Presbyterian Church of Queensland staff and volunteers are required to hold a current blue card, agree to adhere to a Code of Conduct when working with children and to undergo training in child safety. The Presbyterian Church of Queensland takes child protection and safety seriously and therefore has policies and procedures in place to ensure that your child have the best possible experience with the Church.

Updated COA 14/20
D. OWNERSHIP OF CHURCH PROPERTY

The Presbyterian Church of Queensland is established under Letters Patent and is governed by the Queensland Trust Act in relation to Funds and Property. The Presbyterian Church of Queensland is a Corporation of which the Moderator, Clerk and Treasurer are the Trustees. Congregational property (with some exemptions, e.g., Ann Street) is vested in the Corporation. Hence, it is commonly stated that the Corporation holds property etc on behalf of Congregation x. Congregational property can only be sold, mortgaged, purchased or dealt with in any way whatsoever provided the action is carried out in terms of the Rules of the Presbyterian Church of Queensland (the Code).

However, the Corporation also owns denominational property or equipment and holds funds. For example, the offices of the Church are owned by the Corporation of the Presbyterian Church of Queensland, as are all camp properties, including their computers, furniture and equipment, and all other items purchased and used by The Presbyterian Church of Queensland, as well as funds of the denomination.

Under Rules, Regulations, Constitutions etc contained in the Code, the use of such property, items and funds is given over to its various Committees, Boards etc. For example, the Rules of the Church allocate the responsibility of campsites to the Property Board. The Regulations governing the N. F. Nelson Fund (for the work of camping and campsites) declare the Committee on Outreach and Nurture as the body to administer the Fund. These bodies do not own any property but simply administer such property as authorised by the Assembly.

If it is believed that particular resources owned by the Corporation could be more appropriately superintended by an alternative body within the Church, the Assembly has the power to change the body that administratively runs and/or uses the particular resource by changing the necessary sections of the Code, either Rules, Regulations or Constitutions.
E. STATEMENT ON COMMISSION OF PRESBYTERY

1. The Commission of Presbytery is the Presbytery and Presbytery cannot overturn a Commission’s decision unless it has acted outside its authority.

2. Presbytery has the power to set the terms of a Commission of Presbytery and can include, among other things, the proviso that reports and correspondence are to be provided to the Presbytery as part of the terms of the Commission.

3. Any member may ask to have any item of correspondence read at any time.

4. Presbytery has the right to ask for minutes and reports from a Commission of Presbytery.
F. PRIVACY POLICY FOR
PRESBYTERIAN CHURCH OF QUEENSLAND

Our Privacy Commitment
The Presbyterian Church of Queensland (“PCQ”) ABN 43 015 755 489 is committed to caring for people who are associated with the PCQ through any of its local congregations, its camps and activities and any other ministries it conducts. In caring for these people the PCQ acknowledges that it will become privy to personal, private, confidential and sensitive information about you.

The PCQ is committed to protecting your privacy by ensuring the confidentiality and security of your this information. We are bound by the Privacy Act 1988 (Cth), which sets out a number of principles concerning the protection of your personal information. Similarly, the PCQ is committed to compliance with all areas of law including but not limited to child protection and workplace health and safety and will disclose information, including personal and sensitive information, as and when required in compliance with its wider legal obligations.

The core requirements of the Act are set out in the Australian Privacy Principles (“APPs”). These APPs set out how an organisation such as the PCQ should collect, use, keep, secure and disclose personal information. They also give individuals a right to know what information an organisation holds about him or her, and a right to correct it if it is wrong.

Your Personal and Sensitive Information
The personal information that the PCQ has collected or may collect in the future may include any or all of the following personal information:

- Name;
- Address;
- Telephone or mobile phone numbers;
- Date of birth;
- Email address;
- Tax file number;
- Blue Care number;
- Bank account details;
- Place of birth;
- Date of marriage; and
- Date of baptism.
The PCQ may also collect or become aware of the following sensitive information about you:

- Offering habits through direct deposits; and
- Medical details; and
- Health concerns.

**How We Collect Personal Information**

The PCQ is a not-for-profit organisation and as such, it will only collect information that relates to its activities and which relates solely to its members and those persons who have regular contact with the PCQ and its activities.

The PCQ collects personal information in a number of ways, including:

- Directly from you when you provide information to the local congregation, to the PCQ or to approved third parties by telephone by way of registration forms (howsoever described) provided by the local congregation, the PCQ or its agencies;
- From third parties such as parents or church office bearers;
- From publicly available sources of information; or
- When legally required to do so – for example, for marriage services.

Further, the PCQ recognises that it may become privy to certain private, confidential or sensitive information about you from yourself, your family or your friends in circumstances where the PCQ has not actively sought out that information. In such circumstances, any such information will be treated as private, sensitive or confidential as the case may be and dealt with in accordance with the PCQ’s obligations under the *Privacy Act 1988* (Cth) and this Privacy Policy.

**Disclosure Generally**

At all times when dealing with your personal and sensitive information, the PCQ will act with sensitivity and will respect your rights and opinions.

**Disclosure of Your Personal Information to the PCQ and its Agencies**

Consistent with the PCQ’s commitment to the care of people who are associated with the PCQ or any ministry of the PCQ, your private or sensitive information may be disclosed to persons who are charged with your care or leadership in order that the PCQ maintain its commitment to your care. Any such disclosures for this purpose remain confidential, private or sensitive (as the case may be).

Further, individual PCQ congregations and agencies have certain reporting obligations to the PCQ more generally. This may include your demographic information generally, or more specific information which relates directly to you. The
congregations and agencies may therefore disclose your information to the PCQ for these reporting purposes. Any such disclosure for this purpose remain confidential, private or sensitive (as the case may be).

**Disclosure of Your Personal Information to Other Parties**

It may be necessary for the PCQ, either directly or through its local congregations or other agencies, to disclose your personal information to certain third parties in order to assist us in providing services or administering your affairs. Examples of the types of organisations to which we may disclose your personal information include:

- Doctors or other medical services in cases of emergency;
- Outsourced service providers (e.g. payroll services);
- Our bank, when depositing funds to your account;
- Organisations providing information technology services;
- Organisations providing specialised training or supervisory services in relation to an activity undertaken by the PCQ or its congregations or agencies;
- Our professional advisers, including our accountants, auditors, and solicitors; and
- Organisations providing mailing services, and printing our standard magazines, newsletters and documents.

In accordance with the PCQ's commitment to compliance, we will also disclose your personal information in circumstances where we have statutory obligations or are required by law to do so. If the PCQ is obliged to make any such statutory or legal disclosures, those disclosures will be made regardless of whether you consent to that disclosure or not.

Where personal information is made publicly available with your consent for a certain purpose, eg where you are a minister of a local church and contact details are disclosed on the website for that church, once the information is no longer required for that purpose, the PCQ and its local congregations will endeavour to ensure that any such personal information is removed from publication.

Where the PCQ is not legally obliged or legally permitted to disclose private or sensitive information about you or as otherwise set out in this Privacy Policy, the PCQ will not disclose private or sensitive information about you without first obtaining your consent. Such consent may be written or verbal.

The Presbyterian Church acknowledges that information and/or images may be disclosed by third parties on Social Media platforms without the knowledge or
consent of the Church. However, such information and/or images will be removed from all Social Media platforms controlled by the Presbyterian Church upon request.

**You Can Access Your Personal Information**
You have a right to access your personal information, subject to some exceptions allowed by law. If you would like to do so, please let us know. You may be required to put your request in writing or provide evidence of your identity for security reasons.

The PCQ reserves the right to charge a fee for searching for and providing access to your information.

**Help Us to Ensure That We Hold Accurate Information**
The PCQ takes all reasonable precautions to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of that information depends to a large extent on the information you provide. That is why we recommend that you:

- Let us know if there are any errors in your personal information, and
- Keep us up-to-date with changes to personal information such as your phone number or address.

**What to Do if You Have a Privacy Complaint**
The PCQ takes any concerns or complaints in relation to your privacy very seriously and is committed to resolving any such concerns or complaints as quickly as possible. Our aim is to assist you by reaching a satisfactory solution as soon as possible.

If you have a complaint or concern about you privacy at the PCQ, we request that you first contact a person in senior leadership at the congregation or agency concerned to resolve your concerns directly. If you complaint or concern is not adequately addressed at this level please contact the PCQ Privacy Manager whose details are listed below.

Any such complaints or concerns will be dealt with confidentially by the PCQ Privacy Manager and at least two (2) other denominationally authorised persons. These people are able to refer to the matter to an agreed mediator if required in order to resolve the complaint or concern.

If you are not satisfied with the resolution of your complaint by the PCQ, you may contact:
Changes To This Policy
The PCQ continually strives to improve the standard of service we provide to you, so from time to time we may update this policy. When this privacy policy is updated, this fact will be communicated to all relevant people in senior leadership of the PCQ or any of its local congregations, ministries, activities or agencies who will also be provided with a copy of the updated policy.

If you wish to obtain a further copy of this policy, please contact the PCQ Privacy Manager or download the policy from our website.

How To Contact the PCQ About Privacy
If you have any questions in relation to privacy, please contact:

PCQ Privacy Manager
Level 4, 19 Lang Parade
MILTON QLD 4064

Or write to us at:

Attn: PCQ Privacy Manager
PO Box 1351
MILTON LPO QLD 4064

Telephone: (07) 3716 2800
Facsimile: (07) 3716 2810
Email: privacy@pcq.org.au
STANDING ORDERS
STANDING ORDERS

DEFINITIONS

1. (a) "Assembly" means the General Assembly in session.
   (b) "Court" means General Assembly, or State Assembly, or Presbytery, or Session.
   (c) "House" means a Court, either in session or in Committee of the Whole.
   (d) "Chair" means either the Moderator or the Chairman of the Committee of the Whole.
   (e) "Leave of the House" means leave without any negative voice, except when otherwise stated.

THE GENERAL ASSEMBLY

Quorum

2. No business shall be transacted in the General Assembly except in the presence of at least sixteen members, representing more than one of the State Assemblies, and at least one-half of whom are Ministers.

Meetings, How Constituted

3. All meetings of the General Assembly and their Committees shall be opened and closed with prayer, and the fact of their having been so opened and closed shall be recorded in the Minutes.

Sittings of Inferior Courts

4. No inferior Court of which a member has been commissioned to the General Assembly, shall sit during the sittings of the General Assembly, except by permission of the General Assembly.

Moderator

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

Moderator Absent

6. In the General Assembly, the Moderator for the current term shall preside, or in his absence the Chair shall be taken by the ex-Moderator, or, if he also should be absent, by a predecessor, or a member appointed by the Court.
Recognising the Chair

7. In the General Assembly, members and associated members shall, when entering the House, passing the Chair, or retiring, bow to the Chair.

Clerk

8. The General Assembly shall have its Clerk, usually, but not necessarily, a member of the Court, who shall keep an accurate record of its proceedings, and supply extracts of the proceedings when duly called for. The Clerk is elected by and holds office at the will of the Court.

A Clerk, in accepting office, shall make the declaration de fidelis (which is as follows: "I do solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me").

Associated Members

9. Ministers of settled Charges and bona fide acting Elders, who are members of other Courts of equal standing, Missionaries while under engagement by the Australian Presbyterian World Mission, who are on furlough and who are ordained Elders or Ministers of The Presbyterian Church of Australia, and full-time Chaplains to the Defence Forces of the Commonwealth under appointment by the Defence Forces Chaplaincy Committee of the General Assembly of Australia, and who are ordained Ministers of the Presbyterian Church of Australia, if they are not already representative of a State Assembly or Presbytery, may be associated with the General Assembly.

Privileges of Associates

10. Associate members shall have all the rights and privileges of members except that they shall not move or second a motion or an amendment, vote on any question, or occupy the Chair.

Minutes Confirmed

11. When the Minutes are submitted for confirmation, no question shall be raised regarding them except such as concerns their accuracy as a record of the proceedings.

Permanent Records

12. The permanent records of the General Assembly shall be those confirmed in the presence of the Court or by a Commission appointed and authorized to confirm them.
Extract Minutes
13. No extracts from the Minutes shall be given by the Clerk without the leave or instruction of the Court, and the fees to be charged for such extracts shall be fixed by the Court.

BUSINESS PROCEDURE

Order of Business
14. In the General Assembly, after the First Sederunt, the order of business shall be:
   (a) At forenoon sederunts:
       (i) Confirmation of the Minutes of theProceedings of the previous day.
       (ii) Reasons of dissent from any of the decisions recorded in the Minutes so confirmed, and the necessary procedure connected therewith.
       (iii) Leave to print and circulate notices of motion relative to matters to be brought forward at some future sederunt.
       (iv) The various items of business in the order arranged by the Business Committee and approved by the Court.
       (v) Applications from Presbyteries for authority to meet, and the announcement of meetings of committees.
   (b) At evening sederunts:
       (i) Report of Business Committee relative to next day.
       (ii) Leave to print and circulate notices of motion.
       (iii) Business as previously arranged by the Business Committee and approved by the Court.
       (iv) Announcements relative to Presbyteries and meetings of committees.

Orders of the Day
15. The items of business, as arranged by the Business Committee and approved by the Assembly, shall constitute the Orders of the Day.

Variation of Orders of the Day
16. The Assembly may, from time to time during a sederunt, if it deem it necessary, vary the Orders of the Day for that sederunt by a motion, without notice and without debate.
Orders of the Day Varied
17. A motion to vary the Orders of the Day may be made only at the interval between items of business.

18. When the Order of the Day is reached, it shall be called for by the Moderator.

19. No business shall be introduced to the Assembly by any member until it is called for by the Moderator.

Reports and Deliverances
20. Committees of the General Assembly shall submit to the Assembly a written report; recommendations for action shall be appended in a proposed deliverance; such reports and proposed deliverances shall be printed and circulated among members of the Assembly at least one day before they are considered.

Recommendations
21. No recommendation in any report shall be held as adopted unless it shall have been definitely set forth in the deliverance and approved by the Assembly.

22. Printed reports shall be held as read unless the Assembly desire otherwise.

Questions
23. Relevant questions may be put by any member through the Moderator to the Convener of a Committee when the report is before the Assembly, and, also, after the Deliverance as a Whole has been moved and seconded.

MOTIONS AND AMENDMENTS

Substantive Motions
24. A substantive motion refers to business which does not arise from the report of any Committee. It shall be written and handed to the Business Convener normally at least one sederunt before it is considered by the Assembly. A substantive motion may, by leave of the House, be moved without notice.

Character of Motions
25. A motion shall be considered as belonging to one of the following categories, and shall be dealt with as prescribed, namely:
   (a) the original motion,
   (b) a counter-motion - being a motion contradictory or negative to the original motion or to a substantial part of the original motion, and
an amendment - being a motion not substantially contradictory to the original motion or counter motion, but for the purpose of:

(i) leaving out certain words,
(ii) leaving out certain words in order to insert and add other words, or
(iii) inserting or adding certain words.

The Moderator shall be the judge of the character to which any motion shall be considered to belong, and shall rule accordingly.

Procedure for Voting on Motions
26. After all amendments, if any, have been disposed of, the Moderator shall take a vote between all motions in categories (a) and (b) of Standing Order 25, and in doing so shall adopt the following procedure:
(a) A vote shall be taken between all the motions in the order determined by the Moderator, beginning at the first.
(b) Each Commissioner may vote for only one motion.
(c) If on the first vote, one motion has obtained a clear majority of votes, all the other motions shall fall.
(d) If no motion has obtained a clear majority, the motion having the smallest number of votes shall be disregarded and a vote taken between the remaining motions.
(e) The same procedure shall continue until one motion receives a clear majority on a vote.
(f) The motion that has received a clear majority shall then be put by the Moderator to the Assembly, and shall be voted on `For' or `Against'. If a majority vote `for' it, the motion shall become the judgement of the Assembly. If a majority vote `against' it the motion shall fall, and further procedure in the matter shall be as the Assembly shall determine.

Amendments
27. Motions shall be amended (a) by leaving out certain words, (b) by leaving out certain words in order to insert or add other words, (c) by inserting or adding certain words.

Negative
28. A direct negative to a motion shall not be a competent amendment.

Incompetent Amendments
29. No amendment shall be proposed in any part of a motion after a later part has been amended, or in any words the House has resolved shall stand part of a
motion, or has inserted in or added to a motion, except the addition of other words thereto.

**Amendments to an Amendment**

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

**Notices of Motion**

31. Notices of Motion shall be written and handed to the Business Convener at least one sederunt before the matter to which it is related is before the Assembly. Amendments to a proposed deliverance, motion or amendment of which due notice has been given, shall be printed and circulated.

**Amendments Without Notice**

32. An amendment may be moved without notice if, in the opinion of the Moderator, it arises in the course of the debate and does not alter the substance of the motion. Should the Moderator rule that the proposed amendment affects the substance of the motion, it shall require, in addition to the Moderator's ruling that it has arisen in the course of debate, the leave of the House.

**When Seconded**

33. Except in Committee of the Whole, a motion or amendment shall be seconded before it can be debated or put to the vote.

**Reserving a Speech**

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

**Member Giving Notice Absent**

35. If, when the motion of which notice has been given is called for by the Moderator, the member who gave notice is absent, another member may move the motion; or the court may postpone the motion. Otherwise the motion lapses.

**Motion Lapses if not Seconded**

36. When the mover of a motion or amendment has finished his speech, his motion or amendment shall forthwith be seconded; if there is no seconder, it lapses and shall not be recorded in the minutes.
Notice Withdrawn
37. If a member withdraws a notice of motion given in, he shall do so without remark, and such motion shall not be recorded in the minutes.

Motions Withdrawn by Leave of the House
38. A motion or amendment, duly made and seconded, shall not be withdrawn except by leave of the House and at the request of the mover, with the consent of the seconder; and any amendment to such motion shall first be withdrawn or negatived.

Motions - not Recorded
39. A motion or amendment ruled not competent shall not be recorded in the minutes, except when the ruling of the Chair has been challenged and voted on.

Notice Changed
40. No change shall be made in the terms of a notice of motion after it is given in, except by leave of the House; but a member has the right to alter his motion, provided notice of the alteration be given at least one sederunt before it comes before the House.

No Change Without Leave
41. After a motion or amendment has been moved, no change shall be made in its terms without leave of the House.

Amendments Put First
42. Amendments shall be put before the motions to which they refer.

Debate Thereon
43. When an amendment is before the House, the debate shall be strictly confined to such amendment.

PROCEDURE IN DEBATE

Members Called
44. When a member desires to speak, he shall rise in his place, but shall not speak until he is called on by the Chair. A member speaking in the Assembly shall address the Chair only.
Speak More Than Once
45. Each member may speak once to each question in debate, whether a motion or an amendment; but no member shall speak more than once to the same question, except (a) in explanation, (b) in stating and asking the ruling of the Chair on a point of order, (c) in reply at the close of a debate, if he is the mover of the original motion except in any debate involving counter-motions, and (d) in Committee of the whole.

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

47. A mover of an amendment shall not afterwards speak to the main question.

Moderator Leaves the Chair
48. The Moderator or Chairman of the Committee of the Whole shall take no part whatever in any debate. If he wishes to speak to any question or to give in a report of a Committee, he shall leave the Chair. He shall also leave the Chair when any case arises in which he is a party.

The Moderator Standing
49. When the Moderator or Chairman shall rise in his place, all members shall forthwith resume their seats and shall remain silent so that the Moderator or Chairman may be heard without interruption.

Interruptions
50. No member shall interrupt a speaker except for one or other of the following purposes:
   (a) to state a point of order and to ask for a ruling of the Chair on it;
   (b) to call attention to a breach of the privileges of the House;
   (c) to make a personal explanation;
   (d) to move that the House sit in private;
   (e) to move the adjournment of the debate;
   (f) to move the “Previous Question”;
   (g) to object to language deemed objectionable or reflecting on character.

Points of Order
51. Points of order must refer strictly to the order of the proceedings of the House.
52. A member raising a point of order shall simply state it and no other member shall speak at this stage. The Moderator shall then:
   (a) forthwith rule on the point;
   (b) ask certain members whom he selects to state their views on it, and afterwards rule on the point; or
   (c) refer it to the House for decision by debate and vote.

Ruling of the Chair Challenged
53. When the ruling of the Chair is challenged, the member who questions the ruling may be heard for not more than five minutes and, the Moderator or Chairman having been heard in reply, the vote shall be taken without further discussion.

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

55. Questions of privilege must refer strictly to matters directly affecting the privileges of the Court or its members, which matters have recently emerged and call for present interposition.

56. If a question of privilege is brought forward in Committee of the Whole, the Committee shall forthwith report it to the Court which alone can deal with questions of privilege.

The “Previous Question”
57. The "Previous Question" may be moved at any stage in a debate after the motion in debate has been moved and seconded, but not by anyone who has spoken to the main question or to an amendment thereupon.

58. The "Previous Question" shall be moved and seconded without debate and shall forthwith be put to the vote.

59. The "Previous Question" must refer to the whole matter before the House. It cannot be moved in a Committee of the whole House or in a select Committee.

60. The carrying of the "Previous Question" shall mean that the Court does not consider it expedient to discuss further, or to give a deliverance on, the matter before the House; and the effect shall be that the Court forthwith departs from that matter and takes up the next order of the day.
61. The negativing of the "Previous Question" shall not preclude its being moved again during the same debate.

Adjournments, etc.

62. A motion for the adjournment of (a) the Debate, or (b) the Court, or a motion in the Committee of the Whole “that the Committee report”, may be made at any time and without notice.

63. Such a motion shall be put to the vote without debate.

64. The negativing of such motion shall not preclude its being moved again during the same debate or sederunt.

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

66. When an adjourned debate is resumed, the right of speaking first shall belong to the member whose speech was interrupted by the adjournment. If no speech was interrupted, the right of speaking first shall belong to the mover of the adjournment, provided that he has not already spoken to the question, whether a motion or an amendment, which was in debate when the adjournment was moved.

Closed Doors

67. The General Assembly may at any time close its doors and sit in private in consequence of a ruling by the Chair, or of a motion made, seconded and put to the vote without debate; but cases or questions which have been discussed with closed doors in a lower Court shall be so discussed in higher Courts unless a motion to the contrary, duly made and seconded and put to the vote without debate, is carried.

68. The negativing of such motions shall not preclude their being moved again during the same debate or sederunt.

Character Affected

69. In dealing with cases or questions which have been declared by the Chair to affect character or partake of the nature of personal disputes or misunderstandings, the House shall deliberate and decide thereon in private unless a motion to the contrary, duly made and seconded, is carried; and every such motion shall be put to the House without discussion.

Standing Orders 12 of 20
Personal Explanation

70. A member may at any time make a personal explanation.

Explanation in Debate

71. If a member makes an explanation during a debate, it shall refer exclusively to some statement or statements made by himself, which in his opinion, one or more of the speakers in the debate have misapprehended. No other matter whatsoever shall be introduced into an explanation during a debate.

Objectionable Language

72. Language ruled objectionable shall be forthwith withdrawn and apologised for by the speaker and in a manner satisfactory to the House.

73. When language used in debate seems to any member to be objectionable, he may forthwith, but not later, raise a point of order concerning it and ask for the ruling of the Chair. He may also demand that the words be taken down. The Moderator or Chairman shall, without debate, forthwith put the question, “that the words objected to be taken down”, and if this question is resolved in the affirmative, he shall direct the Clerk to take them down as ground for such further action as the House may think fit to take.

Laws not to be Reflected on

74. No member is allowed to reflect on any law or decision of the Assembly except for the purpose of moving in a legitimate form that it be altered or rescinded.

Speech in Reply

75. After the speech in reply, which shall contain no new matter, there shall be no further debate. Before the speech in reply is begun, the Moderator shall distinctly declare that it is to be a reply on the debate, and that thereafter the debate will be closed. Any member entitled to speak has then an opportunity of speaking to the main question before the speech in reply is begun.

The Closure

76. When it shall appear to the Moderator or Chairman, during any debate, that the motion or any amendment on it, has been adequately discussed and that it is the evident sense of the House that the question be now put, he may so inform the House, distinctly stating at the same time whether it is to the debate on the amendment only or to the debate on both the amendment and motion that the closure is to be applied. A motion “That the question be now put” may then, but not till then, be made and seconded without any remark or
discussion. The Moderator or Chairman shall forthwith put this motion and, if the same be carried by a majority of at least two-thirds, the Moderator or Chairman shall forthwith put to the vote the motion or the amendment only, or the amendment and the motion, as the case may be, without further debate.

Putting the Question
77. The Moderator or Chairman shall endeavour to put the question at every convenient opportunity. He shall state the motion or amendment or shall cause it to be stated by the Clerk. Any member not distinctly hearing the motion or amendment so stated may require it to be stated again.

The Moderator Interrupted
78. When the Moderator or Chairman shall rise in his place to state or put the question, he may be interrupted by, and shall give way to, any member who wishes to speak to the question, except when the debate has been closed by a speech in reply or by the application of the closure. A member may so intervene up to the moment when the Moderator or Chairman utters the word "Aye" in putting the question to the voices.

VOTING

Member's Vote
79. A member may vote on a motion though he has not voted on any amendment to it.

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

Vote Taken
81. (a) By the voices
The Moderator or Chairman shall take the vote by the voices. He shall put the question in this form: "The question is: Shall this motion (or amendment) pass? All who are of that opinion say 'Aye'." The "Ayes" shall then respond. The Moderator or Chairman shall further say, "All who are of the contrary opinion say 'No'". The "Noes" shall then respond. The Moderator or Chairman shall then say, as the case may appear to him to be, "I think the 'Ayes' (or the 'Noes') have it." If his opinion is acquiesced in by the silence of the House, he shall say "The 'Ayes' (or the 'Noes', as the case may be) have it", and the motion or amendment is passed or lost accordingly. Should there be no dissentient voice a unanimous vote may be recorded.
(b) By show of hands
If his opinion is challenged by one or more members saying "No", the vote shall be further taken by a show of hands and the numbers shall not be recorded.

(c) By division or ballot
If the opinion of the Moderator is further challenged, the vote may be taken by either division or ballot.

**Vote by Ballot**

82. A motion that the vote be taken by ballot shall be put without discussion and decided by a show of hands "for" or "against". Should such a motion be carried, it precludes the taking of the vote by a division. The result of a vote by ballot as reported to the Moderator in writing and declared by him to the House shall be final. The numbers shall be recorded in the minutes.

**Vote by Division**

83. When a motion that the vote be taken by ballot has not been moved and carried any five members may demand a division. The names of those voting are recorded on the demand of five members, but numbers are recorded in any case.

When the vote is about to be taken by division, the bell shall be rung and after a lapse of two minutes the doors shall be locked and no one shall be allowed to enter or leave the House until the vote is taken. Two tellers on each side shall be appointed. Those "for" the motion or amendment shall go to the right and those "against" to the left of the Chair.

The result of the division, as reported in writing to the Moderator and declared by him to the House, shall be final.

**Casting Vote**

84. In the case of an equality of votes the Moderator or Chairman shall have a casting vote, but he usually votes so as to leave the matter voted on open for further consideration. He has no deliberative vote.

**Questions not Reconsidered**

85. No question which has been decided at one sederunt of a Court can be reconsidered at a subsequent sederunt during the same session.
DISSENTS

86. A member may dissent from any resolution of a Court on which he has voted, and he has the right to have his dissent recorded in the minutes; also his reasons if given forthwith. But he shall not dissent from a resolution which has been carried on the voices, or from a resolution affirming or negativing any amendment, or from any resolution of the Committee of the Whole.

87. He may also, when the minute recording the dissent is brought forward for confirmation, give in, without comment, written reasons of dissent. These, provided they do not involve a breach of privilege, shall be received without debate and shall be kept "in retentis".

88. The Court may, if it thinks fit, give written answers to reasons of dissent, which answers shall be likewise kept "in retentis". A motion to appoint a Special Committee to answer reasons of dissent shall be put to the vote without debate. The report of the Special Committee may be debated, and shall be dealt with as the Court sees fit.

COMMITTEE OF THE WHOLE

89. By a motion put to the vote, a Court may resolve itself into a Committee of the Whole.
   (a) All members of the Court shall likewise be members of the Committee of the Whole.
   (b) The Court shall appoint the Chairman of the Committee.
   (c) Separate minutes shall be kept of the proceedings.
   (d) A motion need not be seconded.
   (e) A member may speak more than once to the same question.
   (f) No member may dissent from any resolution of the Committee.
   (g) The proceedings shall be closed by the carrying of a resolution to report to the Court on the matter committed, or to report progress and ask leave to sit again.
   (h) The Court shall forthwith resume, and the report of the Committee shall be given in.
   (i) The report may be adopted with or without amendment, rejected, postponed, recommitted, or otherwise dealt with as the Court sees fit. At this stage any member may exercise his privilege of dissent.
   (j) Any of the other Standing Orders which are literally applicable to the proceedings of the Court in session only shall, when applied to the
proceedings of the Committee of the Whole, be read along with and be modified by the provisions of this section.

OVERTURES, PETITIONS, REFERENCES, ETC.

Papers Transmitted
90. All overtures, returns on remits, and all papers transmitted by the inferior Courts shall be in the form of Certified Extracts from the minutes of the said Courts.

Questions
91. Relevant questions may be put by any member through the Moderator to (a) overturists, (b) petitioners, (c) parties stating References, and (d) parties in any case when they shall have completed their respective statements.

Parties at the Bar
92. Overturists, who are not members of the Assembly, petitioners, and parties duly commissioned to state References, Complaints and Appeals shall take their places at the bar when called by the Moderator, and they shall not leave the bar until they are formally dismissed from it by the Moderator.

Two Heard
93. References shall be stated, and overtures and petitions supported, by not more than two persons in each case.

Procedure in Dissents and Complaints, and Appeals
94. In dealing with an appeal or a complaint transmitted for its judgment a Court (a) calls the parties (ie appellants or complainants and the respondent Court) to its bar; (b) hears read the record of the case in the inferior Court, and relative documents, or, if they are printed, may take them as read; (c) hears the appellants or complainants or, if there are more than two, the representatives to a number it determines; (d) hears the respondents appointed by the inferior Court; (e) hears the appellants or complainants in reply; (f) calls for questions from members of the Court; (g) after removing all parties from the bar, deliberates on the case before it.

When parties are removed from the bar, it is at the discretion of the Court whether they are permitted to hear the discussion of the case.
When the Court has reached a decision or judgment, parties shall be recalled to the bar by the Moderator, who shall then announce to them the decision or judgment of the Court.

No document may be read or appear among the papers of the Court (printed or written) unless it was before the Court of first instance, or was offered to it and rejected, and has thence come up regularly.

**Protestation**

95. When a complaint or an appeal has been fallen from, the respondent shall make a protestation to that effect and shall be entitled to receive an extract minute of the same.

**“Sustain”; “Dismiss”**

96. If a motion dealing with an overture, reference, complaint, or appeal is negatived, the matter is still before the House, and shall be disposed of by another motion. For instance, if a motion to "sustain" or "dismiss" is negatived it shall be followed by another motion to “dismiss” or "sustain", or by any other relevant and competent motion, until the matter is disposed of.

**Reference Dismissed**

97. If a reference is informal or frivolous, or if it clearly appears that the inferior Court has not exhausted all its resources in the matter, the Assembly may dismiss the reference without entering upon the consideration of the substance of the reference.

**Petitions**

98. A motion to grant the prayer of a petition (which prayer includes the words "or do otherwise as the Assembly in its wisdom may deem fit") means that the Court considers there are sufficient grounds in the petition to justify deliberation and decision. If the motion is approved, it is followed by another motion giving effect to the Court's decision. If it is negatived, it is followed by a motion to "dismiss" the petition.

**Documents in a Case**

99. All overtures, petitions, references, complaints and appeals, with all necessary relative papers, shall be printed and circulated among the members of the General Assembly at least one day before the business is taken up for discussion in the House. No other document shall be deemed part of the record unless it is expressly so ordered by a resolution duly moved, seconded and voted on. In complaints or appeals the expense of printing shall in the
first instance be borne by the complainant or complainants or by the appellant or appellants, and by the party losing when the case is finally decided, unless remitted or distributed by the Assembly.

**COMMITTEES - COMMISSIONS**

**Committees**
100. The General Assembly shall appoint Standing and Special Committees and the Conveners thereof.
   (a) Three members of a committee shall constitute a quorum.
   (b) Motions need not be seconded.
   (c) A member may speak more than once to the same question.
   (d) The Convener, without leaving the chair, may speak to a question and may move motions or amendments, and he shall have both a deliberative and a casting vote.
   (e) A Committee may, however, at any time resolve to be guided strictly by the formal Rules of Debate.
   (f) Any member of a Court has a right to be present at a meeting of any of its Committees, whether Standing or Special, and may be associated.
   (g) Reports of the proceedings of the Committees shall not be published without their consent.
   (h) Any of the other Standing Orders, which are literally applicable to the proceedings of a court shall, if applied to the proceedings of a Standing or Special Committee, be read along with, and be modified by, the provisions of this section.

**Commission**
101. The General Assembly may appoint a Commission of one or more persons with full powers to deal with all matters submitted to it and any other urgent matters which may arise from time to time. When a Commission consists of two or more members, the Assembly appoints the Chairman.

**STANDING ORDERS - SUSPENDED - AMENDED**

**Suspension of Standing Orders**
102. These Standing Orders may be suspended in whole or in part by a motion, notice of which shall have been given at a previous sederunt, duly moved, seconded and carried, or by a motion without notice if the court be unanimous. The purpose or purposes for which it is proposed that the Standing Orders be suspended shall be distinctly stated.
Amendment of Standing Orders

103. Any proposal to amend or add to these Standing Orders shall be introduced to the General Assembly by overture only.
RULES

Updated as of February 2015

1. THE CONGREGATION
2. COMMITTEE OF MANAGEMENT
3. THE KIRK SESSION
4. THE PRESBYTERY
5. THE STATE ASSEMBLY
6. CANDIDATES FOR THE MINISTRY
7. ORDINATION OF LICENTIATES AND INDUCTIONS OF MINISTERS
8. SETTLEMENT OF MINISTERS
9. PROPERTY
10. TRUSTEES
11. THE STIPENDS COMMISSION
12. THE APPOINTMENT OF REPRESENTATIVES BY THE STATE ASSEMBLY
13. GENERAL RULES
14. APPEALS COMMISSION
CHAPTER 1 – THE CONGREGATION

Definition of a Congregation

1.1 A congregation is a body of people, including their children, associated in a particular locality for Christian worship, instruction, fellowship, work and witness, with the sanction of the Presbytery of the bounds and under the supervision of a Session.

Definition of a Charge

1.2 A Charge is made up of one or more congregations and may be either a Calling Charge or an Appointment Charge. A Presbytery may also establish other styles of ministry. (Refer Rule 4.27)

COMMUNICANTS AND ADHERENTS – RIGHTS AND RESPONSIBILITIES

Communicants

1.3 A Communicant is a person who:
(a) after baptism and on profession of faith, has been admitted by the Session to participate in the Lord's Supper, and thereby into full communion with the Presbyterian Church of Australia; or
(b) has been received by the Session on Certificate of Transfer, or on resolution of the Session for special reasons.

Rights of Communicants

1.4 Communicants, unless under process of discipline, have the right to have their names inscribed on the Roll of Communicants. Only communicants who have attained the age of sixteen (16) years and over have the right to vote in congregational meetings or subscribe to a Call.

Adherents

1.5 Adherents are people who have attained the age of sixteen (16) years and over and who:
(a) are baptised people who make such profession of their faith as would entitle them to become Communicants, but who choose not to become Communicants of the Presbyterian Church of Australia by virtue of membership of another Christian Church, or by reasons of conscientious objection, and
(b) worship regularly in the congregation, and
(c) contribute to its support, and
Transfer Certificates

1.6 A Communicant, unless under the process of discipline, has the right to apply to Session for a Certificate of Transfer and is entitled to receive it from the Session, and to be admitted as a member in any congregation on the presentation of such Certificate to its Session.

Voting Rights

1.7 Only Communicants have the right to vote in the calling and appointing of Ministers, the election of Elders and the appointment of religious workers in a paid full-time capacity within the Charge. Enrolled Adherents have a vote in the election of Managers and in matters affecting the finances and property of the Congregation. Adherents are also entitled to signify their concurrence in the call to a Minister. However, enrolled Adherents shall not vote in relation to matters referred to in Rule 9.3 (a) concerning purchase, sale, mortgage, lease, exchange or other dealings with property covered by that particular rule.

Duties of Communicants and Adherents

1.8 It is the duty of Communicants and Adherents to give faithful attendance to worship services and seek to be fully involved in the Church’s life and ministry; to give their Ministers and Elders due respect, encouragement and obedience in the Lord; and to manifest a Christian spirit in all their relationships. It is also their duty to take a lively interest in the welfare of the whole Church and to contribute heartily, as the Lord shall enable them, for the maintenance of the Christian ministry, and the furtherance of the Gospel at home and abroad.

Name on Only One Roll

1.9 No person is entitled to have their name on the Roll of Communicants or on the Roll of Adherents of more than one congregation of the Presbyterian Church.

CONGREGATIONAL MEETINGS

Congregational Meetings

1.10 Congregational meetings may be convened only by the Session or a superior Court. At least nine (9) days’ (including two Sundays) notice of all congregational meetings, and of the nominated purposes for which
they are being called, is to be given during public worship. No additional business may be raised at the meeting.

**Property**

1.11 In dealing with property matters, all congregational decisions must be consistent with the requirements of Chapter 9, Property.

**Quorum for Congregational Meetings**

1.12
(a) One-tenth of the number on the Roll of Communicants of the Congregation, but not less than ten, form a quorum.

(b) The number of Communicants in attendance must always exceed the number of Adherents attending.

(c) Where the Session can demonstrate that clause (a) or (b) is not practical, the Presbytery may determine a lower number for a quorum.

**Moderator Presiding**

1.13 The Moderator of the Session presides at all congregational meetings, except when a superior Court appoints one of its own members for the purpose, but the Moderator may appoint a Chairman. Such action, and the reasons for it, should be reported to the Presbytery.

**Clerk of Congregational Meetings**

1.14 The minutes of congregational meetings are recorded by the Session Clerk in a congregational minute book provided for the purpose. In the absence of the Session Clerk the meeting appoints another person to record the minutes. The minutes are submitted to the next meeting of the Session which certifies them as a correct record.

**Annual Congregational Meetings**

1.15 An annual meeting of the congregation shall be held as soon as possible after the first day of January, but no later than 31 March, at which

1. The Committee of Management shall:
   (a) present a report of its activities for the preceding year,
   (b) present an audited statement of the Treasurer’s receipts and payments,
   (c) give such information and explanations as may be asked for,
   (d) receive any suggestions which may be offered with reference to future organisation and administration of funds.
2. The Session shall:
   (a) present a statement regarding the spiritual work of the charge
during the past year, for information only,
   (b) present the reports and financial statements provided by all
organisations.
Where there are several congregations in a Charge, an annual meeting
may be held in each.

Auditor
1.16 The annual meeting shall appoint an auditor, who should not be an ex
officio or elected member of the Committee of Management, to audit the
Committee of Management financial statements.

Proposed Change of Financial Arrangements
1.17 When a motion affecting the financial arrangements of the Congregation
or Charge is submitted to a congregational meeting otherwise than by the
Committee of Management, although the matter may be discussed, it may
not be finally disposed of at that meeting, but must be held over until a
subsequent meeting. The Committee of Management shall consider the
proposal and submit a report thereon to a subsequent congregational
meeting.

Rights of Appeal
1.18 Members dissatisfied with an action taken at a congregational meeting
have the right of appeal to Presbytery according to the Rules and Forms
of Procedure.

DENOMINATIONAL AND STIPEND RESPONSIBILITIES

Returns Respecting Congregational Affairs
1.19 Ministers and Office Bearers of Congregations and Charges must give full
information and make accurate returns respecting the affairs of the
Congregation or Charge whenever required to do so by the Presbytery or
Assembly.

Financial Returns
1.20 Each Charge shall forward to the Presbytery and Finance and
Administration Board annually by 14 April a copy of the Charge’s annual
statement of receipts and expenditure for the preceding year, together
with a statement of an estimate of the anticipated revenue and
expenditure for the current year, and the Presbytery and Finance and
Administration Board shall take these figures into account when making allocations.

**Payment of Minister's Stipend**

1.21 The payment of the Minister's stipend is the first charge on the funds of the Congregation or Charge, and is to be paid to the Church Office in equal monthly instalments according to the determination of the Stipends Commission.

**Increase in Stipend**

1.22 Congregations may pay more than the minimum stipend. All increases in stipend must be approved by Presbytery and the Committee on Ministry Resourcing and reported to Church Office.

**Reduction in Stipend**

1.23 (a) A Charge shall inform the Presbytery when it cannot pay to the Ministry Support Fund the stipend which it has previously determined to pay to sustain a full-time ordained ministry within that Charge.

(b) The Presbytery shall enquire into the matter and shall make any recommendations to the Charge that may be appropriate.

(c) The Presbytery may also determine that one of the following courses of action be pursued in respect to the Charge:

(i) The Charge receive assistance through the Committee on Ministry Resourcing to sustain the present ministry under the present terms of settlement or appointment within the Charge.

(ii) The terms of call or appointment be changed. The Presbytery shall quantify the exact proportion of ministry which the Minister of the Charge shall continue to undertake. This shall be expressed as a percentage of a full-time ordained ministry.

(iii) The status of the Charge be changed from Calling to Appointment, the inducted Minister being appointed to the Charge under revised terms of appointment.

(iv) The pastoral tie be severed or the appointment be terminated in the financial interests of the charge.

In respect to (iv), no matter may be addressed under this rule with respect to any matter within the jurisdiction of the Code of Discipline of the Presbyterian Church of Australia.
CHAPTER 2 – COMMITTEE OF MANAGEMENT

MEMBERS AND MEETINGS

Committee of Management

2.1 The financial and property matters of a Charge are administered by a Committee of Management hereinafter called the Managers. The members of the Session are ex officio members of the Committee of Management. The number of Managers is determined by the Session.

Managers - by Whom Elected and Those Eligible

2.2 Managers are elected by the Communicants and Adherents, and must be enrolled Communicants or Adherents of the congregation.

Election of Managers

2.3 (a) Managers are elected annually at the annual congregational meeting or at another congregational meeting specifically called for that purpose.
(b) The closing date for nominations is to be determined by the Session.
(c) The election may be by secret ballot.
(d) When voting takes place by secret ballot, the Tellers, appointed by the Congregation, must, after ascertaining the number of votes for each person, declare the results of the election immediately.

(BB 2013 Min. 105.7)

Vacancies in Committee

2.4 Any vacancy occurring between elections may be filled by the Committee with the approval of the Session. A Manager so appointed shall hold office until the next election of Managers.

Joint Committees

2.5 When there are two or more congregations in a Charge, the Session of the Charge decides whether there shall be a Committee of Management in each or any Congregation, or one Committee for the whole Charge.

Office Bearers and their Duties

2.6 (i) The Minister of the Charge is the Chairman of the Committee of Management, who may delegate the chairing of meetings to his representative from among the members of the Committee.
(ii) The Committee of Management shall elect annually from its members, in addition to the Vice-chairman, a Secretary and a Treasurer, and such other office-bearers as the Committee determines.

(iii) The Secretary keeps minutes of the proceedings of the Committee, takes charge of its books, papers and documents, and does such other secretarial work as is appropriate to his office. He receives and submits to the Committee for incorporation in its minutes such extracts of minutes relevant to the duties or membership of the Committee as are forwarded for that purpose from the Session or a congregational meeting.

(iv) The Treasurer receives, disburses and accounts for all monies under the care of the Committee as it directs, and shall produce for inspection, when required, all books of accounts, together with all relevant vouchers. The Treasurer shall keep a record of weekly offerings duly signed each week by those (BB 2012 Min. 38.10) counting the monies received. The Treasurer shall forward copies of the annual audited financial statements to the Presbytery and to the General Manager.

Meetings of the Committee

2.7 (i) The Managers shall hold meetings at least once a quarter. Meetings must be called by intimation during public worship, or by notice given to the individual members.

(ii) The Chairman is bound to convene a special meeting whenever required to do so by at least one-third of the Managers, or whenever he is of the opinion that special circumstances render such a meeting necessary.

Quorum

2.8 The quorum of the Committee of Management shall be three elected members.

Resolutions

2.9 No resolution of the Committee of Management may be rescinded unless a Notice of Motion to that effect has been given to a previous meeting.
OWNERSHIP AND MANAGEMENT OF PERSONAL
CONGREGATIONAL PROPERTY, INCLUDING BANK ACCOUNTS

Bank Accounts

2.10 Bank accounts must be opened in the name of the Charge or Congregation. All monies received should be promptly banked. Bank accounts may not be operated upon, except with the signatures of not less than two members appointed by the Committee of Management, one of whom should be the Treasurer.

Offerings

2.10 A Offerings shall be counted by at least two people. The Committee of Management shall put in place protocols to ensure the security of the offering until banked. (COA 11/84)

Remuneration of Office Bearers

2.11 The Committee of Management shall fix the remuneration of and pay such persons as the Session appoints to any position in connection with the work of the congregation if required to do so.

Finances of all Organisations

2.12 All questions of finance in connection with any organisation of the church which are likely to affect the general revenue of the Charge, must be submitted to the Committee of Management for its approval.

Personal Property

2.13 Subject to any express trust relating thereto, personal property of each congregation is vested in the Committee of Management.

Civil Legislation

2.13 A Recognising that the Corporation of the Presbyterian Church of Queensland established under Letters Patent is the responsible legal entity of the Presbyterian Church of Queensland, the Committee of Management shall be responsible for ensuring that civil legislation pertaining to the property of the Church and the activities undertaken within the property of the Church is complied with and that:

(a) the Committee of Management shall seek guidance from the Trustees of the Corporation and/or the Property Board whenever matters need further clarification;

(b) the Property Board shall provide advice from time to time to assist the Committee of Management comply with this Rule 2.13 A;
(c) the Finance and Administration Board shall ensure that adequate insurance coverage is provided for Charges in respect of their duties in complying with Rule 2.13 A. (COA 11/83)

DENOMINATIONAL RESPONSIBILITY

Funds used for Denominational Purposes

2.14 The Treasurer must forward all funds used for denominational purposes, whether from donations, offerings or organisations, to the Church Office each month. Assessments determined by the Assembly shall be paid monthly by the Treasurer to the Church Office.

Assessments and Special Appeals

2.15 It is the duty of Managers to organise support for all special appeals of the Assembly and to ensure that every effort is made to provide the money to fulfill the assessments allocated to the congregation by Assembly and Presbytery.

Insurance

2.16 The Committee of Management must insure, in accordance with the Assembly’s decision from time to time, for adequate sums, all buildings, instruments, furnishings and other property, and for public risk, for the protection of the Charge against loss. Insurance must be reviewed annually, in order that Congregations have adequate cover for their properties. Adequate temporary cover must be arranged through the General Manager before any alterations or improvements are initiated.

Legacies and Bequests

2.17 When a legacy or bequest to a Charge or a Congregation is received, full particulars must be forwarded to the General Manager for a record in the Register of Bequests.

Congregational Records

2.18 (a) Records belong to the Corporation of the Presbyterian Church of Queensland and not individual charges. A Charge should retain its records within its own church, and if it is not possible to do so then the records should be forwarded to the General Manager, Presbyterian Church of Queensland, to be passed on to Church Archives for safe-keeping. Originals must not be given to outside organisations.
(b) If a congregation desires to place a record in the local library or archives, it is free to do so provided the original copies are retained by the church or by the Church Archives.
(c) A Kirk Session may make its congregational records available to individuals upon request, subject to the provision of the Rules of the Presbyterian Church of Queensland and the provision of relevant Privacy Legislation.

Congregations Ceasing
(d) When a Charge ceases to function, the books, records and money, if any, in possession of any office bearer or member of the Church, and particulars of bank accounts (if any), must be forwarded to the General Manager who thereupon shall issue an acknowledgment of their receipt, inform the Presbytery, and transfer all old records to the care of the Church Archives.

LIMITED POWER TO MAINTAIN AND IMPROVE CORPORATION PROPERTY

Contracting Debts
2.19 (a) No major repairs or alterations to existing buildings or other property of the Charge may be undertaken by Managers in circumstances where the cost of such repairs or alterations exceeds a cost of one-tenth of the ordinary annual income of the Charge, without the special authority of a congregational meeting duly called for that purpose. The term "repairs or alterations" refers to the work or project. The subject of such repairs or alterations undertaken in its entirety, irrespective of whether or not such work or project includes a number of stages of repairs or alterations, and further irrespective of whether or not such work or project carries over from one financial year into subsequent financial years.

(b) Managers have no power to demolish or remove any existing buildings of the Charge, without the special authority of a congregational meeting duly called for that purpose.

(c) Managers have no power to contract debt on the security of the property without the special authority of a congregational meeting duly called for that purpose. (See Rule 9.3 (a))

New Buildings and Alterations
2.20 Plans of proposed new buildings including churches, halls and manses, and of major alterations to existing buildings, must be submitted to the Property Board for advice and then to the Presbytery for approval. Where
funds are being received from the Committee on Ministry Resourcing to support the work, the prior approval of the Committee on Ministry Resourcing shall be obtained.

**Presbytery Approval**

2.21 No new buildings or extensions to existing buildings may be undertaken without the approval of the Presbytery, and Congregations shall submit proposed plans and specifications, either prepared or endorsed by an architect as adequate and complying with all relevant ordinances, to the Property Board for report and recommendation.

Presbytery can approve the said plans only after the reception of the Report and recommendation from the Property Board.
CHAPTER 3 – THE KIRK SESSION

MEMBERSHIP AND OFFICERS

Definition and Members

3.1 The Kirk Session is a Court of the Church established by the Presbytery and consists of the Ministers and Elders of the Charge, and other Ministers and Elders appointed by the Presbytery in accordance with the rules of the Church.

Moderator

3.2 The Minister of the Charge is the Moderator of the Session. Where there is a team ministry, the Presbytery shall establish the mode by which the work of the Moderator is undertaken. The Moderator of the Session has a casting vote but not a deliberative vote. The Moderator of Session is not under the jurisdiction of the Kirk Session.

Other Ministers on Session

3.3 One or more additional Ordained Ministers may be members of the Session as a result of being inducted into or appointed to the Charge. They shall sit as ordinary members of the Session and shall have a deliberative vote but not a casting vote.

An Ordained Minister having a seat on a Session in accordance with this rule is not under the jurisdiction of the Kirk Session.

An Ordained Minister who is appointed to serve in the Charge absents himself from the meeting when his reappointment is being considered.

A part-time appointee shall not have a seat in a Session as a right in terms of this rule but may be elected to the Session by the normal means. No appointee can be a member of two or more Sessions.

Interim Moderator (Rule 4.45)

3.4 In vacant Charges, the Presbytery appoints a Minister under its jurisdiction as Moderator of Session. A Presbytery may at its discretion authorise a Moderator to appoint an Elder within the bounds of the Presbytery to conduct meetings of the Congregation, Session and Committee of Management on its behalf.
Clerk
3.5 The Session appoints one of its members to be Clerk. The appointment may be for a term but is at all times subject to the will of the Court.

'de fideli'
3.6 The Clerk makes the declaration 'de fideli' on taking up his office. (S0 8 & Form I).

Duties of Clerk
3.7 It is the duty of the Clerk to keep accurate minutes of the proceedings at all meetings of the Session and of the meetings of the Congregation, to maintain such books, rolls, papers and records of the Session as it directs and to fulfil such instructions as the Session may give.

Assessors
3.8 At the request of the Session, or in cases of special emergency, the Presbytery may appoint Assessors who may be either Ministers or Elders to sit and act with the Session and to have for the time specified the full powers of ordinary members. The Assessors so appointed shall in no case be more in number than the members of the Session and shall be given three (3) days’ notice of all meetings. However, where a Session membership has been reduced to one Elder, the Presbytery may increase the number of Assessors to ensure that the Session is able to work effectively.

Interim Session
3.9 When there is no Session in a Charge, the Presbytery appoints a Minister and at least two Elders to be an Interim Session, but Presbyteries are required to secure as soon as possible the appointment of a regular Session in all Charges.

Where the Presbytery has appointed an Interim Session in a Charge, and where it appears that the Interim Session will not be able to secure a regular Session within a reasonable time, and where it appears to that Interim Session there is good and sufficient reason to hold an election for one Elder only, then the Interim Session may proceed to do so in the regular process of the Rules of the Church and that one Elder so elected may take his seat as a member of the Interim Session and when a regular Session is appointed, that elected Elder shall continue to hold a seat on that Session when it is constituted.
THE FUNCTION OF A KIRK SESSION

Jurisdiction and Powers

3.10 Subject to the relevant civil law and the law of the Church and the jurisdiction and lawful directions of its superior Courts, the Session has jurisdiction and powers of government, discipline and oversight extending over the territory assigned to it by the Presbytery of the bounds, and over all Communicants and Adherents of the Congregation, and other persons who have associated themselves for worship and service and over all congregational organisations.

Functions

3.11 The Session exercises general supervision of all the agencies within the Charge or Congregation; and the functions of the Session include the following:

(a) To superintend and promote the spiritual interests of the Charge in regard alike to worship, teaching and discipline;

(b) (i) To supervise the work of Deaconesses and accredited religious workers employed in the Charge. Such appointments shall conform to the Rules, Regulations and Constitutions (whichever applies) of the Presbyterian Church of Queensland and the Presbytery, Committee or Boards of the Presbyterian Church of Queensland shall approve the creation of the role, the terms of appointment and the appointee. In fulfilling this procedure, all other relevant rules, regulations and constitutional requirements shall apply.

(ii) Appointments for non-religious workers are not covered by this rule; however, the Letter of Offer for such appointments shall be advised to the General Manager who shall record the details on behalf of the Assembly and the appointing body shall be responsible for the fulfilling of all legal and employment requirements as advised by the General Manager. (See also Rule 1.7) (COA Min. 13/94)

(c) To promote and exercise supervision over Sunday Schools, fellowships, choirs, guilds and other organisations within the Charge;

(d) To appoint and supervise choir leaders and organists and to exercise general supervision over public worship (see also Rule 3.48);

(e) To fix the time, date and place for public worship and the administration of the Sacraments;

(f) To admit to the membership of the Church;
(g) To exercise discipline of erring members and to restore to membership;
(h) To receive and grant certificates of membership;
(i) To consult with the Minister with respect to intimations to be made during public worship;
(j) To call meetings of the Congregation or Charge;
(k) To examine and judge the qualifications of persons elected to the Eldership and to the Committee of Management;
(l) To ordain and induct Elders;
(m) To appoint Superintendents and teachers of Sunday Schools and leaders of Bible classes and youth groups;
(n) To appoint special offerings with the concurrence of the Committee of Management;
(o) To receive and deliberate upon petitions from members of the Charge;
(p) To take measures for the care of the poor;
(q) To transmit all documents which are required to be forwarded to the Presbytery and/or State Assembly and/or General Assembly of Australia;
(r) To be responsible for the securing and preservation of congregational records;
(s) To be responsible for the supervision of congregational organisations on the basis of the following principles:

**Formation**

(i) A congregational organisation may be formed only with the approval of the Kirk Session, and may neither commence nor continue its activities without such approval which may at any time be withdrawn by the Session. Such a body shall function according to its Constitution.

**Constitution**

(ii) Any proposed Constitution of every congregational organisation must be submitted to the Kirk Session, and shall become operative, and may be amended only, with the approval of the Session after comment is received from the Code and Legal Reference Committee. However, Constitutions for congregational organisations which provide for a legal relationship with a person, organisation or other such entity, shall first of all be approved by the State Assembly or its Commission.
A copy of a Constitution falling within this rule shall be forwarded to the Clerk of Assembly for record purposes.

**Finances and Accounts**

(iii) Every congregational organization must:

(a) if it holds money in its own name, or raises money regularly, use a separate bank account in the name of the organization, and all monies received should be promptly banked in this account;

(b) keep regular accounts of income and expenditure;

(c) obtain the permission of the Committee of Management before raising money by any special effort or appeal in the Congregation;

(d) submit annually to the Kirk Session a financial statement audited by some competent person approved by the Kirk Session and who is not a member of the organisation.

(t) To have the authority to establish special groups or Committees to oversee on its behalf particular aspects of the life of the Church. The group or Committee shall report to the Session on the basis determined by the Session. The Session shall have the authority to disband such a group or Committee as it sees fit.

**Relationship of Sessions**

3.12 A Session does not interfere with, or review the action of, another Session. It may make representation to another Session and if not satisfied may refer the matter to the Presbytery.

**Advice**

3.13 Sessions may at all times apply for advice and assistance to the Presbytery, or, through the Presbytery, to the State Assembly.

**Jurisdiction Over Elders**

3.14 Elders, as all other members of the Congregation, are under the jurisdiction of the Session.

**Removal of Elders from the Office of Ex Officio Elder**

3.15 (a) If an Elder has absented himself from the meetings of Session for a year without leave or due cause, the Session may, after notice to him of its intention, determine that he has ceased to be one of its members; however, the action of this rule does not deprive an Elder of his status as an Elder.
(b) The deposition of an Elder under this rule shall not apply to any matter within the jurisdiction of the Code of Discipline of the Presbyterian Church of Australia.

**Status of Elder on Transfer**

3.16 When an Elder transfers from his Charge to another, although he remains an Elder of the Presbyterian Church and his Transfer Certificate is so endorsed, he only becomes an Elder of the Session of the Charge to which he transfers upon election to such Session by the Communicants of that Charge and subsequent induction to office in that Court.

**Admission to Communicant Membership**

3.17 Persons applying for admission to the membership of the Church confer with the Minister who reports to the Session; and the Session admits the applicants on being satisfied as to their:

(a) baptism;
(b) profession of faith;
(c) knowledge of the Holy Scriptures and cardinal doctrines of the Christian faith and the nature and significance of the Church's ordinances derived therefrom;
(d) outward life being consistent with their profession.

It is mandatory that those making a profession of faith should be received at a service of public worship. The names of persons admitted to membership, including those received by certificate or resolution of Session, should be announced at public worship commending them to the friendship of other members.

**MEETINGS OF THE KIRK SESSION**

**Legal Meetings**

3.18 No meeting of Session can be held without the Moderator, or in his absence, without a deputy, authorised by him or by the Presbytery, to take his place. When the Moderator is unable to be present at a duly called meeting of the Session, and he does not appoint another Minister to take his place, he shall appoint one of the Elders to preside but he must report his action to the next meeting of Presbytery.

**Convened**

3.19 Meetings of Session are held at least quarterly and are convened by the Moderator or by his authority, and may be convened either by intimation during public worship, or by notice given to each member. Moderators of
Sessions are bound to convene meetings when requested to do so by two Session members, or when instructed to do so by the Presbytery or State Assembly, and all such meetings shall be convened in the usual way.

**Private Meetings of Kirk Sessions**

3.20  
(a) All meetings of the Session are held in private unless it determines otherwise in any particular case.

(b) Where a Candidate for the Ministry has been directed by the Committee on Ministries Training to a field or other appointment in the Charge for training purposes, the Session may pass a motion permitting him to attend the regular Session meetings as an observer for the duration of his appointment.

(c) When a Licentiate is fulfilling his exit appointment, under the Committee on Ministry Resourcing, to a Charge, the Session may pass a motion permitting him to attend the regular Session meetings as an observer for the duration of his appointment. (See also Rule 6.5 (b) (i))

(d) When an Accredited Ministry Worker is appointed to a Charge by a Presbytery with the concurrence of the Committee on Ministry Resourcing, the Session may pass a motion permitting him to attend the regular Session meetings as an observer for the duration of his appointment.

(e) When the Candidate, Licentiate or Accredited Ministry Worker is in attendance, the Session may at any time pass a motion excluding him from the Court for any particular items of business. Any Candidate, Licentiate or Accredited Ministry Worker admitted as an observer under this rule is bound to preserve the privacy of the Session as if he were a member of the Session.

**Quorum**

3.21  
The Moderator or his deputy and two ruling elders form a quorum. (BB 2013 Min. 105.5)

**MEMBERSHIP AND THE ADMINISTRATION OF THE SACRAMENTS**

**Session Appoints**

3.22  
The Kirk Session appoints and provides for the administration of the Sacraments of Baptism and the Lord's Supper normally during public worship.
Sacraments are Ministerial Acts

3.23 As the Sacraments are a Ministerial and not a Sessional act, the Session does not require to be constituted for their administration.

Baptism

3.24 The Kirk Session arranges for the Sacrament of Baptism to be administered to:
(a) the children of parents, one or both of whom are Communicants or baptised persons who make such profession of their faith that would entitle them to become Communicants; (See GAA Chapter 4.1)
(b) adults, upon profession of their faith in Christ and obedience to Him.

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

Lord’s Supper

3.25 The Kirk Session appoints and intimates a time and place for the observance of the Lord’s Supper and makes provision therefor.

Rolls of Communicants and Adherents

3.26 The Kirk Session prepares and maintains Rolls of Communicants and Adherents.

Revision of Rolls

3.27 The Kirk Session revises the Rolls of Communicants and Adherents annually, and also before the calling of a Minister or the election of Elders.

Removal of Communicants

3.28 The Kirk Session may remove from the Roll of Communicants the names of those persons who have manifested their indifference by:
(a) continued abstention from the Lord’s Table; or
(b) taking sparse share in the worship and work of the church;
provided that the Kirk Session, if practicable, first gives these persons intimation of its intention and affords them an opportunity to be heard in the matter.

Removal of a name under this rule cannot be undertaken in regard to any matter within the jurisdiction of the Code of Discipline of the Presbyterian Church of Australia.
Names once removed from a Roll of Communicants or of Adherents may be restored only by a special resolution of the Kirk Session for this purpose.

**Transfer Certificates**

3.29 The Kirk Session issues a certificate of disjunction or transference to any Communicant of the Congregation not under process of discipline who applies to be disjoined from the Congregation with a view to joining another. The Kirk Session takes care to prevent the name of any Communicant being on the roll of more than one Congregation at the same time.

**Removal of Adherents**

3.30 The Kirk Session may remove from the Roll of Adherents the names of those persons who have manifested their indifference by:
(a) taking sparse share in the work and worship of the church; or
(b) a failure to contribute to the support of the Congregation.

**Adherents' Letter of Introduction**

3.31 When an Adherent leaves a Congregation to reside in another district with the declared intention of maintaining a church connection, the Kirk Session issues a letter of introduction and advises the Minister or Kirk Session of the Congregation indicated of the fact of such removal.

**Register of Baptisms**

3.32 The Kirk Session also keeps a Register of Baptisms. Entries in the register are recorded in the minutes of the Session. Each entry in the Register of Baptisms is attested by the officiating Minister.

**ELECTION AND DUTIES OF ELDERS**

**Elders Elected by Communicants**

3.33 The right of electing Elders belongs to the Communicants of a Congregation. When it is proposed to have an election of Elders, the Minister preaches on the duties and qualifications of the Eldership at public worship on a Sunday or Sundays prior to the day appointed.

**Number fixed by Session**

3.34 The Session determines the number of Elders. The election, ordination and/or induction of Elders can be authorised only by the Session.
Eligibility and Term of Office

3.35 Elders are elected from enrolled Communicants of the Congregation, who have attained the age of twenty-one (21) years and are of good life, circumspect in their walk and conversation, and regular in attendance at public worship. They hold office till they cease to be members of the Charge or their resignation is accepted or they are deposed or otherwise removed from office.

Elders Emeriti

3.36 An Elder, on account of old age, infirmity or sickness, may ask Session to be declared an Elder Emeritus and when so declared he shall retain his seat and vote on Session and may perform any duties of the office of Elder of which he is capable from time to time.

Those Ineligible

3.37 (a) A Minister who is a member of a Presbytery cannot be elected as an Elder; however, if he is a member of a Presbytery, pursuant to Rule 4.3 (b), (d), (e), he may be associated by the Kirk Session of the Congregation with which he worships.

(b) A Minister who does not hold a seat on the Presbytery and who is a Communicant Member of the Congregation may be elected to the Kirk Session.

Status of Licentiates Within the Church

(c) A Licentiate who is a member of the Congregation may be elected to the Kirk Session. (See also Rule 6.5 (b) (vi)).

Election of Elders

3.38 (a) Intimation shall be made on at least two Sundays immediately preceding the meeting, that a congregational meeting will be held for the purpose of nominating persons for the office of the Eldership.

(b) The Kirk Session shall bring nominations to the meeting in respect to the number of additional Elders required.

(c) Communicant members may bring additional nominations.

(d) The Session holds a course of instruction for the nominees relative to the doctrine, government and discipline of the Church.

(e) The Session calls a congregational meeting for the purpose of electing persons for the office of the Eldership or determines that a postal ballot will be conducted.

(f) A vote is taken of the Communicants (those present in the case of a congregational meeting) in the form of “approve” or “disapprove”, each name being submitted separately.
(g) The Session meets to consider the result of the ballot, the suitability of the candidates in respect to
   (i) knowledge;
   (ii) character;
   (iii) prudence;
   (iv) general suitability;
   and shall declare the results, after conferring with them privately relative to accepting office.

**Edict of Ordination and Induction**

3.39 When the Session agrees to ordain and/or induct the Elders-elect, an edict is appointed to be read at public worship on at least one Sunday prior to the service of ordination and/or induction (see Form XI).

**Objections how dealt with**

3.40 The Session meets at the time and place specified in the edict, and, if no objections are offered in terms of the edict, proceeds to the ordination and/or induction. If objections are offered, the Session enquires into the grounds of these objections and decides accordingly.

**Service of Ordination and Induction of Elders**

3.41 The ordination of Elders and their admission to office takes place in the presence of a Congregation at public worship. The Session, having been constituted, the steps that have been taken are narrated and the Moderator puts the questions prescribed by the General Assembly of the Presbyterian Church of Australia to the Congregation and thereafter to the Elders-elect. ("GAA Constitution, Procedure and Practice", Chapter 6.6) (See Form XXII)

Satisfactory answers being returned, the Elders-elect kneel, and the Moderator by prayer, with the imposition of the hands in which the Moderator and all the Elders present join, ordain (and/or induct) them to the office of the Eldership, and commend them to the Grace of God for the work to which they are appointed. The Moderator then addresses them in these words:

WE COMMEND YOU TO THE GRACE OF GOD IN THE DISCHARGE OF ALL YOUR DUTIES. THE BLESSING OF GOD ALMIGHTY, THE FATHER, THE SON AND THE HOLY SPIRIT REST UPON YOU AND ABIDE WITH YOU ALWAYS.'

The Elders present thereafter give the newly inducted Elders the right hand of fellowship.

Suitable exhortations are addressed to them, and to the people, and, in the presence of the Session, the newly inducted Elders sign the Formula, ("GAA Constitution, Procedure and Practice", Chapter 6.8), have their names added to the Roll and take their seats in the Session.

In the case of Elders on transfer from another Charge, the act of ordination is not repeated and all references thereto in the order of service and edict are omitted.

The full names and addresses and date of ordination and/or induction of Elders shall be notified to the Clerk of the Presbytery within thirty (30) days.

**Elders Pastoral Responsibilities**

3.42 Each Elder has, ordinarily, a pastoral responsibility assigned to him. It is his duty to cultivate relationships with and exercise pastoral care for the Communicants and Adherents in his pastoral responsibility, by visiting them, especially in affliction, and assisting them by friendly counsel as opportunity arises.

**Representative Elders**

3.43 The Kirk Session of every Charge is represented in the superior Courts by an Elder duly commissioned by the Kirk Session for that purpose.

On the appointment of a Representative Elder either to the Presbytery (see Form XII) or to a General Assembly (see Form XIII), the Session Clerk forwards a commission in the prescribed form to the Clerk of the Presbytery. When a Kirk Session is unable to arrange for one of its own members to represent it in a superior Court, it may commission an Elder who is willing to act and is a member of another Kirk Session within the bounds of the Court to which he is commissioned, and who is certified as such by the Moderator or Clerk of the Kirk Session of which he is a member.
In Team Ministries the Session appoints to the Presbytery and to the State Assembly one Elder for each ministerial position approved by the Presbytery.

Alternates

3.44 It is competent for a Session to commission an alternate Representative Elder to the Presbytery or to a General Assembly, the second to act when the first is unable to do so.

The commission in favour of the alternate to the General Assembly shall be in the hands of the Clerk of Assembly prior to the adoption of the roll and its reception shall render the prior commission null and void.

MINISTERS – THEIR POWER, ACCOUNTABILITY AND RESPONSIBILITIES

Admission to Pulpit

3.45 (a) The exclusive right of access to the pulpit of churches within his Charge belongs to the Moderator except when he may be under process of censure. In such case, or when the Charge is vacant, this right reverts to the Presbytery. It belongs to the Moderator alone, subject only to the superior Courts of the Church, to determine who should preach or conduct public worship within his Charge.

(b) In light of GAA Rule 4.2.2, a Minister may request the Presbytery to authorize a designated Elder from a Session of which he is the Moderator or the Interim Moderator to perform a special pastoral work in his charge, including the administration of the Sacraments, in terms of GAA Rule 4.2.2. This request by the Minister may be withdrawn at any time, and should the request be withdrawn, the Presbytery shall withdraw the authorization of the designated Elder to minister in terms of GAA Rule 4.2.2 immediately. (COA Minute 13/120)

Use of Church Buildings

3.46 The Moderator has the right of the keys of the church and other ecclesiastical buildings, and may grant or refuse the use of such buildings for any purpose of a religious character. If the use of any of the buildings be asked for a purpose not strictly religious, the application is referred to the Kirk Session. Financial matters connected therewith are referred to
the Committee of Management. In vacant Charges the custody of the keys belongs to the Presbytery.

**Complaint against Moderator**

3.47 No formal complaint against the Moderator of the Session can be dealt with in the Session over which he presides. Any such complaint is received and is forwarded to the Clerk of Presbytery. Likewise no complaint against a ministerial member can be dealt with in the Session in which he sits. Any such complaint is received and forwarded to the Clerk of Presbytery.

**Ministerial Functions and Prerogatives**

3.48 (a) The functions of the Minister include the following -

(i) To conduct public worship and administer the Sacraments;
(ii) To be responsible for all teaching material and the doctrinal content of all Christian education programs in the Charge;
(iii) To be responsible for all pastoral visitation;
(iv) To conduct marriages;
(v) To conduct funerals;
(vi) To attend the Courts of the Church;
(vii) To conduct the service of ordination of Elders;
(viii) To perform any other functions which form part of the ministerial office.

(b) In the conduct of public worship, all people involved are under the direction of the Minister.

(c) For the manner in which he discharges these functions, he is accountable only to the Presbytery.
CHAPTER 4 – THE PRESBYTERY

MEMBERSHIP AND OFFICE BEARERS

Definition

4.1 A Presbytery is the Court of the Church immediately superior to the Kirk Sessions within its bounds. It is responsible for the Calling and Appointment Charges within its boundaries, together with any Team Ministries or special appointments which the Presbytery may establish.

Formation

4.2 A Presbytery is formed by the General Assembly which assigns it a name, fixes its bounds, appoints a time and place for its first meeting and instructs a particular Minister from within the bounds fixed to convene, constitute, and preside over the first meeting until the commissions of the representative Elders present have been sustained, the roll of members has been fixed, and a Moderator has been elected.

4.3 Membership of Roll

A Presbytery consists of:-

A.

(a) duly inducted or appointed Ministers including all Ordained Ministers serving in Team Ministries within its bounds or those appointed to a specific ministry within its bounds and approved by the Presbytery;

(b) Ministers or Elders regularly commissioned or set apart by the Presbytery for the work of any agency of the GAA or the State Assembly of the Presbyterian Church of Queensland (including those provided for in Rule 6.7) and upon the instruction of the superior Court;

(c) Ministers who are Missionaries in full-time appointments serving in a dual membership and who have been commissioned and set apart by the Presbytery;

(d) Ministers who are working in full-time positions recognised by the State Assembly;

(e) Ministers who have been declared by the State Assembly to be a Minister Emeritus and who have been granted a seat by the Presbytery;

(f) a Minister who is serving the Presbytery in some other capacity and for which the Presbytery believes the Minister should be granted a seat for the duration of that service; however, any Minister granted
a seat under this subclause shall not be granted a seat in the State Assembly unless the Assembly or its Commission has previously concurred with the granting of the seat in the Presbytery;

B.

(a) a Representative Elder or Elders from the Session of each Calling or Appointment Charge for whom written commissions have been sustained by the Presbytery. A Charge unable to commission an Elder under this rule may request Presbytery to appoint one under rule B (b);

(b) Elders appointed by Presbytery under the parity Rule 4.20 (h), which Elders shall also have a seat in the State Assembly.

Membership of One Presbytery

4.4 At no time may a Minister or an Elder be a member of more than one Presbytery.

Transference of Membership

4.5 Any member of a Presbytery who is not an inducted or appointed member of that Presbytery may transfer from one Presbytery to another; however if his seat has been granted in terms of Rule 4.3A(e), the receiving Presbytery shall make the decision whether he shall be granted a seat.

Officers

4.6 The Officers of a Presbytery are the Moderator, the Clerk and the Treasurer. The Moderator is elected for a period of not more than twelve months, but is eligible for re-election. The Clerk and the Treasurer need not be members of the Presbytery but must be either Ministers or Elders, and they hold office until they resign, or are superseded. Other Officers may be appointed as required.

Death of Moderator

4.7 If the Moderator should die or cease to be a member of the Presbytery during the term of office, the duties immediately devolve upon the previous Moderator until the next ordinary meeting of the Presbytery, or, if the previous Moderator is not available and until a new Moderator is appointed the rights and duties in connection with the calling of meetings devolve upon the Clerk.
Declaration 'de fideli'

4.8 The Clerk of Presbytery makes the declaration 'de fideli' on taking up his office (see Form I).

Duties of Clerk

4.9 The Clerk keeps a correct record of the proceedings and decisions of each Presbytery meeting, which minutes are read and confirmed at the succeeding ordinary meeting. The minutes are submitted to the State Assembly annually for examination. The Clerk issues notices of meetings, and conducts all correspondence necessary for the Presbytery's business, notifies those concerned of decisions, and carries out such instructions as the Presbytery may lawfully give.

Presbytery Bounds

4.10 Rearrangement of Presbytery bounds and the erection of new Presbyteries is a function of the State Assembly. When such a proposal is submitted, the State Assembly may defer consideration and invite the Presbyteries concerned to state their views, or make a decision forthwith, as may seem expedient. When a new Presbytery is erected, the name, and time and place of the first meeting is fixed by the State Assembly, which also appoints a Minister to preside until a Moderator is elected.

Relationship of Presbyteries

4.11 A Presbytery does not interfere with, or review, the action of another Presbytery. It may make representations to another Presbytery, and if not satisfied may refer the matter to the State Assembly.

POWERS OF PRESBYTERY

Finances

4.12 The financial powers of a Presbytery are limited so that it may only:
(a) assess charges within its bounds to meet its day to day expenses incidental to carrying out its work;
(b) take up collections at ordinations and inductions and other special services conducted by it;
(c) incur a debt in respect of its day to day activities;
(d) deal with, employ and use monies or other property gifted or bequeathed to it;
(e) make grants or donations to Christian bodies out of any surplus which may accrue from time to time.
**Commission of Presbytery**

4.13 (a) The Presbytery may appoint a Commission of its own members for a specific purpose and with powers, membership and quorum defined by the Presbytery at the time of appointment, provided that a quorum of a Commission shall not be less than three, of whom two shall be Ministers. Such a Commission cannot ordain Ministers, accept a Candidate for the Ministry, for the Order of Deaconess, or for service as an Accredited Ministry Worker, approve the trials for licensing of a Licentiate or the commissioning of a Deaconess, sustain or not sustain a call, receive a resignation from the ministry, dissolve a pastoral tie or pronounce a sentence in a judicial case. Appeal or complaint against a decision of a Commission is made to the General Assembly and in the same manner as against the Presbytery itself.

(b) A Presbytery may appoint a permanent ongoing Commission with executive powers as defined by the Presbytery to carry out matters which may be emergent or arising in between normal meetings of the Presbytery. Such meetings of a Commission shall report to the next meeting of the Presbytery or as required by the Presbytery. The Presbytery shall be able to vary the terms of its ongoing Commission at any time.

**Committees**

4.14 The Presbytery appoints such Committees as it deems necessary to facilitate its work. These may meet when the Presbytery is sitting only by leave of the Court, and may consist of members of Presbytery and other Elders or members of the Church.

**MEETINGS**

**Associates**

4.15 When a member of another Presbytery or superior Court is present he may be associated (see SO 10).

**Assessors**

4.16 In special circumstances the State Assembly may with or without request from Presbytery, appoint members of other Presbyteries to sit in a Presbytery as Assessors, with the right to vote but their powers may be restricted by the State Assembly to specific business or as it may resolve, and the appointment may be limited to a meeting, or for a period of time stated.
Quorum

4.17 Three members of the Presbytery, two of whom shall be Ministers of Charges, constitute a quorum. The Presbytery may, by resolution, increase the number required for a quorum.

Meetings

4.18 (a) Business Meetings: The Presbytery holds ordinary meetings at least once every quarter but meets as often as found necessary or expedient. At each ordinary meeting, the Presbytery fixes the time and place of its next ordinary meeting, and of special purpose meetings which it may arrange to hold in the interim. The times and places fixed for these meetings are minuted. Should there be neglect to fix a date, or should there be no quorum present at the time fixed, the Moderator instructs the Clerk to convene a meeting and all members are notified by circular giving at least seven days’ notice of the date, time and place of such meeting. The State Assembly may appoint meetings of Presbyteries to be held at times and places as it may resolve.

(b) Planning Meetings: The Presbytery shall from time to time conduct forum-style meetings to review the work being undertaken within its bounds. Such meeting of the Presbytery shall be conducted either (i) within the regular meeting of the Presbytery itself; or (ii) at regular, and at least annually, specially called times; or (iii) shall be related to the work of the Presbytery in visitation to the Charges or Ministries under its care.

(c) Pastoral Meetings: The Presbytery shall ensure that time will be set aside on a regular basis for dealing with pastoral concerns within the bounds of the Presbytery.

Place of Meetings

4.19 The Presbytery by its own authority appoints its meetings in any church or building within its bounds under the Presbytery's jurisdiction. A Presbytery may meet beyond its own bounds only by permission or direction of the General Assembly.

Annual Meeting

4.20 The Presbytery holds its annual meeting not less than one month prior to the annual meeting of the State Assembly. In addition to ordinary business, the Presbytery shall: (a) adjust the Roll of Presbytery and order it to be forwarded to the Clerk of the State Assembly;
(b) make enquiries when a Charge has not appointed a representative Elder to the State Assembly and take steps to ensure that this is carried out;
(c) give consideration that all remits from the State Assembly and the General Assembly have been answered;
(d) complete proposals for the State Assembly by overture or otherwise;
(e) ascertain that statistical and other returns ordered to be made by Charges for the State Assembly have been made;
(f) adopt a report for the State Assembly of ministerial and congregational changes, and proceedings of Presbytery since the last report was made;
(g) elect appointees to the Standing Committees of the State Assembly and to any other bodies provided for in terms of the rules of the Church;
(h) at its Annual General Meeting, elect a sufficient number of Elders to make the number of Ministers and Elders in the Presbytery equal. (Vacant charges should be included in the calculation.) Such Elders may be chosen from any Kirk Session within the bounds, and such Elders shall, before taking their seat in the Presbytery, produce a certificate of 'bona fide' acting eldership from the Kirk Session to which they belong.

Business

4.21 In all meetings of Presbytery the items of business to be taken up are fixed at the commencement of the meeting and no item to which exception is taken by three members may be discussed until the next ordinary meeting, or until a meeting called for the purpose of considering the matter to which exception has been taken, unless notice of the intention to have it brought forward has been given at a previous meeting, or unless it arises, necessarily, out of the business of a previous meeting, or is included in the notice calling the meeting.

Order of Business

4.22 The following is a recommended order of business but the Presbytery may vary the order in any manner that it deems necessary:
   - Apologies
   - Elders' Commissions and Ministers' Certificates of Status
   - Associated Members
   - Agenda
   - Minutes
   - Matters recorded in previous minutes
Correspondence
Reports
Matters of ordinary business which have emerged between meetings
Notices of Motion
Date and Place of Next Meeting

Special Purpose Meetings \textit{(in hunc effectum)}

4.23 No business can be transacted at meetings called for a special purpose except the business definitely specified at the appointment of the meeting.

When the business is strictly formal, as is the case for an induction, the Presbytery may appoint one or more Ministers and/or Elders as a commission to do, in the name and by authority of the Presbytery, whatever the Presbytery has appointed to be done, or whatever the laws of the Church required to be done in such cases. If any difficulty arises, it must be reported to the Presbytery at its next ordinary meeting.

Unforeseen Meetings \textit{(pro re nata)}

4.24 Unforeseen meetings are convened by the Clerk on the instruction of the Moderator, and Moderators are bound to have such meetings convened when requested by a quorum of the Presbytery. A circular is issued to every member of the Presbytery at least seven days before the date fixed for the meeting stating the business proposed. Before proceeding, the Presbytery approves the ordering of the meeting. Should the Presbytery disapprove, the meeting lapses. Only the business stated in the circular can be considered at such meetings.

Elders' Commissions may be sustained at any meeting of the Presbytery, including special purpose and unforeseen meetings.

Adjourned Special Purpose Meetings and Unforeseen Meetings

4.25 At ‘Special Purpose’ and ‘Unforeseen’ Meetings a Presbytery may adjourn and hold another meeting for the purpose of completing the business for which it has been convened. When such adjournment is for a longer period than one day, notice thereof shall be sent by the Clerk to all absent members.
The Presbytery has, among its functions, the role of superintending all matters relating to doctrine, discipline and order in the several Charges as follows:

(a) To arrange in co-operation with Session, by itself or in conjunction with the State Assembly's Committee on Ministry Resourcing for pastoral supply in vacant Charges;

(b) To exercise spiritual supervision over all Charges;

(c) To oversee arrangements for Ministers and others to give religious education in schools;

(d) To take measures to extend the Church and the Christian witness within its bounds;

(e) To authorise the establishment of Charges and Congregations which meet in approved locations, following consultation with surrounding Congregations;

(f) To name churches and Charges;

(g) To approve the sites for churches and the plans for buildings, and major alterations to them;

(h) To accept applicants as suitable candidates for the ministry, to hold them under supervision, deciding each year on their suitability and to continue or terminate their candidature;

(i) To take on trials for licence to preach the Gospel those who have complied with the requirements of the Church and to license those found qualified;

(j) To accept applicants as suitable candidates for the Order of Deaconess, to hold them under supervision, deciding each year on their suitability and to continue or terminate their candidature;

(k) To try candidates for the Order of Deaconess and commission those found qualified;

(l) To approve financial arrangements prior to a call or an appointment or the taking up of any ministerial position, including terms of settlement and variations of such terms;

(m) To receive and sustain or reject calls and commission appointees to Appointment Charges or specially commissioned works within the Presbytery;

(n) To ordain to the ministry of Word and Sacrament;

(o) To deal with all matters relative to the ordination, induction, translation, demission, appointment or removal of Ministers;
To deal with all matters affecting the teaching and character of the Ministers, Deaconesses, Accredited Ministry Workers and preachers under its jurisdiction;

To deal with all matters referred to it by or through Sessions within its bounds;

To co-operate with Committees of the State Assembly in furthering the functions entrusted to them;

To ensure that the instructions of the State Assembly and of the General Assembly are observed by Ministers, Deaconesses, Accredited Ministry Workers, Sessions and Committees of Management;

To take steps, in consultation with Sessions and the Committee on Ministry Resourcing, for the establishment of church planting within its bounds;

Where the Presbytery has approved the appointment of a Home Missionary to an Appointment Charge by the Committee on Ministry Resourcing, the Presbytery shall appoint a Moderator and wherever the Session does not exist in a new or ongoing work, the Presbytery shall take steps to appoint an interim Session and that Session shall be responsible for preparing a communion roll and the eventual election of a Session.

General supervision of all Charges and of Ministers, Deaconesses and Accredited Ministry Workers.

To exercise supervision over all regional bodies within its bounds. Such regional bodies may include small isolated communities of Christians sympathetic to a Presbyterian and reformed ethos which cannot be adequately related to an existing Charge or Charges, provided these bodies do not fall within the ministry of the Presbyterian Inland Mission. A Presbytery may (until it is able to relate such a body to an existing Charge or Charges) assume direct authority for that body and itself carry out the actions of a Session or Committee of Management wherever necessary, and shall authorise adequate ministry for such a body. (COA Minute 13/121)

Charges

Ministry within a Presbytery shall exist in the following formats:

(a) Calling Charge: This is a sphere of pastoral duty to which a Minister is called by a Congregation. The induction to this Charge shall be carried out in terms of Chapter 7 of the Code.

(b) Appointment Charge: An Appointment Charge is a sphere of pastoral duty in which a Minister is appointed by the Presbytery. It
shall be a requirement that prior to a Presbytery commissioning or appointing an Ordained Minister to an Appointment Charge that 60% of the Communicant Members of the Congregation present at a congregational meeting shall approve the appointment and the appointee.

(c) Within a Calling Charge, a Presbytery may establish a mechanism to call or appoint an additional one or more Ordained Ministers. Within an Appointment Charge, a Presbytery may establish a mechanism to appoint an additional one or more Ordained Ministers. (See Rule 8.6.) A Presbytery may also, within a Calling Charge or an Appointment Charge, appoint other workers in terms of Rule 3.11 (b).

(d) A Presbytery may make appointments of a Minister within its bounds to carry out specialised ministries in terms of Rule 8.6 (d).

4.28 A Presbytery may enter into an arrangement with the Committee on Ministry Resourcing to have an Accredited Ministry Worker appointed to a Charge or work in terms of Rule 4.27. Any specific terms of the appointment shall be agreed upon by the Presbytery and the Committee on Ministry Resourcing, including the requirement that 60% of the Congregation present and voting shall approve the appointment and the appointee.

**Division of a Charge**

4.29 (a) Presbytery, upon a request from a Charge or on its own initiative, may determine that it is in the best interests of a Charge for it to be divided. (See Rule 9.3(b))

(b) Presbytery shall request the Kirk Session to call a congregational meeting for the purpose of voting on a motion to divide the Charge.

(c) The Congregation's decision to divide a Charge shall imply that all church buildings or land purchased for the erection of a church building shall be allocated to the Charge and Congregations which meet in those approved locations.

(d) The Kirk Session shall give members and adherents at least fourteen (14) days to declare their intentions of where their membership shall be enrolled.

(e) (i) Presbytery shall declare that Kirk Sessions be formed in accordance with the Elder's intention as declared in clause (d).

(ii) Should there not be sufficient elders to constitute a Session, the Presbytery shall appoint an Assessor or an Interim Session if a Charge has no Elder.
(f) (i) All cash assets shall ordinarily be divided on the basis of Communicants in each Charge as declared by clause (d).

(ii) Should the congregational meeting decide to divide the cash assets on another basis, including a fifty/fifty basis, it shall do so by vote on a simple majority.

(g) Any debts on church property shall be the responsibility of the Charge acquiring the property, unless otherwise determined by the congregational meeting.

(h) Any dividend received from property acquired by the Charge for investment shall be divided in accordance with clause (f).

(i) Should the Congregation decide to dispose of property as indicated in clause (h) it shall do so by vote of the Congregation in terms of Rule 9.3 (a).

(j) Presbytery shall declare the date when the Charge created by the division shall become operative.

(k) The incumbent Minister shall indicate in which Charge he will minister.

(l) The Presbytery shall appoint an Interim Moderator of the vacant Charge.

(m) The Kirk Session shall, as soon as possible after the division has taken place, call a Congregational Meeting for the purpose of electing a Committee of Management.

(n) The Assembly Assessments shall be divided on the basis of the Communicants in each Charge.

**Amalgamation of Charges**

4.30 Presbytery may amalgamate Charges after due investigations of their ability to amalgamate, including present pastoral ties. This shall include consultation with Session and Ministers involved.

**Examination of Records**

4.31 (a) The Presbytery calls annually, and in particular cases at such other times as it sees fit, for the minute books, rolls, registers and such other records as it may require, of each Congregation, Committee of Management and Kirk Session within its bounds, and examines them, by means of a Committee or Committees appointed for the purpose, and attests them.

(b) The Presbytery shall take every care to see that when a Charge ceases, all records are forwarded to the General Manager according to Rule 2.18(d).
The Presbytery should ensure that when records are no longer needed by the local charge, they are disposed of in accordance with the rules of the Church.

**Ordinary Presbyterial Visitations**

4.32 The Presbytery visits every Charge within its bounds, as far as possible in rotation, at least once in every five years. The visitation may be by the Presbytery as a body, or by a Committee appointed by the Presbytery made up of members of Presbytery and may be ordinary or special. The Presbytery shall have the discretion to carry out such visitations by a Commission rather than a Committee.

In ordinary visitation all the Charges in the Presbytery are visited in order for the Presbytery to acquaint itself with the state of affairs within the Charge, to strengthen the hands of the Minister and the office bearers, and generally to advise and encourage the Charge in Christian life and work. It is required that when visiting a Charge, a Presbytery shall take into consideration its overall planning and assessment for the region, in line with the Presbytery’s goals and plans.

**Special Presbyterial Visitations**

4.33 If circumstances require it, the Presbytery may appoint a visitation of a particular Charge, with a view to making inquiry and taking such steps as may be necessary. Notification thereof is sent to the Minister, the Session and the Committee of Management, who are bound to attend on pain of censure. The inquiries made by the Presbytery are strictly confined to the particular objects of the visitation.

**Disputes between Minister, Office Bearers or Members of Charge**

4.34 When an allegation comes before a Presbytery to the effect that the state of one of the Charges is seriously unsatisfactory, the following are the steps that shall be taken, and the order in which they must be taken. Presbyteries are required to exercise the utmost care that no case is dealt with under this rule in respect to any matter within the jurisdiction of the Code of Discipline of the Presbyterian Church of Australia.

(a) The Presbytery makes due inquiry into the state of the Charge and comes to a finding.

(b) If the finding is that the Charge is in a seriously unsatisfactory state, the Presbytery may then counsel and admonish the parties concerned.
(c) After counselling and admonishing the parties concerned, the Presbytery shall declare either that it has remedied the state of the Charge, or has failed to remedy the state of the Charge. (Any appeal prior to this point in proceeding under this rule does not stay procedure.)

(d) If the Presbytery declares that the state of the Charge has not been remedied, the Presbytery may proceed to allege that the failure is due to errors and defects personal to the Minister, or to allege that the state of the Charge is due wholly or partly to the actions of certain office bearers or members.

(e) When the Presbytery has made such an allegation against a Minister, the Presbytery shall:
   (i) notify him; and
   (ii) confer with him and receive and consider any relative statements he may make or that may be tendered on his behalf; and
   (iii) receive and consider such statements as may be submitted by persons who are or have been members of the Congregation or Charge which are relevant to the question of how far the existing state is due to the Minister; and
   (iv) after careful consideration decide whether or not the ends of the ministry are being served; and then
   (v) decide whether or not the state of the Charge is due to errors and defects personal to the Minister.

(f) If the Presbytery decides that the ends of the ministry are not being served, as in (e)(iv) above; and the state of the Charge is due to errors and defects personal to the minister as in (e)(v) above, it may, subject to appeal, dissolve the pastoral tie.

(g) When the Presbytery has made the allegations as in clause (d) against office bearers or members, the Presbytery shall:
   (i) notify them; and
   (ii) confer with them and receive and consider statements submitted by them or others; and then
   (iii) decide whether or not the state of the Charge is due to the actions of the office bearer or member.

(h) If the Presbytery decides that the state of the Charge is due to the actions of any office bearer or members, as in (g)(iii) above, it may remove such office bearer from office in the Congregation or Charge, or may, subject to appeal, order transference certificates to be given as the gravity of the circumstances and the interests of the Charge may require.
Cessation of Charge

4.35 (A) Where a Charge or a section of a Charge -
   (a) has ceased to function effectively or at all; or
   (b) there are reasonable grounds for believing that the Charge or section has so ceased or is about to do so -

   a Presbytery may, after full inquiry and ascertaining the views of the Charge and that section (if any), determine:
   (i) that the Charge in question shall cease to be a Charge; or
   (ii) that the section in question be closed.

(B) On making a determination in the case of a Charge:
   (a) the determination must be reported, for confirmation, or otherwise, to the State Assembly; or, in the case of an Appointment Charge, to the Committee on Ministry Resourcing.
   (b) the area of a Charge so ceasing may be incorporated wholly or in part within the boundaries of or amalgamated with some other Charge or Charges or part of a Charge or Charges.
   (c) property of or used by the Charge so ceasing, or the proceeds of its sale or disposal, shall be paid to the Presbyterian Church of Queensland to be held and applied by it in terms of S:105 of the Trust Act 1973 Section 105 (1) as directed by the State Assembly after considering any submissions made by the Presbytery, the Committee on Ministry Resourcing, the Finance and Administration Board, the Property Board and other interested persons.
   (d) no action giving effect to a determination, apart from reporting under Rule 4.35 (B) (a), may be taken until the decision of the State Assembly is made.

(C) In applying the provisions of Rule 4.35 (A) and 4.35 (B) to the case of closure of a section of a Charge:
   (a) a section of the Charge may be closed and excluded wholly or in part from a continuing Charge whether by amalgamating that section or part with another Charge or part of a Charge or otherwise;
   (b) in the case of a section being closed within 25 years of its commencement by a continuing Charge or section of the Charge, the property of the section being closed, or the
proceeds of its sale or disposal, are to be applied for the use and purposes of that continuing Charge or section;

(c) in any other case, the property or proceeds are to be dealt with in accordance with the Rule 4.35 (B) (c);

(d) in ascertaining the views of a section for the purposes of this Rule, only those persons enrolled as Communicants (BB 2012 Min. 38.6) who attended the centre of worship in that section are eligible to vote in that section or if there is no separate roll for that section; or, if there are fewer than 5 of them, only such persons so enrolled as are determined by the Presbytery;

(e) Nothing in this Rule affects the power of Session to close a preaching place within the area of the Charge, or for a Congregation to dispose of property used in connection with that place so far as the Rules otherwise permit.

DENOMINATIONAL RESPONSIBILITIES

Elders' Commission to State Assembly

4.36 The Clerk of the Presbytery receives the commissions of Elders appointed to represent Sessions of Appointment Charges and Calling Charges in the State Assembly. It is his duty to see that they are in order. He reports the appointments to the Presbytery and transmits the commissions to the Clerk of the State Assembly not later than two weeks before its meeting. If a commission is to an Elder of a Session other than that issuing it, the appointee must be a 'bona fide' acting Elder.

Elders' commissions may be sustained at any meeting of the Presbytery, including Special Purpose Meetings and Unforeseen Meetings. Parity Elders in terms of Rule 4.20 (h) shall also be commissioned to the State Assembly.

Commissioners to General Assembly of Australia

4.37 Commissioners to the General Assembly of the Presbyterian Church of Australia are elected by Presbytery at its ordinary meeting not less than three months prior to the meeting of the General Assembly.

State Assembly State Mission Program (SMP), Assessments Collection

4.38 Presbytery:
(a) receives an allocation from the State Assembly of its SMP appeal and makes an equitable apportionment thereof between the
Charges, taking into consideration the statistical returns of the Charges;
(b) takes measures to assist and encourage the Charges to raise at least the sum allotted; and
(c) takes steps to ensure that SMP allocations and Charge assessments are remitted by equal monthly instalments to the Treasurer of the Assembly.

SUPERVISION OF MINISTERS AND OTHERS UNDER ITS JURISDICTION

Minister's Status and Leave of Absence
4.39 A Minister in no case absents himself from his Charge, or from his work in the Charge or from any appointment supervised by the Presbytery for more than two consecutive months, without obtaining the leave of the Presbytery. If a Minister leaves his Charge or his work in a Charge for more than two months without the permission of the Presbytery, disowns its authority or is otherwise held to have acted contumaciously, the Presbytery may summarily suspend him from office and declare his Charge vacant and may also apply to the State Assembly to have him declared no longer a Minister of the Church. A Presbytery must be careful that it does not deal with any matters within this rule which would otherwise need to be dealt with under the Code of Discipline of the General Assembly of Australia.

Minister's Resignation
4.40 A Minister after induction or appointment to a Charge or to a specific work under the Presbytery, desiring to resign does so in writing to the Presbytery (Form VII). On receiving the resignation, the Presbytery orders a meeting of the Charge and cites the Charge to appoint Commissioners to appear for its interests. Before a decision to accept the resignation or otherwise, the Presbytery enquires into the causes leading to the resignation and hears the mind of the Charge as expressed by the Commissioners. In the case of a resignation from a position of appointment by the Presbytery, the matter shall be dealt with directly by the Presbytery without any recourse to Commissioners.

Ministers Emeriti
4.41 When a Minister on account of old age, infirmity or sickness, is released from his Charge, the State Assembly may declare him to be Minister
Emeritus. The Presbytery shall have the right to grant such a Minister Emeritus a seat and vote in the Presbytery in terms of Rule 4.3A(e). On transferring to another Presbytery, any decision to grant a seat shall remain with the Presbytery into which the Minister Emeritus has transferred.

**Minister's Death**

4.42 When a Charge becomes vacant by the death of the Minister, the Moderator of Presbytery appoints a Minister as Interim Moderator of the Session until the next meeting ofPresbytery, and the Clerk issues an Edict of Vacancy (see Form II). This action is reported to the Presbytery and recorded.

**Minister's Mental or Physical Incapacity**

4.43 (a) The Presbytery may relieve a Minister from performing his functions for a period of not more than twelve months, and may appoint a Moderator of Session if satisfied on the certificate of two registered medical practitioners that the Minister is by reason of his mental or physical condition incapable for the time being of performing his duties.

(b) The Presbytery may reinstate the Minister to the full exercise of his functions if satisfied on the certificate of two registered medical practitioners that the Minister is within that period of twelve months capable of resuming his duties.

(c) The Presbytery may declare a Charge vacant if satisfied on the certificate of two registered medical practitioners (of whom one is a specialist) that, by reason of his mental or physical condition, the Minister is:

(i) totally and permanently incapable (as defined by the requirements of the Government department issuing social security payments) of performing his duties; and

(ii) not competent to resign his Charge - provided that upon the Charge becoming vacant, the Minister will become entitled to the benefit of a Government or other pension or allowance or its equivalent by way of income.

(d) The powers in Rule 4.43(a) and 4.43(b) are exercisable:

(i) in the course of any judicial process affecting the status of a Minister; or

(ii) on report by members of the Session or of the Charge; or

(iii) on report by the Committee on Ministry Resourcing.
(e) Ministry Support Fund, Salary Continuance Benefits (Regulation 110.15) may be applied when Rules 4.43 (a) and 4.43 (c) are exercised.

**Ministers on Sick Leave**

4.44 After a Minister has been on sick leave for an extended period of time, the Presbytery may appoint an Acting Moderator in the Charge until he resumes his duties.

**Moderator of Session appointed by Presbytery**

4.45 An Interim Moderator appointed by the Presbytery is empowered to do within the Charge all ministerial acts proper to be done by the Minister. It is his duty to aid the Session and the Committee of Management so that accurate information may be supplied and that all proceedings and documents necessary for a call may be in due form and generally to see that such arrangements are made as shall be conducive to the successful prosecution of the Christian ministry in the Charge under a new settlement. Where a vacancy is of a protracted nature, Presbytery may authorise an Interim Moderator to appoint an Elder from a Charge within the bounds of the Presbytery to act on his behalf at meetings of the Congregation, Session and Committee of Management.

**Licentiates and Ministers without Charge**

4.46 Licentiates and Ministers without Charge are under the care of the Presbytery within whose bounds they ordinarily reside, and the Clerk keeps records of them. On his removing to another Presbytery, a Certificate of Status is prepared and forwarded to the Presbytery concerned (Form IX (B)). Presbyteries include in their report to the State Assembly the names of all Licentiates and Ministers without Charge who are under their care.

4.47 (a) The Presbytery or an appropriate Committee of the Presbytery, shall confer with each Minister without Charge annually and report back to the Presbytery.

(b) The Presbytery may on its own initiative request the Minister without Charge to submit a resignation from the ordained ministry or show cause why he should continue as a Minister without Charge.

(c) No action in terms of this rule should be undertaken where the matter is required to be dealt with in terms of the Code of Discipline of the Presbyterian Church of Australia.
CHAPTER 5 - THE STATE ASSEMBLY

Members

5.1 The State Assembly consists of all Ministers on the rolls of Presbyteries and a Representative Elder duly commissioned for each Appointment and Calling Charge, together with the Officers of the State Assembly.

Annual Meeting

5.2 The State Assembly meets annually at such time and place as has been previously determined.

Standing Orders

5.3 The Standing Orders of the General Assembly of the Presbyterian Church of Australia are the Standing Orders of the State Assembly save where in any particular the State Assembly otherwise decides or as may be provided in these rules.

Quorum

5.4 The quorum of the State Assembly is twelve members representing at least three Presbyteries and at least half of whom are Ministers.

Unforeseen meetings (pro re nata)

5.5 'Unforeseen' meetings of the State Assembly are convened by the Moderator on a requisition in writing from at least ten members of Presbyteries, representing not less than three Presbyteries, and then, by notice despatched not later than 21 days before the date of meeting to all Presbyteries and Sessions of Appointment Charges and Calling Charges. On the meeting being constituted, first the roll is submitted and adopted, and the Moderator's action in convening the meeting approved. If there is no quorum present, the meeting lapses. No decision or action can be taken at a 'unforeseen' meeting except on the matters specified in the notice calling the meeting.

'Nobile Officium'

5.6 In all matters in which it is the supreme authority, the State Assembly possesses a 'nobile officium' in virtue of which it may deal with and dispose of any matter as may arise and is not provided for in the "Rules and Forms of Procedure". It may also, in virtue of its 'nobile officium' deal with and dispose of any matters as aforesaid in a way other than the "Rules and Forms of Procedure" provide as it shall seem to the Assembly.
right and needful for doing justice in the particular instance, but this is not
done save in circumstances exceptional in their character, or which
appear in the particular instance to render such a course necessary.

**Body Corporate**

5.7 The Moderator, the Clerk and the Treasurer of the General Assembly of
The Presbyterian Church of Queensland for the time being are the officers
forming the Body Corporate - The Presbyterian Church of Queensland -
as declared in Letters Patent of 13th June 1876.

**Assembly Officers**

5.8 The Officers of the State Assembly are the Moderator, the Clerk, the
Treasurer, and the Deputy Clerk who must be Ministers or Elders. They
hold office until they resign or are superseded.

**Roles and Duties of Clerk**

5.9 (a) The Clerk, on election, makes the declaration 'de fideli'.
(b) It is the duty of the Clerk to carry out the following specific activities:
   (i) receive all reports and other documents from denominational
       and other bodies and prepare the White Book which shall
       normally be forwarded to Commissioners five weeks before
       the commencement of the State Assembly;
   (ii) attend all sederunts of the Assembly;
   (iii) keep a correct record of all proceedings of the Assembly;
   (iv) prepare the minutes after each session, for publication;
   (v) notify the assumption of office by the Moderator to the
       Governor, State and Civic authorities, and such other public
       authorities as may be required;
   (vi) be Clerk of the Commission of Assembly and the Committee
       of the Whole;
   (vii) make such statutory declaration and affidavits as may from
       time to time be required by laws;
   (viii) to keep in safe custody all books, records and documents of
       the Assembly, excepting those for the custody of which the
       Assembly makes other provision, and to produce the same or
       furnish certified copies of or extracts from the same when
       legally required to do so;
   (ix) see that the decisions of the Assembly are notified to
       Presbyteries, Committees and Congregations concerned;
   (x) correspond with and supply information to all who require
       official information concerning the business of the Assembly;
(xi) make available to the press, radio and television, information concerning the Church;

(xii) supervise the secretarial work of such Committees as the Assembly may determine from time to time;

(xiii) retain the minutes of these Committees and supervise their correspondence;

(xiv) at the request of the Moderator, represent him at any function at which, in the opinion of the Moderator, the Church should be represented.

(c) In carrying out his role as Clerk, the Assembly acknowledges that the Officer

(i) will deal with many of his duties in a pastoral way, always giving due concern to the Biblical and theological parameters in which he shall minister as a servant of the Assembly;

(ii) shall often be called upon to exercise a Biblical and spiritual ministry in relation to other Officers and Members of the Courts of the Church, even though some such actions may contain administrative and/or legal aspects of the role.

(COA Minute 13/122)

Resignation of Clerk or Treasurer

5.10 The Clerk or the Treasurer may resign his office at any time, in writing, signed and witnessed, addressed to the Moderator. He delivers the books and other property of the Assembly in his custody to the General Manager, or as the Moderator may direct.

Deputy Clerk

5.11 The Assembly may elect and appoint from time to time an honorary Deputy Clerk who shall be a Minister or an Elder and who shall hold office at the will of the Court, and whose office shall be declared vacant when the office of Clerk becomes vacant, but he shall be eligible for re-election by nomination and ballot.

Election of Moderator

5.12 The Moderator is elected by the State Assembly at its ordinary session preceding that at which he is to assume office, and he is chosen from among the members of the State Assembly then in session. He assumes the office at the next annual session and is Moderator for twelve months thereafter or until his appointed successor takes up office. Until assuming office, the person elected is referred to as the Moderator-Elect. The time of election is fixed at the second sederunt of the Assembly. The
Assembly at that sederunt appoints a committee consisting of the Moderator, the Clerk and the Treasurer, together with the former Moderators who are members of the State Assembly in session, and one Elder from each Presbytery elected by the Presbytery. This committee submits a nomination for the office to the Assembly. Before the election takes place the Moderator shall call for further nominations, and if none are forthcoming, the election will proceed in the normal way.

**Moderator & Public Issues**

5.13 The Moderator may speak on public issues on behalf of the Assembly only after the unanimous approval of the Moderator, the Clerk, and the Convener of the appropriate Committee.

**Opening of Assembly**

5.14 At the commencement of the ordinary session of Assembly, the Moderator of the previous Assembly conducts worship, and in the Name of the Lord Jesus Christ, the King and Head of the Church, constitutes the Assembly. The Moderator-Elect is introduced to the Moderator by one of his brethren, and the retiring Moderator thereafter inducts him to his office. The Moderator then gives an address to the Assembly.

**Assembly Business**

5.15 At the commencement of the Assembly business the following steps are taken by the Assembly:
(a) The Roll of Assembly is adopted.
(b) Memorial Minutes are adopted.
(c) The report of the Business and General Purposes Committee is received, and its general recommendations approved.
(d) The Assembly elects the Committee on the Ballot.
(e) The Assembly elects the Committee on the Examinations of Records.

**Observance of the Sacrament of the Lord’s Supper**

5.16 A period at an ordinary Assembly is set apart for the observance of the Sacrament of the Lord's Supper. If the Moderator is an Elder he shall request a Minister to preside over this service. This service may be held in a church other than that appointed for the business sederunts.

**Closing of Assembly**

5.17 When the business of the Assembly has been concluded the date, time and place of the next annual session is fixed by resolution. The
Committee on Business and General Purposes has authority to alter such date, time or place in emergent circumstances. The Assembly may appoint a commission consisting of the Moderator, the Clerks and the Treasurer of the Assembly, the Convenor of the Business and General Purposes Committee, and two other members, with Assembly powers to confirm the minutes of such sedurents as have not already been confirmed by the Court.

The Moderator delivers a brief address to the Assembly, and, after intimating the time and place of the next meeting, pronounces the benediction and the Assembly is dissolved.

**Assembly Expenses Fund**

5.18

(a) An annual assessment is made on Appointment Charges and Calling Charges at a rate and on a basis determined by the Assembly on a recommendation of the Finance and Administration Board, for an Assembly Expenses Fund, administered by the Finance and Administration Board. The Fund provides for necessary payments for General Assembly of Australia assessments, honoraria for Assembly Officers and officials, and necessary expenses for the management of the Assembly's business.

(b) Assembly assessments are not voluntary contributions. Their payment is a duty incumbent on all Congregations. However the Finance and Administration Board has the authority to grant exemptions in a particular case which could include a process to assist in the establishment of a new work, but only with the approval of the Commission of Assembly.

**Business & General Purposes Committee**

5.19

There shall be a Committee to be called the Business and General Purposes Committee which shall consist of the Business Convener of the Assembly, who shall be Convener, who is elected by the Assembly and holds office until he resigns or is superseded. The other members shall be the Clerk as Vice-Convener, the Deputy Clerk, the Treasurer, the Moderator, the Moderator-Elect, the Chairman of the Finance and Administration Board, Conveners of Standing Committees, Presbytery Appointees, Clerks of Presbyteries (who shall be members only during the meeting of the Assembly), and the General Manager.

The Committee shall:-

(a) deal with any business of a general nature that is judged to be outside the scope of any other Board or Committee;
(b) meet as required to order the business of Assembly.

The Business Convener shall be responsible:-

(a) to report to the first sederunt of each Assembly the recommendations of the Committee anent -
   (i) the times and places of Assembly meetings and general recommendations concerning the business to be brought before the session of Assembly;
   (ii) the time to be allotted to speeches;
   (iii) any other general recommendations for the conduct of Assembly business;

(b) to report daily to the Assembly the Committee’s recommendations on the ordering of daily business;

(c) to move the reception of each report as it comes before the House for debate;

(d) to ensure that all business is submitted to the Assembly in proper form, and that the Moderator is advised of the proposed business.

Business to be Submitted to Business & General Purposes Committee

5.20 All reports and papers proposed to be submitted to the State Assembly are laid before the Business and General Purposes Committee and shall be forwarded to the Convener at least five weeks before the meeting of the Assembly. Parties having cases to submit to the Assembly may attend the meeting of the Committee when their matter is under consideration. All appeals, complaints or references not presented by appellants or complainants within the specified time are liable to be held as fallen from; but appeals, complaints or references may be presented afterwards provided sufficient cause can be shown why they were not lodged at the time specified. Parties whose appeals are rejected are notified thereof and have the right of appeal to the Assembly.

Notices of Motion

5.21 Notices of Motion proposed for consideration of the Assembly should be submitted to the Business Convener. The Committee on Business and General Purposes or its Convener shall decide if and when the proposed motion shall be debated. If dissatisfied with the decision, the proposer has the right of appeal to the Assembly against the Convener's or the Committee's decision. Wherever possible, notices of motion to come before the Assembly shall be printed and circulated.
Finance and Administration Board

5.22 (a) There shall be a Committee of the Assembly entitled the ‘Finance and Administration Board’.

(b) The Board shall consist of twelve members elected annually by the Assembly and the following ‘ex officio’ members:
   - the Moderator, the Moderator-Elect, the Clerks, the Treasurer and the General Manager.
   - Conveners of Assembly Committees or other bodies may be associated when business affecting the work under the care of the Committee or body is being considered.

(c) The Board shall:-
   (i) have the primary responsibility for the finances of the Church;
   (ii) submit to the Assembly with its report, a statement of the balances of the various funds and accounts as at the close of the previous year;
   (iii) compile and lay on the table of the Assembly the annual statements of the various funds;
   (iv) invest the funds of the Church on such terms and conditions as may seem advisable to the Board;
   (v) report as required by Rule 5.26;
   (vi) appoint, employ and have control over the Assembly administrative staff and determine the salaries and conditions of employment of such staff, ensuring that necessary staffing is made available for the work of larger Committees in terms of budget requirements;
   (vii) administer funds or enterprises and projects allocated to it from time to time by the Assembly.

Church Liaison Officer ‘ex officio’ Member of Finance and Administration Board

5.23 Key management of the Finance and Administration section of the Church Office should be appointed by the Finance and Administration Board in accordance with Regulations as approved by the Assembly or the Commission of Assembly.

Audit of Accounts

5.24 The accounts and books of account of the Assembly and its Committees and Boards shall be audited by a qualified person or qualified persons appointed by the Assembly on the nomination of the Finance and Administration Board. The person or persons so appointed shall hold office until the Finance and Administration Board shall make a new nomination and the Assembly makes a new appointment. In the event of
a vacancy occurring between meetings of the Assembly, the Finance and Administration Board will make a temporary appointment which shall continue to be effective until the next ensuing meeting of the Assembly.

**Insurance Fund**

5.25 The Insurance Fund is subject to such regulations as are approved by the State Assembly. It is managed and controlled by the Finance and Administration Board.

**New Expenditure**

5.26 (a) Before adopting any new policy or project for which funds have not been allocated, the Assembly shall require the Finance and Administration Board to provide a report on the financial prudence, possibility and means of the funding being provided.

(b) Any Committee, Council or Board of the Assembly shall ensure that the project or policy in clause (a) above shall be presented to the Finance and Administration Board at least three months prior to the State Assembly, to enable the required report to be presented. There shall be no requirement for the Finance and Administration Board to report if the requirement of this clause is not met; however, the Assembly may remit the matter to the Commission of Assembly for progress or final authorisation.

(c) Where the required time in clause (b) has been provided, and yet no report is presented by the Finance and Administration Board to the State Assembly, the Assembly may deem the funding to be available.

(d) Nothing in this rule shall prevent any Committee, Council or Board of the Assembly acting on a matter where it is

(i) carrying out a decision of the Assembly;

(ii) operating within the framework of the Rules, Regulations, Constitutions and Guidelines approved by the Assembly;

and where in each case funds are demonstrated to be available through an approved budget. (BB 2011 Min 69.4)

**Property Board**

5.27 (i) There shall be a Committee of the Assembly entitled the “Property Board”.

(ii) The Board shall meet at least annually and will consist of five members elected annually at the Assembly and the following ex officio members:
• The Moderator
• The Clerk of Assembly
• The Treasurer
• The General Manager

(iii) The Executive of the Board, made up of the elected members and the General Manager, shall meet as required.

(iv) The General Manager of the Church shall be the Secretary of the Board and shall in that role carry out the requirements of Chapter 9 of the Code which action shall be recorded in the minutes of the Board.

(v) The Board shall:
   (a) have administrative oversight of all denominational property of the Church, including:
      • Fairholme College property;
      • Campsites of the Church;
      • The Church Office building;
      • Allotments of land for future church development;
      • Other properties allocated to its administrative oversight by the Assembly.
   (b) seek to establish land acquisition for future development of the Church, in consultation with Presbyteries and the Committee on Ministry Resourcing;
   (c) work co-operatively with the Finance and Administration Board in relation to all financial matters relating to property;
   (d) have authority to authorise any agency within the Presbyterian Church of Queensland to administer a particular property on its behalf from time to time.

Appointment of Procurator

5.28 The Assembly appoints a Procurator who is an 'ex officio' member of the Assembly. His duties and status are defined in the following clauses:

(i) The Procurator shall be a Barrister-at-Law and a Communicant or Adherent of The Presbyterian Church of Australia.
(ii) In the event of a vacancy by death or otherwise, the Business and General Purposes Committee shall, if necessary, appoint an Acting Procurator which appointment shall be until the next meeting of Assembly.
(iii) In the event of the Procurator being absent from the Commonwealth, the Business and General Purposes Committee shall have power to appoint an Acting Procurator, and during such
absence the Acting Procurator shall have all the power and authority of the Procurator.

(iv) On the occurrence of a vacancy by death, or otherwise, the Procurator shall be appointed by the State Assembly during the second sederunt of the Assembly by a resolution of which notice has been given.

(v) The Procurator may be removed from office by the State Assembly, on an overture from a Presbytery or a Standing Committee of the Assembly.

(vi) The Procurator shall 'ex officio' have a seat in the State Assembly, and in the Assembly's Standing Committee on Business and General Purposes with full voting power.

(vii) The Procurator shall advise the State Assembly when in session, with regard to all matters which the State Assembly, by motion duly made and carried, may request him to give advice; and he shall consider and report upon all matters submitted to him by the State Assembly.

(viii) The Procurator shall advise all Presbyteries and Standing or Special Committees of the State Assembly on any matter on which they desire his opinion, on a case being submitted to him by the solicitors.

(ix) The Procurator shall revise all cases, and no case shall be deemed relevant that has not been revised by him.

(x) The Procurator shall hold a general retainer for the Church, and shall act as Counsel for the Church in all cases in which any question affecting the rights and interests of the Church shall come before the Parliament or the Law Courts, and when so acting shall be entitled to the ordinary professional fees.

(xi) Except as aforesaid, no remuneration shall attach to the office of Procurator.

**Legal Protocols**

5.29

(a) The Assembly appoints a Solicitor (or a firm of Solicitors), of the Supreme Court of Queensland, to transact all legal business which may be submitted to him/her or them on behalf of Congregations. In relation to property matters falling under Rule 9.3 (a), a congregation may use an alternate firm of Solicitors of the Supreme Court of Queensland. All business is submitted through the General Manager on instruction from the Finance and Administration Board.

(b) A body which is constituted under Rule 12.2 (a) shall appoint its own Solicitor (or firm of Solicitors) of the Supreme Court of Queensland.
(c) Any legal issue, brought against or sought to be initiated by an Assembly-appointed body, shall be carried out through the Trustees of the Presbyterian Church of Queensland who shall report any action taken thereon to the Commission of Assembly and the Finance and Administration Board.

(d) Any action concerning the Presbyterian Church of Queensland as a Corporation shall be transacted by the Trustees of the Presbyterian Church of Queensland who shall report any action taken to the Commission of Assembly and the Finance and Administration Board.

(e) Any action brought against a Minister, Deaconess or denominationally Accredited Ministry Worker of the Presbyterian Church of Queensland, which shall be dealt with by the Presbytery or any other governing body within the Presbyterian Church of Queensland, shall be acted upon by the Trustees as far as any legal responsibilities of the Corporation are concerned, and any action of the Trustees thereon shall be reported to the Commission of Assembly and the Finance and Administration Board. The Trustees consult with the Commission of Assembly and the Finance and Administration Board as early as possible, particularly in relation to any costs that may be involved, and are to be directed by the Commission of Assembly. (COA Minute 13/95)

**Standing Committees**

5.30 The State Assembly at each annual session appoints Committees by which it shall carry out its work through the ensuing year.

**Standing Committee Meetings**

5.31 (a) Standing Committees shall be elected by ballot. They are made up of:

(i) An elected number (when available) of Ministers and Elders (or Communicants of the Church) as determined by the Assembly from time to time;

(ii) Members appointed by Presbyteries in terms of Rule 5.35;

(iii) Ex officio members.

The Standing Committee shall elect its Convener.

(b) Each member, irrespective of the avenue by which he is made a member of the Committee, has full responsibilities and rights associated with the work of the Committee.

(c) Standing Committees shall be:

(i) Ministry Resourcing;
(ii) Outreach and Nurture;
(iii) Ministries Training.

(d) Standing Committees shall meet five times between Assemblies but the Moderator and Clerk shall have the discretion to vary this schedule, if necessary.

(e) Standing Committees shall ensure that at least once between Assemblies a meeting or part thereof shall be used as a forum to enable the Committee to make long-term planning for the future and evaluation of the policies by which the Committee is operating. Such forums may include other interested parties, upon invitation.

**Election of Committees**

5.32 Nominations for members of Standing Committees are made by ballot by the respective Committees at a Standing Committee meeting and transmitted to the Clerk. Further nominations may be made in writing by members of the Assembly to the Clerk. The Assembly fixes the time for the closing of nominations, and the time for the election to take place by ballot. The ballot paper will indicate the nominees of the relevant Committees.

5.33 **Ballot Committee**
The Ballot Committee appointed by the Assembly will prepare the ballot papers and scrutinise the ballot.

5.34 **Vacancies on Committees**
Vacancies in the elected membership of Standing Committees, including convenerships, may be filled by the Committee, with such appointees holding office until the next meeting of the Assembly.

**Presbytery Appointees**

5.35 Each Presbytery from its own members appoints one member to be a member of the Standing Committees of the State Assembly and any other committees if directed by the State Assembly. During meetings of the Standing Committees, representatives of other non Standing Committees, Boards, Councils are scheduled to meet with the group of appointees appointed under this rule. The election of such appointees takes place at the annual meeting of the Presbytery and the names are forwarded to the Clerk of the Assembly. These appointees shall take up their appointments immediately after the State Assembly.
Vacancies - Presbytery Appointees

5.36 Presbyteries may fill up a vacancy in their appointment arising during the year. In cases where the elected appointees of a Presbytery are unable to attend the meetings of Standing Committees, the Presbytery or Moderator and Clerk of the Presbytery are empowered to nominate deputy appointees for those meetings, with full voting powers, and shall advise the Clerk of Assembly accordingly.

Committee Executives

5.37 (a) Those elected by the Assembly will become the Executive. However, the Standing Committee may vary the consist of the Executive if it deems it necessary. The Committee lays down all broad principles and enunciates the policy to be followed by the Executive whose duty it is to carry out the detailed execution of the policies laid down. No Executive may make a decision which is irreversible by the Committee unless so authorised by the Standing Committee. The Executive meets as required, to carry out the instructions of the Committee, to prepare recommendations on policy for consideration and decision by the Committee, and to take such action relevant to emergent business as is necessary or expedient. Any action taken by an Executive except on matters expressly referred to it, is subject to confirmation, amendment or overturning by the Standing Committee.

(b) An Assembly Appointee appointed to direct the work of the Committee on Ministry Resourcing or the Committee on Outreach and Nurture shall be a member of the respective Standing Committee. A full-time Lecturer or Professor appointed by the Assembly to serve within the Queensland Theological College or its successor shall be an ex officio member of the Committee on Ministries Training. Such Appointees shall serve on the Executive of such Committees.

(c) An Executive or Standing Committee may resolve to decide an issue through teleconferencing when those members who are non-Executive members shall avail themselves of participating in the discussion and the vote on the issue to be decided through a telephone conference or other electronic means. However, this does not prevent a Standing Committee authorising its Executive to decide an issue at that Executive Meeting based on a written opinion submitted by non-Executive members of the Standing Committee. A Standing Committee member who desires to attend a meeting of the Executive may do so, in which case he shall have the same rights as
any other member of the Executive. Any member of Assembly may attend a Standing Committee or its Executive but may not move motions or vote on any issue.

(d) Where a matter arises before an Executive which the Executive deems to be urgent and emergent and requiring an immediate decision, but which would not normally require significant debate, the Executive can seek the mind of all members of the Committee by asking them to vote in favour or against a proposed action. A verbal response shall not be accepted. The conducting of such a vote shall be referred to as a flying minute and the decision will be recorded at the next meeting of the Committee. Those who do not vote shall be recorded as an abstention. Any member of a Committee may object to a flying minute process and such objection will defer the matter to the next ordinary meeting or, if necessary, the Clerk may call a special meeting.

Special Committees

The State Assembly at each annual session appoints ongoing Special Committees for the transaction of general business in the ensuing twelve months.

(a) Members of Special Committees shall be elected by the Assembly upon a deliverance prepared by the Committee in its report and deliverance to the Assembly. A notice of motion may add, subtract or vary the proposed composition of the Committee; however, the Special Committees of Gospel in Society Today (GiST) and APWM (Queensland) shall be appointed on the same terms as Rule 5.32.

(b) Members of a Special Committee shall be (when available) an equal number of Ministers and Elders (or Communicants of the Church) as determined by the regulations of such Committee or by an Assembly decision. Special Committees shall be APWM (Queensland), Gospel in Society Today (GiST), Code and Legal Reference and any other such Committee of whatsoever nature the Assembly shall determine and from time to time originate.

(c) Such Committees shall have equal status as Standing Committees and shall have equal access to the resources of the Church, including the SMP, through application to the Finance and Administration Board.

(d) Such Committees shall have the right to develop an ongoing working relationship with Congregations and utilize Congregations and other people to assist them in their work, including the dissemination of information and material pertaining to their work.
(a) During the time allocated for Standing Committees, the Clerk in consultation with the Moderator as required shall be responsible to ensure that the group of Presbytery Appointees shall be able to meet with in a non-business meeting members of the Special Committees or with representatives of those Committees to ensure that the viewpoint of Presbyteries is taken into consideration in the work of those Committees and that the work of the Committees is clearly enunciated to the Presbyteries.

(b) In the same way it will be required that the Clerk and Moderator will make arrangements for similar non-business meetings with representation of all other Assembly bodies, together with Boards and Councils for which the Assembly makes all or a proportion of the appointments to those Boards or Councils.

(c) The meetings referred to in this rule shall be planned to occur at least once for each body within the period between Assemblies. Nothing in this rule will prevent any Committee or body referred to in this rule taking the action of holding a formal business meeting at which Presbytery Appointees can be associated and take part in such a meeting. Likewise Presbytery Appointees have the right through the Clerk and Moderator to request such business type meetings to be conducted.

(d) The Moderator or the Clerk at his request shall convene the meetings referred to in this rule.

5.40 The Commission of Assembly may meet as a body or as representatives with any Committee, Board or Council or with their representatives whenever the Commission deems it necessary for its effective management of the Church’s work.

Members 'ex officio'

5.41 The Moderator, the Clerks, the Treasurer and the Moderator-Elect are members 'ex officio' of Standing Committees. Ex officio members are empowered to participate in all meetings arranged in accordance with Rules 5.35 and 5.39.

Regulations

5.42 Committees may frame regulations for governing the particular functions entrusted to them, but such regulations must be submitted to the Assembly for approval.
Where no other mode of enacting, repealing or amending regulations is provided, a regulation shall be enacted, repealed or amended:
(a) upon a petition presented to the Assembly; or
(b) on a motion arising out of a report and recommendation of a Committee of the Assembly,
and in either case passed by a majority of not less than three-fifths of the Assembly.

Before enacting, repealing or amending regulations or a Constitution the Assembly shall require a report from the Code and Legal Reference Committee.

**Ad Hoc Committees**

5.43 The Assembly may appoint one or more Ad Hoc Committees for the transaction of special business. The functions of such Committees shall terminate with the fulfilment of the business which has been allotted to them by a minuted decision of the Assembly.

**Reports of Committees**

5.44 (a) All Committees or Boards appointed by the Assembly are required to present a report to the Assembly annually concerning the work under their care, and such reports, with deliverances, are required to be forwarded to the Clerk for presentation in the White Book. Such Committees must arrange for their proposed deliverance to be moved and seconded in the Assembly.
(b) Committees of the Assembly shall direct any routine deliverance in their report to the Assembly, to the March Commission of Assembly for approval.
(c) Any Commissioner of the Assembly may raise for discussion by the Assembly any deliverance approved by the Commission of Assembly.
(d) The deliverances approved by the Commission of Assembly will be included in the appropriate Deliverance as a Whole.

**Personal Interests**

5.45 In Committees, no member may deliberate or vote on any matter in which he is has a personal or financial interest or which directly affects his Charge or Ministry. This rule does not prevent any member of a Committee providing to the Committee, in writing, a submission upon any matter to be discussed by the Committee.
**Examination of Records**

5.46 All minutes of Presbyteries, Commissions, Boards or Committees of the Assembly shall be submitted annually to the Assembly for examination.

**Sub-Committees**

5.47 Standing Committees, Boards and Special Committees of the Assembly may appoint Sub-committees consisting of persons not necessarily members of the Committees or Boards, provided always that at least one member of the said Committee or Board shall be a member of the Sub-committee, and provided further that the Convener or Chairman shall be an 'ex officio' member of all Sub-committees. Such Sub-committees at all times are under the jurisdiction of the appointing Committee or Board.

5.48 Committee on Ministry Resourcing

(a) There shall be a Standing Committee called the Committee on Ministry Resourcing, the responsibilities of which shall include:
- the resourcing, consolidation, and extension of the Church's work and witness in association with Congregations, Presbyteries, the Assembly and Assembly Committees, and other bodies under the Assembly's jurisdiction; and in particular,
  i. the pastoral care of Accredited Ministry Workers who are serving the Committee;
  ii. the provision of chaplaincy services;
  iii. the Ministry Training Network Scheme.

(b) The Director of Ministry Resourcing shall be a member "ex officio" of the Committee on Ministry Resourcing. (BB 2011 Min 69.10)

**Committee on Outreach & Nurture**

5.49 (a) There shall be a Standing Committee called the Committee on Outreach and Nurture. The function of the Committee on Outreach and Nurture is to have oversight on behalf of the Assembly in the following areas of ministry:

  i. Christian Education for all ages which includes:
      - Sunday Schools
      - Children's groups
      - Youth work in general, known as Presbyterian Youth
      - Adult Christian Education which may include the conducting of teaching missions
      - Family ministry
      - Religious education in schools
- Teacher and leadership training
- Camping programs

(ii) Evangelism in both its traditional and contemporary forms as it relates in an appropriate measure to each age and/or cultural level.

(iii) Stewardship as it relates to the Christian response to the Good News of Jesus Christ in every area of life.

(b) The Director of Christian Education shall be a member 'ex officio' of the Committee on Outreach and Nurture.

5.50 **Committee on Ministries Training**

(a) There shall be a Standing Committee called the Committee on Ministries Training. The functions of the Committee shall be:

(i) To formulate policy for the Queensland Theological College consistent with the Constitution and the aims of the Assembly;

(ii) To appoint the officer to implement the policies that have been formulated for the Queensland Theological College;

(iii) To recruit, encourage and assist, in co-operation with the Presbyteries, candidates for the pastoral ministry;

(iv) To administer the Post Graduate Scholarship Fund, and to receive applications for assistance and make grants from this fund under such regulations as the Assembly may from time to time determine;

(v) To report for the decision of the Assembly on full-time staffing needs in the Queensland Theological College;

(vi) To approve an annual budget and ensure suitable accommodation for the Queensland Theological College;

(vii) Approve any necessary relationships with other bodies. (See Rule 5.52.)

(b) The Lecturer (or Professor) on Church History in the Queensland Theological College is entitled The Caldwell–Morrow Lecturer (or Professor).

(c) The full-time lecturers/professors shall be members ex officio of the Committee on Ministries Training.

**Constitutionally Governed Bodies**

5.51 Directors and Councillors of constitutionally governed bodies shall be elected by the State Assembly as provided by their respective Constitutions.
Affiliation With Other Bodies

5.52 Only the State Assembly authorises affiliation of the Church or its organisations with other Bodies, Societies or Organisations formed for purposes relating to public questions, or to co-ordinate action or opinion on religious questions, or to such other matters as the Assembly approves. Nominations for appointment as representatives are submitted by an appropriate Committee.

General Assembly of Australia

5.53 Appointments and nominations relevant to the General Assembly of Australia shall be made through the ballot process.

Registration to Celebrate Marriages

5.54 The Clerk certifies Ministers to the Registrar-General for registration and authorisation to celebrate marriages. A Minister without a Charge is not entitled to be so certified without the sanction of the Presbytery in which he resides. Licentiatates, Deaconesses, Accredited Ministry Workers and Communicants serving Committees of the General Assembly of Australia and the Queensland State Assembly may be recommended by those Committees to the Clerk for registration after approval of the Presbytery of the bounds. In the periodical revision of the list of Presbyterian Ministers registered to celebrate marriages, the Moderator and the Clerk shall take steps to have removed such names as may be necessary, including the names of Ordained Ministers who have demitted their Charges, provided that:

(a) with specific sanction of the Presbytery the registration of a Minister who has demitted his Charge may be continued for the period of such sanction or until such sanction is withdrawn. Such sanction shall be given by resolution of Presbytery properly proposed and agreed upon at the time when it received the demission and communicated forthwith by Presbytery to the Clerk of Assembly;

(b) the registration of a Minister holding an Assembly appointment and of a Professor in the Queensland Theological College shall be continued;

(c) the registration of a Minister Emeritus shall be continued;

(d) a Minister without Charge may be registered as an agent of a Committee of the General Assembly of Australia or the Queensland State Assembly where appropriate;

(e) a Minister who has demitted his Charge and who is ministering for a specific period of not less than three months in an Appointment Charge or Calling Charge or a ministerial office within the Church
may be registered during the term of his appointment if recommended by his Presbytery.
Where a Minister ceases to be a Marriage Celebrant, the Celebrant’s personal Marriage Register becomes the property of the Presbyterian Church of Queensland.

Commission of Assembly

5.55 The State Assembly shall at each annual session appoint a Commission of Assembly which shall be elected by ballot.

1. The Commission shall be made up of:
   I. Assembly Officers and Moderator-Elect (5);
   II. Twelve Assembly Representatives (of whom at least 3 are ruling elders and at least 1 person from each of the Presbyteries of North Queensland, Central Queensland and Darling Downs).

2. The Commission shall be empowered:
   I. To receive the resignation of the Moderator if he desire to relinquish office, or to declare the office vacant should he cease to be a member of a Presbytery in Queensland, or should he, through illness or incapacity, be judged unable to discharge his duties, or on his death, and to appoint another Moderator for the remainder of the term vacated.
   II. To appoint a Moderator for the State Assembly next ensuing in the event of the Moderator-Elect dying, or ceasing to be a member of a Presbytery in Queensland, or refusing, or from any other case whatsoever being unable to fill the office.
   III. To appoint a Clerk of Assembly or a Treasurer in the event of either office becoming vacant between the annual session of the Assembly, provided that any appointment so made shall terminate at the annual meeting of the Assembly next following.

3. Meetings of the Commission are convened by written or telephone or electronic notice to each member, and only the matters stated in the notice are considered. The State Assembly may remit matters to the Commission for consideration and action. Eight members shall form a quorum, and the Commission shall report all its decisions and actions to the next Assembly; the Moderator shall be Convener, and the Clerk the Vice-Convener. When an issue is deemed by the Moderator to be an exceptional nature, the Commission may meet by teleconferencing.
The Commission shall, on behalf of the Assembly:

I. Implement the process of continual improvement in the use of resources and their management, including analysing existing structures and procedures;

II. Closely supervise all Committees and Boards appointed by the General Assembly of Queensland; and

III. Formulate overall strategies and recommendations to be brought to the annual Assembly; and in the execution of the formulation of overall strategies, the Commission shall present to the Assembly its minutes of all proceedings, together with an annual report to the State Assembly with recommendations; the Commission at all times shall be accountable for its actions to the Assembly.

IV. Transact any other emergent and urgent business so that the work of the Church may not be retarded.

In relation to section (4), paragraph (I) – (IV),

(i) A member of the Commission of Assembly may appeal to the Assembly and all the normal rules of the Church will apply.

(ii) A Commissioner to the State Assembly may forward to the Clerk of Assembly within 7 days of the publication of the minutes of the Commission an INTENTION TO RESCIND A DECISION OF THE COMMISSION. This action shall stay proceedings for 14 days during which time, if the action is confirmed by eight other Commissioners representing three Presbyteries, no action shall be taken by the Commission and the motion to rescind the action shall be debated at the next State Assembly. (BB 2011 Min 69.6)

Register of Degrees

The Assembly keeps a register of degrees, diplomas and certificates conferred upon or granted to Ministers, Candidates for the Ministry, Deaconesses and officials of the Church. The Clerk holds the register and enters therein the degrees, diplomas and certificates of those eligible to have the degrees, diplomas and certificates recorded and who supply to him the relevant information duly authenticated. Only degrees, diplomas and certificates so registered are used in the official statements and documents of the Church. The Assembly may determine from time to time which institutions shall not be listed for the recognition of their degrees, diplomas and certificates. The Clerk reports to the Assembly annually the entries made in the register.
Appeals Petitions and Complaints

5.57 The State Assembly shall appoint annually a Special Committee, including a Convener, known as the Pastoral Care Committee.

However, if any pastoral mediation is unfinished at the commencement of the State Assembly, the pastoral mediators will remain on the Committee until their pastoral mediation is finalised. Upon the finalisation of the pastoral mediation, a casual vacancy shall arise. Nevertheless the Assembly, or its Commission, may reappoint these pastoral mediators to the Committee.

Composition
(1) The Pastoral Care Committee shall consist of nine persons, including a Convener, representing at least four (4) Presbyteries.

Casual Vacancies
(2) The Assembly or a Commission of Assembly shall fill casual vacancies.

Function
(3) (a) The Committee shall have the authority to act upon:
   (i) receipt of an appeal, petition or complaint to the State Assembly, forwarded to the Committee by the Clerk of Assembly.
   (ii) a request for pastoral mediation by a Presbytery.
   (b) All matters raised in the work of pastoral mediation by the Committee are confidential.

Cost
(4) The cost of pastoral mediation shall be borne by the Assembly unless it determines otherwise.

Appeals, petitions or complaints to the State Assembly - Aims and Jurisdiction
(5) When an appeal, petition or complaint to the State Assembly is received by the Committee:
   (a) The Committee shall appoint two or three of its members as pastoral mediators.
   (b) The pastoral mediators shall:
      (i) ensure that they do not have any interest in any matters raised in the appeal, petition or complaint or in the pastoral mediation process.
(ii) meet with the parties in the appeal, petition, or complaint with the express purpose of pastorally mediating a settlement of the substance of the appeal, petition, or complaint and/or reconciliation between the parties.

(c) Neither the Committee, or its members, shall have the power to determine the appeal, petition or complaint.

**Appeals, petitions or complaints to the State Assembly – Reporting**

(6)  
(a) The Committee reports to the State Assembly.
(b) If the substance of an appeal, petition or complaint cannot be resolved through pastoral mediation by the Committee the Assembly shall proceed to hear the appeal, petition or complaint in accordance with the Rules and Forms of Procedure.

**Pastoral mediation requested by a Presbytery - Aims and Jurisdiction**

(7) When pastoral mediation is requested by a Presbytery:

(a) The Committee shall appoint two or three of its members as pastoral mediators. In doing so, the Committee shall ensure that any pastoral mediator:
   (i) is not ordinarily a member of the Presbytery requesting pastoral mediation.
   (ii) does not have any interest in any matters raised in the pastoral mediation process.

(b) The pastoral mediators shall:
   (i) meet with the Presbytery, or its representatives, to be briefed concerning the matter, shall be given access to the minutes of the Presbytery and all relevant documents, and shall be bound by the same confidences as the Presbytery members concerning the issue.
   (ii) meet with the Minister, Kirk Session, Committee of Management, and Congregation, individually or collectively as necessary, to understand the position of the charge with a view to resolving the issue.
   (iii) bring together any relevant persons for the purposes of conducting pastoral mediation.

**Pastoral mediation requested by a Presbytery – Reporting**

(8) The pastoral mediators shall report to the Presbytery at each regular meeting, and at such other times as the presbytery shall direct, that the issues:

(a) have been resolved;
(b) have been partially resolved;
(c) are still being discussed;
(d) cannot be resolved through pastoral mediation by the Committee.
CHAPTER 6 - CANDIDATES FOR THE MINISTRY

Applications for Acceptance

6.1 (a) A person seeking acceptance as a candidate for the ministry makes application in the first instance to the Presbytery in which he usually resides. The application shall be accompanied by:

(i) a certificate from the applicant's Session indicating membership of the Presbyterian Church for at least six (6) months;

(ii) a letter of recommendation from the Session of the Congregation to which the applicant belongs; and

(iii) a full statement of the applicant's educational background and work positions held.

Action by Presbytery on Applications

(b) To the Presbytery belongs the right and duty of judging the fitness or otherwise of persons within its jurisdiction who apply to be accepted as candidates for the ministry. The Presbytery may recommend to the Committee on Ministries Training or its successor the acceptance of such a person only after he has appeared before the Presbytery's Committee on Candidates and Trials for Licence and when it is satisfied -

(i) that he is a Communicant of the Church of at least six (6) months' standing; and

(ii) that he is recommended by the Session of the Congregation to which he belongs, and that he is suitable as to character, personality and spiritual gifts, and that he has a genuine call to his vocation.

In considering an application the applicant's residential status, if not an Australian citizen, shall be taken into consideration.

Transmit Application to Committee on Ministries Training or its successor

(c) If, after due enquiry, the Presbytery is satisfied regarding the applicant's suitability as a candidate for the ministry, it will transmit the application to the Committee on Ministries Training or its successor together with a certificate as to its satisfaction, a statement of the applicant's educational background and any other information which the Presbytery deems pertinent.
Probationary Students

(d) The Presbytery will in the first instance, accept the student as a probationary student for the Ministry. The student will remain on probation until he has completed

(i) one year full-time study in the Queensland Theological College or its successor;
(ii) two years' part-time study at the Queensland Theological College or its successor.

If the student is doing supplementary studies in the Queensland Theological College or its successor in order to fulfil the requirements of the College Committee, he will remain on probation until the studies have been completed.

The Presbytery will regard the probationary period as successfully completed, when in discussion with the Faculty and the Supervisor of the student's Field Education appointment (or in the case of a Ministry Resourcing or private appointment, the Moderator of the Charge), it has become sufficiently clear that the student exhibits the gifts and graces needed for the ministry. He will then be a candidate for the ministry subject to confirmation by the Committee on Ministries Training or its successor. If not, the Presbytery may decide to cancel the student's probationary status or continue the probationary period for review after a further six months, or take any other pastoral action the Presbytery deems suitable.

Action by Committee on Ministries Training or its successor

(e) The Committee on Ministries Training or its successor shall accept applicants recommended by Presbyteries, provided that the applicant's academic attainments satisfy the requirements for admission to the course of training, and the Committee is satisfied with the academic possibilities of the applicant, and the necessary medical certificates are not adverse, the Committee having the right to refer back to Presbytery an applicant for other than academic reasons. Where practicable, the Committee on Ministries Training or its successor shall interview each applicant before it admits him as a student or accepts him as a candidate.

In considering an application the applicant's residential status, if not an Australian citizen, shall be taken into consideration.
Consultation with Faculty

(f) The Committee on Ministries Training or its successor, upon admitting an applicant as a student or candidate decides, after consultation with the Faculty, what recommendations to make to the College Committee of the General Assembly of Australia concerning his position in the course of training, and advises the Presbytery accordingly.

Supervision of Candidate

(g) A candidate for the ministry remains under the supervision of the Presbytery which originally recommended him unless and until for sufficient reason it transfers him to the supervision of another Presbytery, in doing which it must certify whether or not all requirements (see (h) below) have been satisfied by the candidate. Until he is licensed, the candidate remains under the jurisdiction of the Kirk Session on whose roll of Communicants his name appears.

Pastoral Care

(h) At all stages of their training it is the duty of the Presbytery to interest itself in the welfare and progress of those under its supervision who are preparing for the ministry and where practicable interview each such person at least once a year.

Annual Academic Report

After the close of each academic year (but not later than 14 December each year) the Presbytery's Committee on Candidates and Trials for Licence shall obtain from each candidate under its care, a report on the result of his year's work. After the close of each academic year the Faculty sends to all Presbyteries information concerning the positions in the course of training occupied by all students, and to each Presbytery a confidential report concerning each candidate under the Presbytery's care.

Certificate by Presbytery

The Presbytery, if it is still satisfied as to the suitability for the ministry of each candidate under its care, forwards a certificate to this effect, together with any comments that the Presbytery deems pertinent, to the Faculty before the thirty-first day of March each year.
(i) **Termination of Candidature**
To the Presbytery having oversight belongs the right and responsibility to terminate a candidature, acting in this matter after consultation with or in response to a request from the Committee on Ministries Training or its successor.

**Order of Deaconesses**

6.2 (a) A person seeking acceptance as a candidate for the Order of Deaconesses makes application in the first instance to the Presbytery in which she usually resides. The application shall be accompanied by:

(i) a certificate from the applicant's Session indicating membership of the Presbyterian Church for at least six (6) months;

(ii) a letter of recommendation from the Session of the Congregation to which the applicant belongs; and

(iii) a full statement of the applicant's educational background and work positions held.

(b) The Presbytery, having satisfied itself as to her fitness and that she is a Communicant member of the Presbyterian Church of Australia of at least six months' standing, shall recommend her to the Committee on Ministries Training or its successor. That Committee, after being satisfied that -

(i) her educational qualifications are such as to be able to commence the course of training; and

(ii) the necessary medical certificates are not adverse - will admit her to the course of training for the Order of Deaconesses, or direct the candidate to apply for admission to a recognised training college of the Presbyterian Church of Australia.

(c) After the close of each academic year (but not later than 14 December each year), the Presbytery's Committee on Candidates and Trials for License shall obtain from each Student Deaconess under its care, a report on the result of her year's work. The Presbytery, if it is still satisfied as to the suitability for the Order of Deaconesses of each candidate under its care, forwards a certificate to this effect together with any comment that the Presbytery deems pertinent to the Committee on Ministries Training or its successor, before the thirty-first day of March in each year.
Trials for Licence

6.3 (a) When a student for the ministry begins trials for his course of study at the Queensland Theological College or its successor he is required to apply, through the Committee on Ministries Training or its successor, to the Presbytery under whose jurisdiction he is to be taken on trials for licence, and the Committee shall notify the Clerks of the respective Presbyteries accordingly.

(b) The Presbytery will prescribe as minimum requirements the following Trials for Licence over a student’s course of training in the Queensland Theological College or its successor, as follows:

(i) As part of the report from Faculty outlined in Rule 6.1(h), the Presbytery will receive a copy of the FES supervisor’s report from their student placement.

(ii) During each of the first three years of the student’s candidacy, members of Presbytery will observe the Candidate either (a) pastor an individual; or (b) lead a small group; or (c) lead public worship and preach; this shall be arranged such that at the end of three years (or equivalent) all three of areas (a), (b) and (c) will have been assessed. Where the candidate has an FES appointment in another Presbytery, the student’s Presbytery may arrange for the other Presbytery to conduct (a) and (b) on their behalf. In their second and third year, the Candidate will also provide a work of exegesis on the passage used in that teaching context to assist in evaluating how he has worked from exegesis to pastoring and teaching, with reference to the doctrinal position of the Church.

(iii) In his fourth year of candidacy, members of Presbytery will observe the Candidate lead public worship and preach.

(iv) Each year of the student’s candidacy, Presbytery will select one of the essays submitted by the student to the QTC (recommended units being systematic theology, ethics and those regarding pastoral theology and skills) and request a copy of the essay from the student, accompanied by a reflection (typically 1,000 words) applying the essay to practical issues in the life of the
Final Year Students

(c) The Committee on Ministries Training or its successor shall send to the Clerk of each Presbytery in the State six months prior to the expected date of their licensing, the names of all students in the final year of their course of training and the Presbytery under which they are pursuing their trials for licence, with intimation that, if no objections are received prior to three months before the expected date of their licensing from any of the other Presbyteries by the Presbytery to which the candidate applies for licence, the said Presbytery will proceed further with his trials for licence. If any Presbytery objects, the case must be referred to the State Assembly or its Commission and its instructions therein followed. (COA Min. 11/57)

(d) When the student has satisfied the requirements of the College Committee at the conclusion of his final academic year, he will furnish the Presbytery with his Exit Certificate. The Presbytery having finally satisfied itself as to his character and fitness as a Candidate for the work of the ministry following favourable Trials for Licence, may proceed to license him as a preacher of the Gospel and appoint a time and place for so doing.

Deaconess Trials

6.4 When a candidate for the Order of Deaconesses commences the first year of her course at a recognised training college, the Presbytery which has her spiritual oversight, will set her the following trials, to be completed at a date set during her final year of study:

(i) An essay dealing with ways of training and encouraging women in the context of the overall work of a local charge, under the supervision of the Session in that Charge; and

(ii) An essay on doctrine directed toward the application of such in the practical issues of the life and work of the Church.

When the candidate has satisfied the requirements of the Committee on Ministries Training or its successor, she will furnish a certificate of her successful completion of the course to the Presbytery.
The Committee on Ministries Training or its successor shall send to the Clerk of each Presbytery in the State before the first day of June in each year, the names of all Deaconess students in the final year of their course of training, with intimation that, if no objections are received before the first day of September following from any of the other Presbyteries, by the Presbytery which has taken the Deaconess candidate for trials, the said Presbytery shall proceed further with her trials.

If any Presbytery objects, the case must be referred to the State Assembly or its Commission and its instructions therein followed. The Presbytery which has her spiritual oversight, having finally satisfied itself as to her character and fitness as a candidate for the Order of Deaconesses following favourable trials, may proceed to commission her as a Deaconess and shall advise the Committee on Ministry Resourcing that she has completed her training and has been commissioned.

**Licensing of a Candidate by Presbytery**

6.5 (a) When the Presbytery proceeds to license a candidate the Moderator puts to him the prescribed questions. Satisfactory answers having been given to all these questions, the candidate is licensed and subscribes the Formula and the Moderator engages in prayer, and thereafter addresses to him the following declaration:


The Moderator and other members of the Presbytery then give him the right hand of fellowship. The Moderator or a Minister appointed for the purpose addresses the Licentiate on the responsibilities he has undertaken, and the service is concluded with prayer. The Clerk furnishes the Licentiate with an extract of his licence (Form X).

**Appointment of Licentiates**

(b) (i) Ordinarily, Exit Students, upon being licensed by a Presbytery on completion of their course of training in the Queensland Theological College (or its successors), shall be required to serve the Committee on Ministry Resourcing for up to one year for appointment to such Charges or ministry positions as in the opinion of the Presbytery of the bounds and the Committee on
Ministry Resourcing offer good prospects of settlement. A student falling within the ambit of Rule 6.5 (b) (ii) may seek exemption from this requirement provided he serves for up to one year within a ministry of the Presbyterian Church of Queensland or a ministry approved by the Committee on Ministry Resourcing and such exemption must be sought no later than the month of September.

(ii) Provided that all approaches set forth in (a), (b), (c) and (d) hereunder are made through the Committee on Ministry Resourcing whose Director shall act in a consultative role and take part in any discussions between the Exit Student and any of the bodies referred to in (a), (b), (c), and (d), an Exit Student, at any point not later than the month of September during the final year of his course of study at the Queensland Theological College (or its successors), may be approached by:

(a) a Congregation through its appointed Session representatives with the view to his undertaking a ministry position within the Congregation subject to appointment by the relevant Presbytery.

(b) a Presbytery through its appointed representatives with the view to his undertaking a ministry established by the Presbytery.

(c) a Committee of the Presbyterian Church of Queensland through its appointed representatives with the view to his undertaking a ministry established by the Committee in accordance with the mandate authorized by the State Assembly.

(d) a ministry approved by the Committee on Ministry Resourcing through its appointed representatives.

(iii) During this year of appointment, the Appointee, to a ministry position within a Congregation (on the recommendation of the Moderator) or a ministry position established by a Presbytery, may be authorised by the Presbytery to moderate the meetings of a Session and administer the Sacraments. The Licentiate may be invited to attend Session meetings in terms of Rule 3.20.

(iv) After consultation with the Committee on Ministry Resourcing, an Exit Student or a Licentiate from another State will be
permitted to accept a call from the Charge to which he has been appointed or be ordained by the relevant Presbytery at any time during the year he is required to serve under Rule 6.5 (b) (i).

(v) Students proceeding to post-graduate study may postpone their exit appointments until the completion of studies after consultation with the Faculty and the Committee on Ministry Resourcing.

(vi) Students going into overseas missions, Presbyterian Inland Mission or into full-time duty as Chaplains with the Defence Forces of the Commonwealth of Australia shall not be called upon for a year's service under the Committee on Ministry Resourcing.

(vii) Such Exit Students and Licentiates serving under this rule shall be paid stipend and allowances as determined by the Stipends Commission.

(viii) Exit Students and Licentiates may elect to continue their membership of the Church in the Congregation on whose roll their name appears at the time of licensing, or may elect to transfer to the Roll of Communicants in the Congregation where they are appointed. Upon ordination, they shall furnish a Disjunction Certificate to the Presbytery, and their membership shall transfer to the Presbytery. See also Rule 3.37 (c). (BB 2011 Min 69.8)

Election of Professors and/or full-time Lecturers

6.6 Professors and/or full-time Lecturers in the Queensland Theological College or its successor are elected by the Assembly. If only one person is nominated, a vote "for" or "against" is taken by ballot, and if the majority vote "for" he is declared elected. If there is more than one nomination the vote is taken by ballot (if there be two nominations) or by preferential ballot (if there be more than two) and the person receiving a majority of the votes cast is declared the nominee. A vote "for" or "against" is then taken by ballot and if the majority vote "for", he is declared elected.

Induction of Professors and/or full time Lecturers

6.7 When an Ordained Minister or Elder is elected to the office of a Professor and/or full-time Lecturer, the Assembly instructs a Presbytery to induct
him to this office and he shall have a seat on that Presbytery so long as he occupies that office.

A Licentiate who has been elected a Professor and/or full-time Lecturer is ordained to the office of the ministry and then inducted. The procedure is similar to that in the Induction of a Minister (see Chapter 7), but in the declaration by the Moderator for the words, "induct you to the pastoral charge of ......" the following are substituted, "induct you to the Chair of ...... in the Queensland Theological College or its successor of The Presbyterian Church of Queensland".

A Professor and/or full-time Lecturer may be transferred to the membership of another Presbytery by a decision of the State Assembly at any time.

**Removal of Professors and/or full-time Lecturers**

6.8 A Professor and/or full-time Lecturer may at any time be removed from his office by the State Assembly if;

(a) he is deposed from the office of the ministry or eldership;

(b) he is declared by the General Assembly or by the State Assembly no longer a Minister or Elder of the Church;

(c) after due procedure, initiated in a Presbytery, it is decided by the State Assembly that in its opinion his usefulness has been seriously impaired in any manner whatsoever;

(d) a Presbytery proceeds in terms of Rule 4.43 (a), (b), (c), (d), (e).
CHAPTER 7 - ORDINATION OF LICENTIATES AND INDUCTION OF MINISTERS

Signing of Declaration (Form XX)
7.1 Licentiates at their ordination and Ministers at their induction are required to engage to conform to any rules which may from time to time be prescribed by the State Assembly, and every entrant to the ministry of the Church in this State becomes a member of the Superannuation Fund, and subject to the regulations of the fund for the time being excepting those entrants who meet the conditions for exemption that are set out in the regulations, and are members in good standing of another approved fund or funds, and who undertake to maintain unimpaired their interest in the fund or funds with which they are connected.

Resignation of Ministers
7.2 Ministers, after their induction, can resign their charges to the Presbytery only, and no resignation is accepted until after careful inquiry into the causes which have led to it, nor until the Congregation has been cited to declare its mind in regard thereto.

Edict Issued
7.3 A day and time are appointed for the ordination and induction, and an edict is ordered to be issued in due form, which is publicly announced to the Congregation or Congregations in the Charge, at least eight days, to include two Sundays, previous to the time fixed for the ordination and induction.

Edict Called For
7.4 When the Presbytery meets for the ordination and induction at the fixed time and place and has been duly constituted, the edict is called for and returned with certification that it has been properly announced. Objections in terms of the edict are then called for by the Presbytery, and if no objections are offered, or if offered they are not substantiated forthwith, or are judged irrelevant, the service is proceeded with.

Act of Ordination and Induction
7.5 After the sermon a brief narration of the steps in connection with the call is given, prepared by the Interim Moderator or other member of Presbytery appointed for the purpose in consultation with the Interim Moderator. The questions appointed by the General Assembly of Australia in connection...
with such services, are put to the Congregation and to the Licentiate, and these, having been satisfactorily answered, the Licentiate who is to be ordained, kneels, and the Moderator by prayer, with the imposition of hands in which all the Ministers present join, ordains him to the office of the Holy Ministry and inducts him to the Pastoral Charge. Prayer being ended, the Moderator, addressing the Minister-Elect, says:

Declaration
"IN THE NAME OF THE LORD JESUS CHRIST, THE KING AND HEAD OF THE CHURCH, AND BY AUTHORITY OF THIS PRESBYTERY, WE DO HEREBY DECLARE YOU DULY (ORDAINED TO THE OFFICE OF THE HOLY MINISTRY AND) INDUCTED INTO THE PASTORAL CHARGE OF THIS CONGREGATION AND CHARGE AND ENTITLED TO ALL THE RIGHTS AND PRIVILEGES THERETO APPERTAINING, AND IN TOKEN THEREOF WE GIVE YOU THE RIGHT HAND OF FELLOWSHIP."

The Minister then signs the Formula in the presence of the people and the members of Presbytery give him the right hand of fellowship. The Minister and Congregation are then exhorted as to their respective duties, and the Minister takes his seat in Presbytery.

Act of Induction - Ministers
7.6 In cases of Ministers already ordained, the procedure is the same as in the case of a Licentiate, except that the act of ordination is not repeated and all references thereto in the edict and order of service are omitted.
CHAPTER 8 - SETTLEMENT OF MINISTERS

Intimation of Vacancy

8.1 When a vacancy occurs in the pastorate of a Calling Charge, the Presbytery at once appoints a Minister to intimate during public worship the vacancy in the charge. It also appoints that Minister, or another, to be Interim Moderator of the Session. Under normal circumstances a Presbytery may not appoint the former Minister (connected with a vacant Congregation) to be the Interim Moderator. When there is likely delay in awaiting a meeting of the Presbytery, the Moderator of Presbytery acts under this rule and reports the action taken to the Presbytery later.

Interim Moderator Designate

8.2 Should Presbytery ascertain that a translation (Rule 8.25) or a resignation (Rule 4.40) is likely to take effect at a considerable interval after the translation or demission has been agreed to by Presbytery, it may appoint one of its Ministers as Interim Moderator Designate, to take initial steps to fill the impending vacancy up to but not including the insertion of a name in a form of call.

The Interim Moderator Designate may, after consultation with the Moderator of the Kirk Session, convene and preside over meetings of the Kirk Session, the Committee of Management, the Congregation and the Selection Committee as in the opinion of the Interim Moderator Designate are necessary for the discharge of his duties, but only business connected with the filling of the impending vacancy may be dealt with at such meetings.

The Interim Moderator Designate enters into the title and full duties and powers of Interim Moderator only as from the date on which the vacancy begins.

Filling of Vacancy

8.3 Unless special grounds exist for delay in filling the vacancy, the Minister intimating it shall, by authority of the Presbytery, call a meeting of the Charge at an early date and not later than six (6) weeks after the date of the Edict of Vacancy to consider the filling of the vacancy.
**Procedure**

8.4 At this meeting:
(a) the revised rolls of Communicants and Adherents are submitted by the Session;
(b) the Ministry Support Fund Schedule (four [4] copies) fixing stipend, travelling allowance, annual leave, manse (or allowance) and other allowances to the Minister is submitted for approval by the Committee of Management; and
(c) arrangements satisfactory to the Presbytery and the Finance and Administration Board are made for the payment of arrears of assessments and arrears of stipend to the former Minister.

**Documents for Presbytery**

8.5 At the next meeting of Presbytery, the Interim Moderator submits:
(a) an extract minute of the Congregational meeting (Rule 8.4);
(b) the revised roll of Communicants attested by the Session Clerk;
(c) the revised roll of Adherents attested by the Session Clerk;
(d) the Ministry Support Fund Schedule, with a report or minute of the Committee on the Ministry Support Fund thereanent;
(e) a statement signed by the Treasurer of the Charge of all the financial liabilities of the Congregation, including arrears (if any) to the former Minister, the Committee on Ministry Resourcing and of Assembly and Presbytery assessments; and

**Ministry Support Fund Schedule**

(f)(i) Calling Charges: The Ministry Support Fund Schedule (in triplicate) is forwarded immediately after the Congregational meeting to the Committee on Ministry Resourcing. The Call to the Minister cannot be considered by a Presbytery until both the Committee on Ministry Resourcing and the Presbytery have approved the terms of settlement (ie the stipend, travelling expenses, holidays and manse arrangements) and the Presbytery and the Committee on Ministry Resourcing have also approved the Ministry Support Fund Schedule proposal of the Charge for the new settlement. If the Ministry Support Fund Schedule is submitted six months or more after the end of the financial year, the Charge must also forward to the Committee on Ministry Resourcing a financial statement showing the Charge's financial position in terms of income and expenditure from the period of the last audited statement up to a month preceding the date on which the Ministry Support Schedule was approved by the Congregation. The approval of
such terms of settlement is subject at all times to automatic amendment by subsequent decisions of the Stipends Commission, and does not require further alteration by the Congregation issuing the Call or the Presbytery which sustains it in the first instance. The approved schedule shall remain in force for a period of six (6) months, after which, if no Call is in process, a new schedule shall be submitted for approval; provided that, if a change affecting 10 percent (10%) or more of the Charge's income or expenditure occurs in the affairs of the Charge within the six (6) months period then a new schedule shall be submitted for approval.

(ii) Appointment Charges: The Ministry Support Fund Schedule (in triplicate) shall be prepared in general terms and requirements of Rule 8.5 (f) (i). Both the Presbytery and the Committee on Ministry Resourcing shall approve the financial situation of the proposed appointment and the documents shall not make reference to a Call, but rather to an appointment. The terms and conditions shall be approved in the same way as for a Calling Charge, including the requirement that 60% of the Communicants (BB 2012 Min. 38.5) present and voting shall approve the appointment and the appointee.

(iii) Without detracting from the recognition of the ordination, induction or appointment of a Minister, Licentiate, or exiting Candidate for the Ministry, arrangements may be made by relevant Presbyteries, in consultation with the particular Charge, for a Minister, Licentiate or exiting Candidate for the Ministry to undertake temporary full-time or part-time supply in a Charge pending their induction into or appointment to that Charge, after the Presbytery has resolved to proceed with the ordination, induction or appointment of that Minister, Licentiate or exiting Candidate for the Ministry into or to that Charge. (BB 2012 Min. 38.8)

**Team Ministries (Rule 4.27)**

8.6 (a) The Presbytery may establish within a Calling or Appointment Charge a mechanism to call or appoint an additional one or more Ordained Ministers. The Congregation through its Kirk Session shall place before the Presbytery the necessity for the establishment of a Team Ministry, the stipends to be paid to each of the Called or
Appointed Ministers and the total financial proposal for the establishment of the Team Ministry.

(b) Should the Presbytery accede to the request, it shall appoint an Interim Moderator to preside at all necessary meetings pertaining to the Call or Appointment, who shall be responsible for the issuing of the Edict of Vacancy; thereafter the procedure shall follow an ordinary vacancy.

(c) In the event of a vacancy in a Charge in a Team Ministry, the Presbytery and Congregation shall reconsider the whole question of the team arrangement for the future operation of the work.

(d) The Presbytery may make appointments to a team within its bounds to carry out specialist ministries; in order to do this, the Presbytery shall be responsible for ensuring the financial viability of such an operation and also that all those involved in such a ministry are appointed in terms of either a Sustentation Schedule or the requirements of the Committee on Ministry Resourcing.

Selection Committee

8.7 Unless the Charge is prepared at this meeting to insert a name in a Call, it shall appoint certain of its members, who, along with the Elders and Managers, shall be a Committee for selecting and submitting to the Charge the names of one or more persons eligible for a Call.

Formation of List

8.8 The Selection Committee may form a list of eligible Ministers or Licentiates to be invited, through the Interim Moderator, to preach in the Charge. The Committee may consult with the Director of Ministry Resourcing for information for preparation of the list.

Meeting of Charge

8.9 A meeting of the Charge of which intimation is given at least nine days previously, may be held at any time during the hearing of persons invited to preach, and must be held as early as possible after all of them have been heard, or after four such persons have been heard for the purpose of determining whether the Charge is prepared to proceed to a Call.

Postponement of Decision

8.10 If the meeting decides not to proceed to Call, it takes such further action as may be deemed advisable. It may appoint a Committee, if one has not previously been appointed, and if there is an existing Committee it may add to its number, or it may resolve to proceed without a Committee.
Procedure in Calls - Congregation

8.11 If the meeting determines to proceed to a Call, after an address by the Moderator and prayer, a Form of Call (Form III) is read, and the meeting proceeds to determine the name which is to be inserted in the Call of the Minister or Licentiate of the church (provided the Licentiate has fulfilled the requirements of Rules 6.3(d) and 6.5(b) (i)), or of any Presbyterian Church specified under the Articles of Agreement of the Presbyterian Church of Australia.

Voting on the Call

8.12 (a) If there is only one nomination, a vote "for" and "against" is taken by a show of hands but the Moderator may direct, or any three members may claim, that the vote be taken by ballot.

(b) If there is more than one nomination, the vote is taken by ballot (if there be two nominations) or by preferential ballot (if there be more than two) and the person receiving a majority of the votes cast is declared the nominee and a vote is then taken on this nomination as in (a).

(c) The person receiving a majority of votes cast is declared chosen and his name inserted in the Form of Call.

(d) Thereupon Communicants whose names are on the attested roll are invited to sign the Call and the Moderator attests it as thus subscribed. A Form of Concurrence in the Call (Form III) is prepared, which Adherents are invited to sign, and this also is attested by the Moderator.

Commissioners to the Presbytery

8.13 Commissioners not exceeding three in number, of whom one at least should be a member of the Session, are appointed by the meeting to take charge of the Call, and to support it in the Presbytery. Until the Presbytery meets, the Commissioners give opportunity to Communicants and Adherents to sign the Call and the Form of Concurrence, and these signatures are attested by a Commissioner as written in his presence.

In addition to the foregoing, up to three additional Commissioners may be appointed, to be designated Assistant Commissioners, whose task shall be restricted to attesting signatures to the Call and to the Form of Concurrence as being written in their presence.
**Procedure in Calls - Presbytery**

8.14 When the Presbytery has before it a Call from the Congregation of a vacant Charge within its bounds, it first hears the report of the Interim Moderator and the statements of the Commissioners appointed by the Congregation (see Rule 8.13) to prosecute the Call and then proceeds to deal with the Call.

**Sustaining Call**

(a) The Presbytery sustains a Call only when it is satisfied that -

(i) the terms of the proposed settlement have been approved by the relevant Assembly Committee or Committees; (See Rule 8.4 (b))

(ii) all other steps preliminary to the signing of the Call have been carried out in accordance with the requirements of the regulations of the General Assembly for procedure in vacancies;

(iii) no improper canvassing for or against a particular candidate has taken place; (Rule 8.16)

(iv) the person to whom the Call is addressed is eligible under the rules of the General Assembly governing status and the rules of the General Assembly of Australia governing reception of Ministers from other Churches, and he presents satisfactory certificates when such are required;

(v) the number of signatures of Communicants subscribed is not less than three-fifths of the number of Communicants on the attested roll; (See Rule 8.12.(d) )

(vi) all arrears to the former Minister, the Committee on Ministry Resourcing and of Assembly and Presbytery assessments have been paid or provision made for same;

(vii) there are no appeals or petitions from persons dissatisfied in respect to the Call, and that such appeals or petitions have been competently disposed of (see Rule 8.15); and

(viii) it is for the good of the whole Church.

(b) **Call not sustained** -

(i) If the Presbytery is not satisfied in respect of any or all of the matters referred to in the preceding rule, or if in its opinion the weight due to objections adduced (see Rule 8.15) is sufficiently great, it may decline to sustain the Call.
(ii) From this decision, except when it is in opposition to the declared will of the Minister, there is no appeal except by the Minister who is called.

(iii) When a call is not sustained, the proceedings in the Congregation begin afresh.

**Appeals Relative to Calls**

8.15  
(a) Communicants or Adherents present at the meeting who are dissatisfied with the Call made, or with the course of procedure in reference thereto, have a right to appeal, which is to be intimated at the time.

(b) Within three days after the meeting, one copy of the appeal must be forwarded to the Session for immediate transmission to the Clerk of Presbytery and another to the Commissioners appointed to support the Call.

(c) Appellants must attend the meeting of Presbytery at which the Call is presented to make their appeal. Where such an appeal has been made, the Presbytery refrains from proceeding to a settlement under a Call until the appeal has been determined. When the appeal is submitted to the Presbytery, the Appellants state their case and the Commissioners are heard in reply. Parties having been heard, the Presbytery adjudicates on the appeal, and any person interested who is dissatisfied with the decision of the Presbytery has the right of appeal to the State Assembly and may take action accordingly.

**Canvassing Unlawful**

8.16  
It is unlawful for Ministers or Licentiates either by themselves or through others to canvass for election or to enter into negotiations with any member or members of a Congregation for the procuring of a Call. Should it be made evident to the Presbytery that such action has been taken or knowingly connived at by a Minister or Licentiate, the Call is declared null. In regard to any vacancy, Ministers and Licentiates should correspond with the Interim Moderator or Session Clerk and not with members of the Congregation.

**Presbytery Submits Name for Call**

8.17  
When a Charge fails to call a Minister within twelve months from the beginning of a vacancy, the Presbytery may submit the name of a Minister or Licentiate recommended to be inserted in a Call provided such action complies with the provision of Rules 8.11 and 8.21.
Notification of Call

8.18 When a Call has been sustained, notice thereof is given forthwith by the Clerk of the Presbytery to the person called, together with a copy of the approved Ministry Support Fund Schedule.

Call to Licentiate

8.19 If the person called is a Licentiate eligible for a Call under Rule 6.5(b) he is required to intimate in reply to the notice, his acceptance or non-acceptance of the Call within thirty days. The Presbytery arranges to meet as soon as convenient to receive and deal with such intimation.

Certificate of Status Required

8.20 If the Licentiate who accepts the Call is under the jurisdiction of another Presbytery, a certificate of his status from the Clerk of that Presbytery is required to accompany his letter of acceptance (Form IX (B)).

Call to a Minister Without Charge

8.21 If the person called is a Minister without a Charge, the procedure is the same as for a Licentiate (Rules 8.19 and 8.20) except that if he be not a Minister of the Presbyterian Church of Australia he is required to have fulfilled all necessary requirements of the Reception of Ministers Committee of the said Church. The Presbytery then takes the necessary steps for his Induction.

Call to a Minister of Same Presbytery

8.22 If the Call sustained be to the Minister of a Charge in the same Presbytery, he is cited or, if absent, he is cited by letter from the Clerk to attend a later meeting of the Presbytery at which the Call will be further considered and is supplied with the terms of settlement and the relevant extract minute. At the same time a member of the Presbytery or other Minister or Elder is appointed to summon the Elders and members to appear for their interests at the meeting of Presbytery, with certification that by failing to appear they will be held as consenting to the translation of their Minister.

When there are several Congregations in a Charge, intimation is made by the Sessions to those Congregations which the person appointed by Presbytery does not visit.
Call to a Minister of Another Presbytery

8.23
(a) If a person called is a Minister of a Charge of another Presbytery, the Call, after being sustained, is forwarded to that Presbytery together with the certified copies of:
   (i) the minutes of the Presbytery;
   (ii) the minutes of the Congregation; and
   (iii) other documents relating to the Call.
(b) On receipt of these documents the Clerk of that Presbytery gives notice thereof to the Minister called, and to his Congregation (Form VI). He also notifies the Presbytery from which the Call has come of the time and the place of the meeting of his Presbytery so that any Commissioners appointed by the Presbytery and the Commissioners appointed by the Charge making the Call may have the opportunity of being present.
(c) a meeting of the Charge of the Minister called is held after nine (9) days' notice to consider the matter, and may appoint Commissioners to appear for their interests at the meeting of Presbytery at which the Call is to be considered.
(d) When the Call is taken up, parties are heard in the following order:
   (i) one of the Commissioners of the Charge and one of the members of the Presbytery prosecuting the Call;
   (ii) two Commissioners from the Charge whose Minister is called; and
   (iii) one of the parties prosecuting the Call is heard in reply.
(e) The Presbytery then decides whether or not the Call is to be presented to the Minister, and if the decision is in the affirmative, the Call is placed in his hands and he is asked to state his mind regarding it by either accepting it or declining it, or by leaving the decision to the Presbytery.
(f) The Presbytery then gives its decision and from this decision, except when it is in opposition to the declared will of the Minister, there is no appeal.
(g) When the decision is appealed against, the appeal is prosecuted in the same manner as other appeals.
(h) If the Minister accepts the Call or if the Presbytery decides he should accept the Call, and there is no appeal, the Presbytery resolves to agree to his translation.
Call to a Minister Beyond the State

8.24 If a Charge resolves to Call a Minister of a Charge in another Australian State, or of a Presbyterian Church beyond Australia specified in accordance with the Articles of Agreement of the Presbyterian Church of Australia, who still retains his Charge there, the Call, on being sustained, together with the certified relevant extract minutes of the Presbytery is forwarded to the Clerk of the Presbytery of which he is a member, and any Ministers or Acting Elders who are known or believed to be able to attend the meeting of Presbytery at which the Call is to be dealt with, may be appointed to act as representatives of the Presbytery and of the Charge from which the Call proceeds.

If the translation is agreed to, the time for induction is fixed by the Presbytery and proceeds under Rules 7.5 and 7.6.

Translation

8.25 (a) When a translation is agreed to, the Minister is directed to wait for and obey the instructions of the Presbytery having the oversight of the Charge by whom he has been called, and arrangements are made by that Presbytery for his induction, with all convenient speed.

(b) A Minister in such a case is not actually released from one Charge until regularly inducted to the other. Until then he remains responsible for the discharge of his duties and the Charge continues to be responsible for the payment to the Ministry Support Fund.

(c) When the Call is to a Charge beyond the State, the Minister is released from his Charge at a date fixed by the Presbytery having jurisdiction over him.

(d) (i) A Minister of a Charge cannot be a Candidate for a Call or an appointment unless he has completed three years in his Charge.

(ii) A Minister who has less than three years service in his Charge, including time served in that Charge as a Licentiate, may be a Candidate for a Call or an Appointment provided that the Presbytery which has jurisdiction over him has declared that special circumstances exist to allow his release from his present Charge.

(iii) The Presbytery may sustain the Call if evidence is produced, in the form of a certificate from a medical practitioner, that continued residence in the area of the Minister's present Charge is considered to be to the detriment of his health or of his wife or of any child under his care.
(iv) Any other circumstances should be considered by the Presbytery only if these are found to be of a special nature.
(v) The Presbytery shall report the reason for any such translation which it has approved under Rule 8.25(d)(iv) to the next meeting of the General Assembly.

**Ordination or Commission Without Induction or Appointment**

8.26 A Presbytery may ordain a Licentiate without an induction to a Calling Charge or appointment to an Appointment Charge; or commission a Minister other than to a Calling Charge or an Appointment Charge under the following special circumstances:

(a) For service in another body in which the Presbyterian Church has a sharing concern and where such service is deemed necessary for the Ordained Ministry and on the recommendation of the Committee on Ministry Resourcing.

(b) Licentiates serving in a Presbytery appointment under this rule shall be governed by the provisions of Rule 6.5(b)(iv).
CHAPTER 9 – PROPERTY

Common Seal
9.1 The custody of the Common Seal of The Presbyterian Church of Queensland is entrusted to the Treasurer of the State Assembly, and is not to be used except by the authority of the Moderator, Clerk and Treasurer, or any two of them, and they or such two of them sign every instrument to which the Common Seal is affixed, and their signatures shall be ‘prima facie’ evidence that the Common Seal has been duly affixed. Directions to sign and seal documents are given by the Finance and Administration Board, or the Property Board, or the State Assembly. Every such signing and sealing is reported to the Finance and Administration Board for recording.

Land Vested in Corporation
9.2 All land gifted to or acquired by a Congregation or Charge, or by a Council, Board or Committee of the State Assembly or by a Presbytery is to be vested in the Corporation of “The Presbyterian Church of Queensland”. The Corporation may, when requested, hold lands on behalf of the Presbyterian Church of Australia, or jointly with such other body as may be approved by the Assembly.

However, no such vesting shall take place without the prior approval of the Property Board.

Purchase, Sale, Mortgage, Lease, Exchange and Other
9.3 (a) A Congregation or Charge may, by resolution passed by at least three-fourths of its communicant members personally present at a duly convened Congregational meeting, give direction as to the purchase or sale, mortgage, lease, exchange or other dealing with land of such Congregation or Charge, and the Corporation or Trustees as the case may be, shall carry out all such directions as are approved by the Property Board (or the General Manager acting for the Property Board on routine matters) or by the State Assembly; provided always that before the direction given by a Congregation or Charge for the purchase or sale, mortgage, lease, exchange or other dealing with land shall become effective, the approval of the Presbytery shall be obtained, and provided further that neither the Corporation nor any Trustee, in carrying out such direction, is bound
to enter into any personal covenant or to incur any other liability thereby

**Property remaining within Corporation of PCQ.**

(b) In a division of a Charge where the property remains within the Corporation of The Presbyterian Church of Queensland, this rule does not apply; but should it be found that voting is appropriate, it will require only a simple majority. (See Rule 4.29.)

**Indemnities**

9.4 Whenever, in the opinion of the Property Board, the amount to be raised by mortgage on any property for a Congregation or Charge exceeds three-fifths of the value of such property, the Property Board, or the State Assembly, before authorising such mortgage to be executed, may require an instrument to be executed by a number of the communicant members of the Congregation or Charge, indemnifying the Corporation against all liability under such mortgage.

**Prior Consent**

9.5 Any Board, Council or Committee of the State Assembly or a Presbytery may not purchase, sell, lease or mortgage any freehold or leasehold property as an investment for the funds of the Church without the prior consent of the Property Board.

**Corporation Borrowing**

9.6 The Corporation of The Presbyterian Church of Queensland may from time to time borrow such sums of money, at such rates of interest, and upon such terms and conditions, and upon such security as the Finance and Administration Board or the State Assembly may from time to time determine. When the security is a mortgage of land the approval of the Property Board must first be obtained.

(BB 2012 Min. 38.3)
CHAPTER 10 - TRUSTEES

Lands

10.1 All lands hitherto acquired by Congregations, if not vested in the Corporation, are vested in Trustees upon the following trusts:

"In trust for The Presbyterian Church of Queensland subject to the rules for the time being of that church with power to the trustees to sell, lease, mortgage, exchange, and otherwise deal with the said lands or any part thereof, in accordance with such rules."

Bequests

10.2 All bequests to the Church or to Congregations of moneys, shares or other investments under a Will, as a trust for religious and/or charitable purposes, are vested in the Corporation or in Trustees appointed by the local Congregation, upon the following trusts:

"In trust for The Presbyterian Church of Queensland or the relevant congregation or charge which benefits under the Will, whichever is applicable, subject to the rules for the time being of the Church with power to the trustees to sell, exchange, or otherwise deal with the said bequest or any part thereof in accordance with such rules."

Qualifications

10.3 Subject to the provisions of any special Act of Parliament, or instrument applicable to any particular lands or bequests of moneys, shares or other investments, the following rules apply to all lands, moneys, shares or investments:

Number
(a) The number of Trustees is not less than three or more than seven.

Eligibility
(b) A Trustee must be a Communicant or Adherent of the relevant Congregation or Charge of which he is a Trustee and be of the full age of twenty-one years.

Appointment
(c) Trustees are nominated by the Congregation or Charge, and appointed by the Presbytery. The appointment of a Trustee is not confirmed by the Presbytery until he has signed (in triplicate) a Declaration of Trust (Form XXIII).
Vacancies
(d) For the purpose of nominating Trustees to fill up a vacancy in the
trusteeship, a congregational meeting is convened and the number
of persons required are nominated by such meeting, to the
Presbytery, for appointment. Vacancies are to be filled within six (6)
months.

Liability
10.4 The Trustees acting or purporting to act in pursuance of such directions as
are approved may give valid receipts for all moneys received by them, and
such receipts absolutely discharge the person paying the moneys from
seeing to the application of the same, and from all liability as to the
misapplication or non-application thereof, and are conclusive evidence
that the sale, transfer, mortgage, lease, or other dealing or that the sale,
exchange, transfer or other investment transaction has been duly carried
out in pursuance of these rules.

Conveyance to Corporation
10.5 The majority of the Members and Adherents of the Congregation or
Charge personally present at a duly convened meeting may direct the
Trustees to convey the land used by such Congregation or Charge to the
Corporation, and the Trustees conform to such direction. The land is not
conveyed to the Corporation without such direction.

Trustees: How Removed
10.6 Any Trustee may be removed by resolution of the Presbytery on any of
the following grounds:
(a) That he has been called upon to resign by a resolution of a majority
of the Members and Adherents of the Congregation or Charge
personally present at a duly convened meeting and has refused or
neglected to resign within the time mentioned therein. Such
resolution must be approved by the Presbytery.
(b) That he has ceased to be a Member or Adherent of the
Congregation or Charge.
(c) That he has refused to exercise or execute any of the powers and
authorities reposed in him as Trustee, when lawfully required so to
do.
(d) That he has disobeyed, neglected, or refused to carry out in
connection with his trust, any order, instruction or decision of the
State Assembly or of the Presbytery.
(e) That he has been declared by the State Assembly to have been guilty of conduct unbecoming a Trustee.

**Resignations**

10.7 Any Trustee may, in writing, addressed to the Presbytery, resign his trust.
CHAPTER 11 - THE STIPENDS COMMISSION

Commission

11.1 The Assembly shall appoint a Commission called the Stipends Commission.

Membership

11.2 The Stipends Commission shall consist of nine (9) elected members, one of whom may be appointed by the Assembly as the Chairman, but none of whom shall be a Minister, Licentiate, Accredited Ministry Worker or Deaconess. One of these members shall be the wife of a full-time Minister or Accredited Ministry Worker who is, herself, not in full-time employment. The wife of the Director of Ministry Resourcing and the wife of the Clerk of Assembly are not eligible for appointment. The Clerk of Assembly and the Director of Ministry Resourcing shall be ‘ex officio’ members. All members of the Commission must be members in good standing of The Presbyterian Church of Queensland.

Chairman

11.3 If the Assembly does not appoint a Chairman, the Commission shall appoint a Chairman from among its members.

Appointment

11.4 The Commission shall be elected by the State Assembly every three (3) years.

Quorum

11.5 Five (5) members shall be a quorum.

Vacancies

11.6 Casual vacancies will be filled either by the Assembly or by a Commission of Assembly.

Meetings

11.7 Meetings shall be held as required but at the least annually. Special meetings must be convened if requested by three or more members.

Report

11.8 The Commission shall report each year to the Assembly.
Authority

11.9

(a)  
(i) The Commission shall have authority to determine minimum rates and variations in stipends (including EPFB) and ministry allowance.

(ii) The Commission shall have authority to investigate and report to the Assembly on annual leave and other determinations which may be handed down from time to time by the Arbitration Commission or similar body.

(b) In making such determinations, the Commission shall take into consideration:

(i) the reasonable financial needs of ministers, Theological Hall Professors, Assembly Appointees who are Ordained Ministers, Accredited Ministry Workers, Licentiates and Deaconesses; and

(ii) the capacity of the Church (as well as the capacity of the individual Charge) to pay.

(c) In making such determinations in accordance with (b) above, the Commission shall have regard to movements in the Consumer Price Index or similar indices. Stipends and allowances will be reviewed, but not necessarily adjusted, twice a year.

(d)  
(i) All Communicants, Elders, Ministers, Licentiates, Accredited Ministry Workers, Deaconesses, Committees of Management, Kirk Sessions and Presbyteries shall have direct access to the Stipends Commission by communication.

(ii) No matter delegated to the Commission by the Assembly shall be dealt with by the Assembly itself, unless it has first of all been referred to the Stipends Commission at least one month prior to the Assembly.

(iii) This will not preclude the Assembly giving the Commission instructions on which to operate from time to time.
CHAPTER 12 - THE APPOINTMENT OF REPRESENTATIVES BY THE STATE ASSEMBLY

12.1 The Assembly may appoint representatives to bodies other than those deemed to be a body particularly accountable to the State Assembly, such as the Assembly’s Standing and Special Committees and its Ad Hoc Committees, some or all of which may be governed by Assembly approved regulations and/or Constitutions.

12.2 The Assembly may also appoint representatives to bodies other than those referred to in clause 1, such bodies to fall into (but not exclusively) the following categories:

(a) Bodies owned entirely by the State Assembly through its Corporation and operated and administered by a separate Board, Council, under a specific Constitution; such body could be responsible for the operation of a business on behalf of the Assembly.

(b) Bodies that are separate to the Presbyterian Church of Queensland but in which the Presbyterian Church of Queensland through its Corporation has 100% ownership or has a majority ownership of the body concerned.

(c) Bodies that are separately incorporated operations to which the Presbyterian Church of Queensland is one exclusively, or along with another Church or Churches, has the authority to appoint the governing body of the organisation.

(d) Bodies that are separately incorporated and which the Presbyterian Church of Queensland, along with any other Church or Churches, through the Constitution, Rules, Regulations, etc, of the particular body, gives to the Presbyterian Church of Queensland the right to appoint representatives to the body concerned.

12.3 The Assembly shall receive from these bodies referred to in clause 12.2 (a), (b), (c) an annual report of the business and the financial implications of the body.

12.4 Where deemed appropriate by either the Assembly or its Commission, either the bodies referred to in clause 12.2 (a), (b) and (c) may be requested to provide ongoing reporting or financial statements or the Assembly or its Commission may seek to meet with those members directly appointed by the Assembly to the body concerned, to enable the
Assembly or its Commission to be aware of what is occurring in the body concerned.

12.5 In relation to the Appointees in clause 12.2 (d), the Assembly or its Commission may seek to meet with its representatives to gain a first-hand understanding of the work being carried out for which an appointment has been made.

12.6 In all the type of appointments classified in clause 2, it is to be recognised that appointees have responsibility:
   (i) to ensure the best interest of the body concerned is followed; and
   (ii) the integrity and the financial responsibility of the body concerned is protected.

In accepting an appointment, Appointees agree, as a precedent condition, to report on their activities in the body as requested by Assembly or its Commission, subject to issues of confidentiality.

(COA Min 06/133)
CHAPTER 13 - GENERAL RULES

Courts of Church

13.1 Courts of the Church, in addition to carrying out the provisions of rules specific to each Court, are required to observe such of the following general rules as may be applicable at any time to their proceedings, which rules shall be read in the light of the Standing Orders.

MEETINGS AND OFFICE BEARERS

Moderator

13.2 Every Court is presided over by a Moderator who, except in the case of the Kirk Session, is elected by the Court from its own members; and the Court has the right to prescribe the procedure by which he is elected, provided that such procedure does not interfere with free election.

Moderator - Duties of

13.3 At all meetings of the Court, the Moderator -
(a) presides;
(b) sees that the meeting is properly constituted;
(c) causes good order to be kept in the conduct of its business;
(d) disallows motions which he judges to be in conflict with the law of the Church, irrelevant, offensive or otherwise incompetent;
(e) protects the rights of each member of the Court and rules on points of order;
(f) announces decisions, administers censures and admonitions, conveys felicitations and instructs parties at the bar;
(g) calls upon members to state their views, cast their votes or discharge any duties which may have been assigned to them;
(h) vacates the chair when an inferior Court of which he is a member is at the bar, or, except in the case of the Moderator of a Kirk Session, when he is or wishes to become a party to a case or to speak to a matter before the Court, and returns to the chair when the matter is disposed of;
(i) makes any decision to pause in the proceedings of a Court to engage in special devotional exercises.

Dissent

13.4 A Moderator, although he has no deliberative vote, may also record his dissent.
Clerk

13.5 Every Court has a Clerk or Clerks who are usually, but not necessarily, members of the Court. (See Rule 3.5 for exception.)

Clerk - Duties of

13.6 The Clerk –
(a) keeps an accurate roll of the Court;
(b) receives, examines, records and reports to the Court all documents, papers or communications addressed to it;
(c) keeps accurate minutes of the proceedings of the Court and, with the authority of the Court, supplies properly attested extracts therefrom to those entitled to them;
(d) takes care of the books, papers and records of the Court as it directs and produces them when the Court requires them;
(e) carries out such other duties and enters into such correspondence on behalf of the Court as it may direct or the rules, regulations or directions of a superior Court require.

Clerk - Relationship to other Courts

13.7 The Clerk of a superior Court is required to vacate his table while a lower Court of which he is a member is at the bar. It is to the Clerk of the lower Court that the superior Court gives its orders for the bringing up of records for its inspection and it holds him answerable for neglect.

Declaration "de fideli"

13.8 The Clerk makes the declaration "de fideli" on taking up office. In his absence another is appointed "pro tempore" and he also makes the declaration "de fideli" which is as follows:- "I do solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me".

Term of Office

13.9 A Clerk is appointed for a specified time, or during the pleasure of the Court. When it is not otherwise recorded, the appointment is during the pleasure of the Court.

Meetings Convened

13.10 Except where otherwise expressly provided, a Court can be convened only by its Moderator or by order of a superior Court. Any notice given by the Clerk calling a meeting of the Court must bear the words "by order of the Moderator".
Meetings of Church Courts, Congregations, and Committees are constituted or are opened, and closed with prayer, and both facts must be minuted.

In all meetings of Presbyteries and Sessions the items of business to be taken up are fixed at the commencement of the meeting and no item to which exception is taken by three members may be discussed until the next ordinary meeting, or until a meeting called for the purpose of considering the matter to which exception has been taken unless notice of the intention to have it brought forward has been given at a previous meeting, or unless it arises necessarily, out of the business of a previous meeting, or is included in the notice calling the meeting.

Where it is necessary under the rules of the Church to deliver documents or give notice, it is sufficient to transmit such documents or give such notice by electronic mail, unless:

(i) the rules of the Church provide that personal service or service by registered mail or its equivalent is required; or
(ii) members or recipients do not have electronic mailing facilities.

Meetings of Session, Presbytery and Committees of the State Assembly may be conducted by teleconferencing, webcasting or other similar means provided:

(i) Authority has been previously given to conduct the meeting by this means, or
(ii) The meeting is deemed to be urgent, and the Moderator and Clerk (or Convener in the case of a Committee of the State Assembly) resolves that it is appropriate to proceed in this manner.

The recommended order of business in Kirk Sessions, Committees of Management, Congregational meetings and Committees of the Church, shall be as contained in Rule 4.20 in so far as applicable.

All Courts other than the Kirk Session are presumed to be open, unless in proceeding in any particular matter a Court resolves to sit in private, when all persons other than members or officers of the Court and cited parties to a particular matter under discussion are excluded. In deciding whether to
sit in private or not, a Court considers the interests of the Church and the
necessity to guard its Ministers and Members from Charges which may
prove to be ill-founded, and to uphold the reputation of the Church in
general (see SO 67).

**When Decision Operative**

13.15 A decision of a lower Court becomes operative from the time it is made or
is ordered to take effect, notwithstanding that the minute of the decision
has not yet been confirmed. The decisions of the General Assembly,
unless otherwise ordered, take effect immediately upon the dissolution of
the Assembly.

**Minutes - Form**

13.16 Every Court and Committee of the Church keeps accurate minutes of its
proceedings. Minutes should be a statement of fact only and should
always include:

(a) the circumstances of the meetings, whether by appointment,
pursuant to adjournment, "unforeseen meetings" or "special purpose
meetings", and the place, date and time thereof;

(b) the fact of the constitution or opening of the meeting with prayer;

(c) the names of members present, and the names of members for
whose absence apologies were received and sustained;

(d) all decisions of the Court including the decision to disapprove;

(e) the appointment of the next meeting if such needs to be made; and

(f) the fact that the meeting was closed with prayer.

**Framing of Minutes**

13.17 Every Court frames its minutes in common form as far as that is possible,
and the Clerk

(a) takes down draft minutes afterwards to be engrossed and either
read to the Court or circulated among members of the Court before
the question of the confirmation of the minutes is put; or

(b) in grave or urgent matters or in formal process of discipline or when
extracts are likely to be required immediately, frames all its minutes
or any particular minute as the business proceeds in order that the
minutes may be confirmed at once;

(c) in the case of the final sederunt of the General Assembly before its
dissolution, follows the procedure indicated in (b) or submits the
engrossed minutes to a Commission appointed to scrutinise and
confirm them.
Confirmation of Minutes

13.18  
(a) When a Court has been constituted, the minutes of a previous ordinary meeting and of any special meetings are read or taken as read if circulated to all members (and, if necessary, corrected) and confirmed. They are then signed by the presiding Moderator and the Clerk.

(b) Any alteration is noted in the margin and initialled by the Moderator and the Clerk.

(c) The correction of a minute does not imply any power to alter the acts or decision of the meeting; the only question is the correctness of the minute as a true account of what was done.

Deletions from Confirmed Minutes

13.19  
When the minutes of an inferior Court have been confirmed, no part of them shall be deleted, except by authority of the immediately superior Court. When a deletion is authorised or ordered, a reference to the minute of the court so authorising or ordering is inserted in the margin.

Correct Recording of Minutes

13.20  
Every Court sees that its minutes are correctly recorded without blottings or interlinings and that -

(a) if words be struck out, the number of them or of the lines is noted in the margin and signed by the Clerk; clerical errors only being initialled by the Clerk;

(b) if words be inserted, they are written in the margin and signed by the Moderator and the Clerk;

(c) no blank spaces such as would give opportunity for unauthorised insertions are left;

(d) no records are deleted without the authority of the superior Court;

(e) an index of subjects is made in the margin; and

(f) nothing is allowed in recording of its minutes which would permit a doubt of the authenticity of the record.

Pages Numbered and Initialled

13.21  
When minutes are typewritten and pasted in, or when loose-leaf books are used, the pages and minutes must be numbered consecutively, and each page initialled by the Moderator and the Clerk.

Extracts

13.22  
A Court may grant full extracts of its minutes relevant to any case to a party thereto who "craves extracts" (see SO 13). A Court may also grant
copies attested by the Clerk as true of any papers held "in retentis" in relation to the case.

But in every case a Court exercises caution in granting extracts in matters affecting private interest only, in case such extracts may be required merely for the purpose of a civil action. A Court is entitled to fix a charge for the making of extracts.

**Previous Question**

13.23

(a) The "Previous Question" may be moved at any stage in debate after the motion has been moved and seconded, but not by anyone who has spoken to the main question or to an amendment thereupon.

(b) The "Previous Question" shall be moved and seconded without debate and shall forthwith be put to the vote.

(c) The "Previous Question" cannot be moved in a Committee of the House or in a Select Committee.

(d) The "Previous Question" refers only to the matter before the House; that is, a particular clause in a deliverance or notice of motion.

(e) Before the "Previous Question" is voted upon it is necessary for the Moderator to explain its meaning carefully to the House.

(f) The carrying of the "Previous Question" shall mean that the Court does not consider it expedient to discuss further, or to give a deliverance on, the matter before the House; and the effect shall be that the Court forthwith departs from that matter and takes up the next item.

(g) The negating of the "Previous Question" shall not preclude its being moved again during the debate.

**PETITIONS**

13.24

(A) A petition is a written and signed request in approved form made to a Court and usually relating only to the affairs of the petitioners. Any Communicant or Adherent of the church has access to the Session, the Presbytery or the State Assembly by petition. He has direct access to the Session of the Charge to which he belongs, but a petition to the Presbytery or to the State Assembly requires to be presented first to the Session with a request for its transmission. The petition shall have respect to:

(i) any matter of general importance within the jurisdiction of the Court petitioned; or
(ii) any matter concerning the rights, powers or privileges of the petitioner.

(B) A petition may not be used when an individual:
   (i) has been obstructed in the exercise of his right of appeal from an inferior Court by that Court; or
   (ii) is aggrieved by the act or decision of an inferior Court but has no right of appeal. (See Rule 13.30 (c).)

(C) A Session or Presbytery may petition a superior Court of the Church if it cannot otherwise conveniently deal with a matter before it.

(D) A petition should be in the form (as nearly as the circumstances of the case permit) set out in the schedule and must contain a concise statement of the subject matter of petition and the relief or remedy sought.

(E) It is the duty of the Clerk of the Court to which the petition is presented to give whatever assistance is reasonably practicable to the petitioners in the preparation and presentation of the petition.

(F) A Court may decline to receive a petition if the contents thereof are scandalous or irrelevant.

(G) Any person outside the fellowship of the church may petition the Assembly by first presenting the petition to a Presbytery or one of the Boards or Standing Committees of the Assembly and requesting that Presbytery, Board or Standing Committee to forward the petition to the Assembly.

(H) A petitioner whose petition is not acceded to may appeal in accordance with the rules relating to appeals.

(I) When a petition affects the interests of other people, the petitioner must supply these people with, in reasonable time, and by personal delivery or registered mail or its equivalent,
   (a) a copy of the petition;
   (b) written notice of the time and place of the meeting of the Court at which he has asked or will ask that the petition be heard.

   The petitioner must inform the Clerk of the Court that he has complied with, or substantially complied with, this rule. The Court
may not receive the petition until it is satisfied that the petitioner has complied with, or substantially complied with, this rule. (BB 2005, Min. 100.8)

(J) The steps in hearing a petition are as follows:
(i) The document will be read or taken as read.
(ii) The Court will determine if the petition is frivolous, vexatious, scandalous or irrelevant.
(iii) The Court will determine whether the petition affects the interests of other people and if the petitioner has fulfilled his or her responsibility to these people in accordance with Rule 11.24 (i).
(iv) The Court will determine whether it will receive the petition, and whether it is prudent for the remainder to be heard at a subsequent sederunt.
(v) The Moderator will call the petitioner to the Bar of the House.
(vi) The petitioner will present the case.
(vii) The Moderator will call for questions to be answered by the petitioner.
(viii) The petitioner will be removed from the Bar of the House.
(ix) The Court will decide whether the petitioner may hear the discussion of the case.
(x) The Court will discuss the merits of the petition.
(xi) The Court will decide whether to grant the prayer of the petition.
(xii) The Court, if it decides to grant the prayer of the petition, will move a motion concerning the action to be taken.
(xiii) The Court, if it decides not to grant the prayer of the petition, will move a motion to dismiss the petition.
(xiv) The Moderator will advise the petitioner of the decision taken.

OVERTURES

Overtures

13.25 (A) The rules of the Church may only be enacted, amended or repealed (whether wholly or in part) by overture. However, the Code and Legal Reference Committee shall have the power to amend the rules of the Church when the amendment is of a minor nature, and/or necessary for consistency in the rules, because of:
(i) typographical error,
(ii) change in literary convention,
(iii) oversight in amending every reference to a matter within the Code,
(iv) amendment to another document referred to within the Code.

(B) (a) An overture is a formal written proposal presented to the Assembly in the form (as nearly as the circumstances of the case permit) set out in the schedule hereto. It is a proposal for the enactment, amendment or repeal of a rule of the Church, or for the interpretation or declaration of any of the rules of the Church.
(b) An overture must state clearly the rule it is proposed to repeal or amend, and when an overture proposes to amend or enact a rule, the proposed enactment or amendment must be set out in full.
(c) Every overture must contain a concise statement of the grounds upon which the proposal is based.
(d) Every overture must be accompanied by a report from the Code and Legal Reference Committee.

(C) An overture may be presented by:
(a) a Session, or
(b) a Presbytery, or
(c) a Committee of the Assembly, or
(d) any two members of the Assembly.

(D) In any case where an overture is proposed by a Session, Presbytery or Committee of Assembly, that Session, Presbytery or Committee of Assembly as the case may be, shall appoint no more than two of its members to argue its case for the overture.

(E) No Court of the Church inferior to the Assembly may resolve to present an overture unless notice of its terms is given -
(a) at a previous ordinary meeting of the Court, or
(b) by notice in writing sent to all members thereof not less than seven days prior to the meeting at which the resolution is passed.

(F) An overture presented by or at the instigation of the Assembly itself may not be considered at the same sederunt at which it is presented.
(G)  (a) Subject to sub-rule (c), an overture shall not have any force or effect until it has been received and sustained by the Assembly and remitted without any alteration whatsoever for consideration by the Presbyteries and Sessions of the Church and received the assent of not less than three-fifths of the Presbyteries and three-fifths of the Sessions.

(b) If the subject matter of any overture is concerned with matters of finance or property then it must be remitted without any alteration for consideration by the Committees of Management of the Church as well as the Presbyteries and Sessions and shall not have any force or effect until it has received the assent of not less than three-fifths of the Presbyteries, three-fifths of the Sessions and three-fifths of the Committees of Management.

(c) If an overture is sustained by the Assembly, it may be declared by the Assembly to have interim force and effect until the next annual session of the Assembly but no longer.

(d) Any Session or Committee of Management failing to lodge a return to remit by the due date shall be deemed to have acquiesced in the remit.

(H)  (a) In any case where it is provided that regulations of the Church or Constitutions of Corporations or unincorporated associations in respect of which the Assembly has jurisdiction may be amended or repealed by overture, then the provisions of the rules in this chapter apply as though the reference therein to the "Rules of the Church" were a reference to the Constitution of the Corporation or the unincorporated association or regulation as the case may be.

(b) In any case where it is provided that a Constitution of a Corporation or an unincorporated association in respect of which the Assembly has jurisdiction may be amended or repealed by overture, then, in addition to the bodies listed in Rule 13.24 (C) hereof, an overture may be proposed by any two members of the governing body of the Corporation or unincorporated association.
REFERENCES

References

13.26  (A) A reference is a document (containing the facts of a case) which is stated and referred by resolution of an inferior Court for the opinion, advice, direction or judgment of its superior Court.

Kind of Cases Referred

(B) A Court refers a matter to its superior Court when it is in doubt as to the correct procedure of the law of the Church in relation thereto, but it may refer other matters only for sufficient cause. Cases of particular difficulty or delicacy, the decision on which may establish an important precedent or on which the members of a Court are much divided, in opinion or on which, for any reason, it is desirable that a larger body should first decide, are proper subjects for reference.

Evasion of Responsibility

(C) A Court may not state a reference merely to evade its proper and ordinary responsibility, and in any such case the superior Court declines to enter into the substance of the reference and directs the inferior Court to deal with the matter.

Effect of Referring the Case

(D) The reference of a case either simpliciter or otherwise to a superior Court temporarily stops procedure in the inferior Court until the superior Court has given its decision.

How Transmitted

(E) A reference is transmitted in the form of a properly attested extract minute of the resolution to refer accompanied by all relevant documents and, if there are parties in the case, they must be cited by the Court referring that they may appear for their interests.

(F) A reference, when it is taken up, is stated by one or at most two members of the Session or Presbytery from which it has come, and who have been appointed for the purpose. No question on a point of form or order can be raised, except by the Moderator, until the reference has been stated but it may thereafter be resolved not to receive the reference on the ground that it is irregular or frivolous.
If it is deemed that the reasons stated for the reference are sufficient, the reference is sustained and the Commissioners are heard thereon, and the matter discussed on its merits. If the reference is not sustained, the matter is sent back with instructions or may be disposed of otherwise as is deemed proper.

**How Presented**

(G) A reference does not place the inferior Court at the Bar, but only such of its members as, not being members of the superior Court, may have been appointed by the lower Court to present and state the reference. In all such cases the members of the lower Court retain their right both to deliberate and vote.

In representing and stating a reference, it is necessary to show what the case is and why it has been referred.

**Disapproved but not taken up**

(H) A Court may find that there was not sufficient ground for referring the case, and that the lower court should have addressed itself to the adjudication of the same; but, considering the hardship of delay to any person having a direct interest in the matter, it may proceed with the case.

**Cost of Printing**

(I) A lower court is required to pay the cost of printing a reference transmitted therefrom unless the superior court otherwise decides.

**DISSATISFACTION**

**Dissatisfaction**

13.27 A party at the bar of a court, whether or not a member thereof, may appeal against its decision to the superior court but cannot dissent or complain. A member of a court, other than a party at its bar, if dissatisfied with its decision on a matter on which he has voted with the minority may, if the conditions set out under "Dissent" and "Complaint" in the rules following are fulfilled, enter his dissent (with or without reasons) or, alternatively, he may dissent and complain to the superior court.
DISSENT

Right of Dissent
13.28 (A) (a) Any member of a court, other than a party at its bar, is entitled to have his dissent recorded in respect of a decision against which he has voted, provided such a decision-
(i) has been made after a show of hands "for" and "against", or a division;
(ii) is not a resolution of the "committee of the whole";
(iii) is not a decision on an amendment or part of a case.
(b) The dissent shall be given in when the decision is announced, and shall not be against carrying out an instruction of a superior court.

Effect of Dissent
(B) A member of a court who dissents from a decision relieves himself from responsibility for the decision and its consequences and protects himself from censure on account of it; but he is still under obligation to comply with the decision itself unless or until it is reversed or altered.

Adherence to Dissent
(C) When a member of a court has entered his dissent, it is competent for other members to signify their adherence to such dissent, and to have their names recorded as dissentients but only if they were present and voted with the minority.

Reasons for Dissent
(D) Reasons for dissent need not be given. However, when a member is entering his dissent he may also, at the same time, give in brief reasons which are not a discussion of the subject, but serve to state and justify his position as dissentient, and these are recorded without comment or debate provided they are not disrespectful to the court or injurious to a party or involve a breach of privilege. (See SO 84, 85, 86).
**APPEAL**

### Appeals

13.29  
(A) An appeal is a signed document containing the grounds of objection to a decision of a Court or a Committee and is designed to bring that decision under review of a superior Court.

### Right of Appeal

(B) All decisions of a Session, Committee of Management, or of a Congregational meeting may be appealed against to the Presbytery and decisions of a Presbytery and Assembly Committees may be appealed against to the State Assembly, except in cases in which an appeal is specifically forbidden by a definite rule.

(C) The right of appeal may be exercised by any member dissatisfied with the decision, by parties in a case, or by petitioners, and may be concurred in by other members; but no member can appeal unless he has voted relative to the decision appealed from and recorded his dissent.

### Notice of Appeal

(D) Any party appealing must either give in his appeal at the time the decision appealed against is announced to him or else at that time state that he intends to appeal and a lower Court must inform any parties at its Bar of this requirement when judgment is given.

### Procedure on Notice of Appeal

(E) When notice of appeal is given, the Clerk or Secretary shall immediately copy the decision in duplicate in the form of an extract minute, and the Court or Committee shall forthwith confirm the minutes which shall be signed by both Moderator and Clerk, or Chairman and Secretary, and one copy shall be handed to the appellant.

**DISSENT AND COMPLAINT**

### Complaint Defined

13.30  
(A) A dissent and complaint (also referred to herein as a 'complaint') is a signed document given in by a member of a Court who neither is nor was at its bar in a case before the Court; it contains his reasons for dissenting and complaining against a decision of the Court on which
he has voted in the minority and is designed to bring that decision under review of a superior Court.

(B) Separate reasons for dissent are not given in. The members says, "I dissent and protest for leave to complain", and the complaint is either given in at that time or within the period hereinafter provided.

(C) While recognising the specific nature of a complaint, a complaint may, nevertheless, also be presented in writing to a superior Court of the Church when any individual or individuals:
   (a) have been obstructed in the exercise of their right to appeal from an inferior Court by that Court; or
   (b) are aggrieved by the actions or decisions of an inferior Court but have no right of appeal.

APPEAL, DISSENT AND COMPLAINT - GENERAL

When Appeal or Complaint Made

13.31 Reasons of appeal or complaint maybe such as these:
   (a) irregularity in the proceedings of the Court;
   (b) refusal of reasonable indulgence to a party in the conduct of the case;
   (c) reception of irrelevant evidence;
   (d) refusal to receive relevant evidence;
   (e) mistake or injustice in the judgment;
   (f) undue haste in proceeding to judgment;
   (g) judgment against evidence or the weight of evidence; or
   (h) denial of natural justice.

Effect

13.32 Unless, where otherwise expressly provided, an appeal stays procedure and the decision appealed against is not to be acted on until the appeal is determined.

13.33 An appeal against a decision on a part of the case or on a point of procedure does not prevent consideration of the whole matter, and or maturing it for a final decision. If no appeal is taken against the final decision on the whole matter all appeals taken during the proceedings fall.
Respondents

13.34 Upon receiving intimation of an appeal or a complaint against one of its decisions, the Court appoints two of its members to act as respondents and to defend its decision in the superior Court.

13.35 When an appeal is taken against the decision of a lower Court, Committee or Congregational meeting, two members of the body are appointed to act as respondents and defend its judgment. The appellant or complainant and the respondents have alone a right to speak on the case in the superior Court. (See SO 92.)

Proper Form

13.36 A Court may decline to receive a disrespectful or improper appeal or complaint, but it grants, through its Clerk, advice as to drawing up a document in proper form.

Right to Proceed

13.37 If an inferior Court against whose decision an appeal or a complaint has been taken considers the action of the appellant or complainant frivolous or vexatious, it may proceed without regard to the appeal or complaint, but it does so at its own risk, the rights of appellants and complainants being always reserved.

Time Limits

13.38 Members who appeal crave extracts from minutes and documents which are granted on terms that may be fixed, and all reasons of appeal have to be lodged with the Clerk within ten days, or else the appeal is held to be fallen from.

Papers Transmitted

13.39 It is the responsibility of a Court or Committee to transmit to its superior Court any appeal or complaint which it has received against one of its own decisions together with all records and documents connected therewith, but the appellant or complainant should satisfy himself that all documents necessary have been transmitted.

Documents Allowed

13.40 No document shall be read or appear among the papers in an appeal, complaint, petition or reference unless it was before the Court of first instance or was offered to it and rejected.
**Printing Costs**

13.41 In appeals, complaints, petitions, etc., the expense of printing or copying is, in the first instance, borne by the appellant, complainant, petitioner, etc, and by the party losing when the case is finally decided, unless remitted or distributed by the Assembly. (See SO 97.)

**Parties at the Bar**

13.42 When an appeal is being heard, the appellants and respondents are at the Bar and speak when called upon by the Moderator. If the appeal is against a decision of a Session, or a Presbytery, the members of the Session or Presbytery concerned do not vote on the issue. This includes those persons who may become members of the Session or Presbytery after the appeal was made.

**Arguments**

13.43 Parties in an appeal or complaint should confine their arguments to the points to which the appeal or complaint refers, as set forth in the record.

**Documents**

13.44 No document may be read or appear among the papers of the Court (printed or written) unless it was before the Court of first instance, or was offered to it and rejected, and has thence come up regularly.

**Procedure**

13.45 In dealing with an appeal or a complaint transmitted for its judgment, a Court -

(a) calls the parties (ie appellants or complainants and the respondent Court) to its Bar;
(b) hears read the record of the case in the lower Court, and relative documents;
(c) hears the appellants or complainants or, if there are more than two, their representatives to a number it determines;
(d) hears the respondents appointed by the lower Court;
(e) hears the appellants or complainants in reply;
(f) calls for questions from members of the Court;
(g) after removing all parties from the Bar, deliberates on the case before it.
When parties are removed from the Bar, it is at the discretion of the Court whether they be permitted to hear the discussion of the case. When the Court has reached a decision or judgment, parties shall be recalled to the Bar by the Moderator, who shall then announce to them the decision or judgment of the Court.

**Sustained or Dismissed**

**13.46** Appeals and complaints are either sustained or dismissed, but in either case the decision appealed against is modified or altered, if necessary, as may be found expedient.

**Sustained**

**13.47** Appeals or complaints are sustained
(a) because the decision is disapproved; or
(b) because of irregularities or informalities in the procedure.
The sustaining of an appeal or complaint on the ground of irregularities or informalities does not necessitate the reversal of the decision appealed against, unless it is considered that substantial injustice has been done to the appellant through such irregularities; yet, in consequence of irregularities and without entering on the merits of the decision appealed against, or pronouncing a judgment in regard to it, the matter may be sent back with instructions to have it taken up "de novo", and disposed of in accordance with the laws of the Church.

**Dismissed**

**13.48** Appeals or complaints are dismissed if the Court finds the decision of the lower Court to have been reasonable upon the information before that Court, and its procedure not to have been such as to prejudice the right determination of the case.

When an Appeal or Complaint is dismissed, the decision of the lower Court stands affirmed. Dismissal on the ground of incompetency is not permittable without the appellant or complainant being heard in respect thereof.

**Decision Announced**

**13.49** When the Court has reached a decision, parties are recalled to the Bar and the decision is announced to them.
Withdrawal

13.50 An appellant or a complainant may withdraw his appeal or complaint at any time and, having formed the intention of withdrawing, he ought to do so without delay.

When an appeal or a complaint is not proceeded with, a member of the Court whose decision was appealed or complained against, or a party, should take protestation in the superior Court that the appeal or complaint has been fallen from, and that the decision of the lower Court has become final, and should crave extracts. This protestation, after being recorded in the minutes, is supplied by the Clerk as an extract minute.

Failure to Appear

13.51 If an appellant or complainant fails to appear at the Bar at the time appointed, he is held to have fallen from his appeal or complaint unless the Court, for due cause shown, otherwise orders.

Where sickness is relied upon as the reason for failure to appear, a medical certificate must be produced.

Death of Appellant

13.52 In the event of the death of an appellant, the appellate Court may allow his representatives or a member of the Court authorised in that behalf, to appear in the interests of the good name or the estate of the appellant, should such matters be involved in the appeal.

CITATIONS

Citation

13.53 (A) Citation is an official act of a Court authoritatively and distinctly calling those cited to be present at a particular place and time for a specified purpose.

Who is Cited

(B) A Court cites a party to appear in his own interests in any particular case pending before it, and may also cite any person or Court or body who is within its jurisdiction and who may be affected by its decision thereon, or whose evidence or presence it desires.

Method of Citation

(C) If a Court decides to cite a person who is present in the Court, it does so in the presence of the Court; if he is absent, it directs that
he be cited by written citation in the prescribed form (see Form XXIV) delivered to him by an officer or deputed member of the Court either into his hands or to his usual or last known place of abode or sent by registered post to that address.

If a Court decides to cite a lower Court, Congregation or other body, it directs that the citation be by edict in the prescribed form read by a person appointed by the Court at the regularly appointed time and place of meeting of the Court or body to be cited.

**Proof of Citation**
(D) Proof of service of citation shall be made to the Court by certificate in the prescribed form (see Form XXIV) of the officer or deputed members of the Court who served the citation or by official receipt of postal registration.

**Effect of Citation**
(E) Citation protects a Court from a charge of failing to give a party an opportunity to be heard in a matter pending before the Court. Members of the Church, when duly cited by a Court to appear either as parties or as witnesses are bound to obey the citation; and if, after a second citation, they do not appear or furnish satisfactory reason for non-appearance, they shall be dealt with as contumacious.

When a party fails to appear after two citations, the Court is free to determine the matter without further reference to the person cited, except where otherwise provided.

**COURTS**

**Relations Between Courts**
13.54 A lower Court does not interfere with or review the proceedings of a Court of equal standing. It may endeavour to put any matter right by friendly representation. If this is ineffectual, the Court which feels aggrieved may ask, through a higher Court, for information relative to the alleged action of the other Court.

**Formulation of Charge**
13.55 If any charge founded on such information is brought against a lower Court, it has to be definitely formulated and committed to writing, and the
defendant Court requires to have an opportunity of meeting and appointing respondents to defend its action, before the charge is taken up by the higher Court.

**Procedure**

13.56 The charge, as thus formulated, is dealt with in the same manner as an appeal, the members of the lower Courts concerned having no right to vote or to take part in the deliberation except as appellants and respondents.

**Incompetent Motions**

13.57 A motion which violates a law of the Church or the decision of a superior Court, or infringes on the privileges of a Court is incompetent.

**Instructions to Parties**

13.58 It is the duty of the lower Court, when requested to do so, or when it thinks it necessary, to instruct parties on the relevant rules and forms of procedure, through the Clerk, who shall give whatever assistance is reasonable, to the parties, in the preparation of their cases.

**A Party Not To Vote**

13.59 A member of a Court is not entitled to deliberate or vote in a case in which he is a party or in which he is a candidate for an office.

**Parties Hear Deliberations**

13.60 When parties are removed from the Bar, it is at the discretion of the Court whether they shall hear the deliberation on their case.

**Petition to Re-open Case**

13.61 When a member of any Court has entered a dissent against a decision, he may also petition to have the matter re-opened if he can produce new evidence materially bearing on it, or if he can show to the satisfaction of the Court that the rules of procedure have been so violated or departed from as to involve substantial injustice. Due notice has to be given of such a petition and of the grounds on which it is based. Petitions to re-open a matter, without sufficient grounds, may be dismissed as frivolous and vexatious.

13.62 **References and Appeals to Presbyteries**

All references for advice from and all appeals against the proceedings and decisions of Sessions, and Committees of Management, or of Congregational meetings, have to be submitted to the Presbytery first, and
until they have been so submitted and dealt with, they cannot be forwarded to the State Assembly. All appeals, or references, not presented within the specified time are liable to be held as fallen from; but appeals or references may be presented afterwards, provided sufficient cause can be shown why they were not lodged at the time specified.

**Documents Not Received**

13.63 Every Court is entitled to protect itself from evident insolence and contumacy, and outside parties from unnecessary injury, and may refuse to receive any documents which commit such offences.

**Distribution of Papers Forbidden**

13.64 Parties in any case are forbidden to distribute papers bearing on the case to the members of the Court before which the case comes.

**Canvassing**

13.65 Canvassing on the part of a candidate for an office or appointment disqualifies him for the office.

**Associate**

13.66 When a member of one Court is present at the meeting of a Court of an equal standing or lower Court, he may be associated unless when a judicial process is before the Court.

**Assessors**

13.67 (a) Any Court may apply to its superior Court for Assessors to be appointed to sit with it to assist with any particular matter, and any Court may, at its discretion, appoint Assessors to sit with a lower Court to render such assistance notwithstanding that no request for such Assessors may have been made.

(b) Unless otherwise expressly provided in the law of the Church, or by the superior Court when appointing him, an Assessor, during his period of duty, enjoys the full rights, powers and privileges or membership in the Court to which he is appointed, except that in any superior Court of which he is a member, he may take no part in any proceedings resulting from an appeal or a dissent and complaint originating in the Court in which he is an Assessor, and if that Court is at the Bar of a superior Court, he will likewise be at its Bar.

(c) It is the duty of Assessors appointed for a particular task, when that task is completed, to inform the appointing Court, which thereupon discharges them.
Commissions

13.68 (a) A Court may, from time to time, appoint Commissions from among its own members, unless otherwise provided for, to discharge particular business and grant to such Commissions such of its own powers as are necessary to discharge the duties prescribed, except that in certain matters a Presbytery may not act through a Commission (see Rule 5.13).

Committees

(b) A Court may also appoint any necessary Committees, consisting of persons within its jurisdiction, and may remit to these Committees such duties as it sees fit.

Commissions and Committees (which term includes Boards and Councils) of lower Courts report upon their proceedings to the Court which appointed them; those appointed by a General Assembly report to the next General Assembly unless otherwise directed.

(c) A Commission appointed by a Court may not itself appoint a Commission, but unless precluded by the terms of its appointment, it may appoint a Committee or Committees to perform specified duties, for whose actions, however, it remains responsible and which it may set aside or vary.

Visitors to Inquire

13.69 Every Court has power to send forth visitors to inquire into and report upon any matter within its jurisdiction.

Counsel or Church Adviser

13.70 Except as may be otherwise expressly provided, a Court decides whether or not a party may appear by or have the assistance of counsel or a church adviser in any particular process pending before it, but it may allow the appearance of counsel or a church adviser only if he is a Communicant of The Presbyterian Church of Queensland.

DENOMINATIONAL ACTIVITIES

Gambling

13.71 All forms of gambling on premises which are the property of the Church or in connection with any functions held for the church or by any Committee or organisation thereof are hereby expressly forbidden.
Amusements

13.72 While the Church recognises the liberty of Christians in matters not expressly forbidden by the Word of God, her Ministers, Office Bearers and people are enjoined to discourage all forms of amusement which are injurious to the moral and spiritual life, either in themselves or in their associations. They are also enjoined not to permit questionable forms of amusement to be used as a means of raising money for Church purposes.
CHAPTER 14 - APPEALS COMMISSION

14.1 There shall be an Appeals Commission of the State Assembly which shall have power to deal with appeals and complaints to the State Assembly and petitions which deal with matters which would normally be dealt with by appeal.

14.2 The composition of the Commission shall be made up of:
The Moderator, Moderator Elect, Deputy Clerk and Presbytery Clerks; however, a Presbytery may resolve to appoint another of its members in lieu of its Clerk for any particular meeting of the Commission.

14.3 The Clerk of Assembly and Treasurer shall not be members of the Commission, but shall be available to the Commission as Trustee advisors upon the request of the Commission.

14.4 The Clerk of Assembly shall serve as Secretary to the Commission.

14.5 Provisions for the recusing of members of the Appeals Commission to uphold the principle of procedural fairness shall be as follows:
Moderator – the past Moderator or a past Moderator appointed by the Commission.
Moderator Elect - the past Moderator or a past Moderator appointed by the Commission.
Deputy Clerk - the Clerk or a member of the Pastoral Care Committee appointed by the Commission.
Presbytery Clerks – a member of the Presbytery or a member of the Pastoral Care Committee appointed by the Commission.

14.6 Should the Deputy Clerk recuse himself in order to uphold the principle of procedural fairness, the Clerk may confer upon the Deputy Clerk the responsibilities of Secretary of the Commission, including the responsibility to record its proceedings.

14.7 The Commission shall first receive a report from the Pastoral Care Committee of the State Assembly before hearing an appeal, complaint or petition.

14.8 The Commission shall follow the Rules and Forms of Procedure of the Presbyterian Church of Queensland, particularly those related to appeals,
complaints and petitions, and the Standing Orders of the Presbyterian Church of Queensland when hearing any appeal, complaint or petition.

14.9 In particular, the Commission shall hear from both the appellant or complainant and respondent, and both parties shall be at the bar of the House, in accordance with the Rules and Forms of Procedure of the Presbyterian Church of Queensland and the Standing Orders of the Presbyterian Church of Queensland.

14.10 The appellant, complainant or respondent shall have the right to appeal any decision of the Appeals Commission to the next State Assembly. Any appeal from the Appeals Commission to the State Assembly shall be heard in accordance with the Rules and Forms of Procedure of the Presbyterian Church of Queensland and the Standing Orders of the Presbyterian Church of Queensland.

(COA Minute 12/66)
# REGULATIONS

*Updated as of February 2015*

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## BOARDS, COUNCILS ETC

### 110 FINANCE AND ADMINISTRATION BOARD (including Removals, Leave, Sickness)

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REGULATION 100
BALLOT COMMITTEE

Name
1. There shall be a Committee of the General Assembly called the Ballot Committee.

Membership
2. The Committee shall consist of four (4) members, including a Convener, elected by the Assembly on the nomination of the Business and General Purposes Committee.

Duties
3. The Committee shall prepare and conduct all ballots during the Assembly.

The Ballot
4. Unless otherwise determined by the Assembly, the ballot shall be by:
   (a) Where there is more than one candidate to be elected, the nominees, to the number required, receiving the highest number of votes are elected.
   (b) Where there is only one candidate to be elected, the nominee receiving the highest number of votes is elected.

Preferential Ballot
5. Should the Assembly so determine, the ballot shall be preferential, as follows:
   (a) The ballot paper shall be marked by placing the number 1 against the first preference and by placing the numbers 2, 3, 4 and so on as the case may be against all remaining nominees. All ballot papers which fail to have a sequential figure against each nominee are informal.
   (b) The votes are allocated to the nominees in order of number 1 appearing against each nominee. If any nominee receives more than half of the number 1 votes cast, he shall be declared elected. If no nominee has received an absolute majority on his first preference votes, the following procedure will be followed:
      (i) The Convener of the Ballot Committee will then determine the nominee having the lowest number of first preference votes. That nominee will then be excluded and all ballot papers marked as number 1 to him shall be transferred to the
remaining nominees in the order that number 2 marking on each ballot paper is shown.

(ii) At the conclusion of this distribution, the total number of votes for each nominee (ie number 1 votes and number 2 votes received from excluded nominees) are totalled. If no nominee again has an absolute majority, the nominee with the lowest number of votes is excluded. The votes allocated to that nominee as his first preference shall be transferred to the remaining nominees in the order of the number 2 appearing on the ballot papers. In addition, any vote received by him from an excluded nominee shall be transferred to the remaining nominees in the order of the next number shown on the ballot paper.

(iii) All transfers of votes are only made to the remaining nominees and not to excluded nominees.

(iv) If a preference is shown for a nominee already excluded, the vote is transferred to the nominee against whose name the next sequential number is shown.

(v) This procedure is continued until the nominee with an absolute majority is elected.

**Nominations**

6.  
(a) Nominations shall close at a time determined by the Assembly.  
(b) All nominations shall be submitted on a signed nomination form and shall be handed in before the close of the ballot.  
(c) All nominations shall include the following information about the nominee:
   (1) their congregation;  
   (2) the positions/offices/tasks exercised in their congregation;  
   (3) their qualifications/experience/gifts/skills making them suitable for the position;  
   (4) reason nominee is agreeable to be nominated;  
   (5) any other relevant information.  
(d) The following shall be printed and in the hands of the members of the Assembly at least twenty-four hours before the Ballot is taken  
   (1) the complete list of nominations together with the information provided in (c);  
   (2) a report from the relevant Standing Committee, Board or Council identifying what it believes are the particular skills and other attributes required of its membership for the next elected
period. This report shall also be forwarded to the Clerk of Assembly for circulation within congregations at least 2 months prior to the Assembly, enabling members of congregations with those skills and attributes to be encouraged to offer themselves for nomination.

**Regulations for the election of members to the Commission of Assembly**

7. (a) The ballot paper for elections to the Commission of Assembly shall show the names of every duly nominated candidate, and shall be organised so as to indicate the candidates from each Presbytery, the candidates who are Ministers and the candidates who are Elders.

(b) Voters shall be at liberty to record a vote in favour of as many candidates as they wish, up to a maximum of twelve.

(c) The total number of votes recorded for every candidate shall be counted and recorded, and all candidates shall be ranked in order according to the total number of votes received by each.

(d) The total number of members of the Commission of Assembly elected under these regulations shall be twelve.

(e) Subject to regulations (f) and (g) below, the twelve candidates receiving the highest number of votes shall be elected to the Commission of Assembly.

(f) Notwithstanding regulation (e):

   (i) the candidate from the Presbytery of Darling Downs, the candidate from the Presbytery of Central Queensland and the candidate from the Presbytery of North Queensland receiving the highest number of votes shall be elected to the Commission of Assembly;

   (ii) subject to sub-regulation (iii) below, the three candidates being Elders receiving the highest number of votes shall be elected to the Commission of Assembly;

   (iii) if any of the candidates referred to in sub-regulation (i) are Elders, then such candidate or candidates shall be treated as elected for the purposes of sub-regulation (ii), so that the total number of Elders elected under this regulation is not less than three.

(g) Candidates elected under regulation (f) shall be included in the total number of members elected under these regulations (as stipulated in regulation (d)), so that to the extent necessary the number of members elected under regulation (e) shall be reduced by the number of members elected under regulation (f).
Guidelines for Ballot Committee in the Election of the Commission of Assembly

Step 1  Count all the votes cast and rank the nominees in order according to the number of votes received.

Step 2  Deem elected the highest ranked nominee from each of the designated Presbyteries.

Step 3  Deem elected the three highest ranked nominees who are Elders.

Step 4  From the remainder deem elected the highest ranked nominees to complete the required number of twelve.

Note the number elected in Step 4 will be six or more. For example, the nominee elected from one of the designated Presbyteries may be an Elder. In that case he will be covering two of the requirements of the rule and hence the special requirements for the Presbyteries and Elders will be covered by five (5) men. In that case there would be seven others required in step 4. If there were two Elders who are highest ranked from those Presbyteries there would be eight required in step 4.

Report

8. The Committee shall report the results of the ballot to the Assembly, as soon as results are known.
REGULATION 101
EXAMINATION OF RECORDS COMMITTEE

Committee
1. A Committee of four (two Ministers and two Elders) is appointed to examine the minute books of all Assembly Standing Committees, Commissions, Boards, etc, and Presbyteries.

Records Inspected
2. The following records should be inspected:
   APWM (Queensland)
   Committee on Business and General Purposes
   Committee on Ministry Resourcing
   Committee on Ministries Training
   Committee on Outreach and Nurture
   Committee on Public Questions and Communications
   Finance and Administration Board
   Stipends Commission
   The Presbyteries

Procedure
3. In examining records, the following points should be observed:
   (i) That all meetings are opened and closed with prayer;
   (ii) That records of meetings are kept in a satisfactory manner;
   (iii) That minutes are confirmed;
   (iv) That no gaps are left between meetings or that any gaps left are ruled out; and
   (v) That all books required to be submitted are in fact submitted for inspection.

Moderator to Attest
4. When all records have been inspected, they should be stamped and left open for the Moderator to sign.

Convener to Report
5. If possible, a report to the Assembly by the Convener should be made in sufficient time to allow the Moderator to sign the books before the Assembly ends, so that Conveners, etc (and especially country Presbytery Clerks) do not have to wait to collect their books.
Format of Report

6. The Convener reports to the Assembly (by arrangement with the Business Convener), using the format of the deliverance in the previous year's Blue Book.
REGULATION 110
FINANCE AND ADMINISTRATION BOARD

The Finance and Administration Board shall be responsible for the following financial and related matters:

**General Church Finances**

1. The Finance and Administration Board shall:
   (a) Administer the finances of the Church, including the State Mission Program.
   (b) Review financial long range plans of Committees ensuring that a triennium approach is taken for the funding of projects.
   (c) Advise the Commission of Assembly of income available to the Assembly to fund activities or projects as the Commission of Assembly may approve.
   (d) Appoint Committees to advise it on church properties, investments and other relevant matters;
   (e) Administer all relevant funds, including the Assembly Expenses Fund, the Superannuation Fund, the Insurance Fund, the Car Loan Fund, the John Rogerson Memorial Fund, the Removal Fund, the Long Service Leave Fund and the Accident and Sickness Fund.

**General Matters**

2A. (a) The Board elects annually a Chairman from its members and he shall serve the Board in an honorary capacity.
   (b) The Board shall:
       (1) Appoint one of its members to be Vice Chairman;
       (2) Meet as required but at least once in every two months;
       (3) Fill casual vacancies occurring in the Board between Assemblies;
       (4) Enter in a register all bequests to the Church and its Congregations, Charges or Institutions, noting the name and place of abode of the testator, the names of the executors or trustees, the amount of the bequest, the purposes to which it is devoted and other relevant particulars. The Board shall submit annually to the Assembly a statement concerning all bequests.
   (c) The Auditor is appointed in terms of Rule 5.24. Unless determined by the Assembly, the Auditor’s remuneration shall be fixed by the Finance and Administration Board. The Auditor shall have access to...
all books, vouchers and documents relating to the accounts of the Assembly, and its Committees.

(d) The Auditor or Auditors shall submit to the Assembly through the Clerk, or in person, a report on the accounts and books of account examined by him/her/them and shall submit a copy of such report to the Finance and Administration Board not less than 21 days prior to the Assembly. Such reports shall be published in the White Book unless by the resolution of the Assembly.

(e) Certificates of the Auditor or Auditors shall be attached to all balance sheets and financial statements and submitted to the Assembly.

Regulations governing the position of Church Liaison Officer and Accountant

2B. (a) The Board appoints an officer or officers in a full time or part time capacity to fulfil the following functions:

(i) **Church Liaison Officer**: Supervise the financial and administration section of the Church Office; carry out all such activities related to church activities as detailed in a documented Terms of Appointment; act as Secretary to the Property Board.

(ii) **Accountant**: Carry out and supervise all accounting processes and all such activities related to financial matters as detailed in a documented Terms of Appointment.

(b) The above appointments shall not be Assembly Appointments but the Commission of Assembly shall be advised of the appointments prior to the documented Terms of Appointment being finalised, including the name of the proposed appointee.

(c) The Church Liaison Officer shall be a member of the Business and General Purposes Committee.

(d) Neither of the above officers shall be a member of the Finance and Administration Board; however, the Church Liaison Officer shall be the Executive Officer to act on behalf of the Finance and Administration Board.

Church Office and Staff

2C. (a) In terms of Rule 5.22 (c) (vi) the Finance and Administration Board has “control over the Assembly Administrative Staff”.

(b) Notwithstanding Clause 2B (a) above, recognize that within the total operation of the “Church Office” there exists three distinct office groupings as follows:
(i) **The Office of the Clerk of Assembly:**
The Clerk and Deputy Clerk of Assembly are accountable to the State Assembly (Rules 5.7, 5.8, 5.9 and 5.11). Staff of the Clerk of Assembly (although governed by the Finance and Administration Board in terms of Rule 5.22 (c) (vi)) are directly accountable for the way in which they perform their duties to the Clerk of Assembly and the Clerk of Assembly shall be consulted in the appointment of such staff and shall have the right to concur with all such appointments.

(ii) **The Office of Ministry Resourcing and Christian Education:**
The Director of Ministry Resourcing and Christian Education is appointed by the State Assembly and is accountable to the State Assembly or its Commission (Rules 5.48 (b) and 5.49 (b)). Staff of the Office of Ministry Resourcing and Christian Education (although governed by the Finance and Administration Board in terms of Rule 5.22 (c) (vi)) are directly accountable for the way in which they perform their duties to the Director of Ministry Resourcing and Christian Education and the Director of Ministry Resourcing and Christian Education shall be consulted in the appointment of all such staff and the Committee of Ministry Resourcing and the Committee on Outreach and Nurture shall have the right to concur with all such appointments.

(iii) **The Office of Finance and General Administration:**
Staff of the Office of Finance and General Administration are appointed by the Finance and Administration Board and are directly accountable to the General Manager for the way in which they perform their duties. The appointment of staff (in terms of Rule 5.22 (c) (vi)) may be delegated to the General Manager by the Finance and Administration Board from time to time. (COA Minute 13/101)

(c) **Within the “Church Office” [as defined within Regulation 110.2C (b) (i), (ii) and (iii)],** the process dealing with complaints associated with workplace matters shall be as follows:

(i) **Where workplace disputes and difficulties arise among staff,** and prior to a complaint being activated under clause (ii) hereafter, complainants must, in the first instance, seek to have the matter resolved by the person (hereofore described as either, Clerk of the Assembly, or Director of Ministry...
Resourcing and Christian Education, or General Manager) to whom they are accountable.

(ii) In the event that a complainant, under the preceding clause, fails to have his/her complaint resolved to his/her satisfaction, such complainant may pursue the matter further as follows:-

(a) A complaint shall be made in writing to the person to whom they are accountable being either the Clerk of Assembly, Director of Ministry Resourcing and Christian Education, or General Manager

(b) The complaint shall be forwarded to the Workplace Complaints Tribunal (as constituted under clause (iii) hereafter)

(c) The Complaints Tribunal shall hear and decide upon the complaint and report its findings to the Finance and Administration Board and, if necessary, the Commission of Assembly

(iii) The Workplace Complaints Tribunal shall consist of three persons as follows:

(a) Two elected members of the Finance and Administration Board (excluding the Chairman);

(b) One member of the Commission of Assembly (excluding the Moderator, the Clerk, and the Deputy Clerk)

(iv) In the case of a workplace complaint by a member of staff against either the Clerk of Assembly, the Director of Ministry Resourcing and Christian Education, or the General Manager, the complaint shall be resolved as follows:

(a) The complaint shall be made in writing to any one of the aforesaid Clerk of Assembly, Director of Ministry Resourcing and Christian Education, or General Manager to whomever the complainant is not accountable

(b) The complaint shall be forwarded to the Workplace Complaints Tribunal

(c) The Complaints Tribunal shall hear and decide upon the complaint and report its findings to the Commission of Assembly

(v) All employees of the Church Office [as defined within Regulation 110.2C (b) (i), (ii) and, (iii)] shall be made aware of the contents of Regulation 110.2C (c) and shall confirm in writing to the Clerk of the Assembly that they have received
information concerning the complaint procedure as set out in Regulation 110.2C (c). (COA Minute 13/139)

Removal Expenses Fund

3. (a) Purpose of Fund

The Removal Expenses Fund is a fund for the payment of the removal of Ministers and Licentiates proceeding to a Call or Appointment in Queensland, or proceeding to retirement; and for the payment of the removal of Accredited Ministry Workers and Deaconesses to and from Appointment Charges, Assistantships in Queensland or proceeding to retirement.

(b) Administration

The fund is administered by the Finance and Administration Board and will only pay removal costs for those who are proceeding in terms of clause 3 (a) and for their dependents.

(c) Charges on the Fund

I. The fund shall pay for Ministers, Licentiates:

(1) proceeding to Calls or Appointments within the State - All reasonable removal expenses, and insurance, during transit, of all household furniture and effects and the Minister's library, and first-class rail fares plus sleepers, or air fares up to that cost where applicable, for the Minister and his dependent family.

(2) proceeding to a Call or Appointment in Queensland but coming from abroad or another State - such removal expenses as shall be mutually agreed upon in the Terms of Settlement or in conditions set out in a signed agreement, both of which shall require the approval of the Committee on Ministry Resourcing.

(3) proceeding to retirement within the State - all removal expenses and insurance during transit of all household furniture and effects and the Minister's library, and first-class rail fares and sleepers where applicable, or air fares up to that cost for the Minister and his dependent family.

(4) proceeding to retirement outside the State - all removal expenses as outlined in (3) above shall be paid to the place of retirement up to 2000 kilometres or pro rata if beyond 2000 kilometres for retirement interstate.

(5) who, owing to ill-health or some other legitimate cause, have to demit their charge before they reach retirement -
All removal expenses as outlined in (1) above shall be paid to the place of retirement if within Queensland; and up to 2000 kilometres or pro rata if beyond 2000 kilometres for retirement interstate, provided that –

(i) the Minister has served the charge from which he is retiring for a period of two years;

(ii) both the Presbytery of the bounds and the Finance and Administration Board are satisfied as to the legitimacy of the 'some other cause';

(iii) the Finance and Administration Board, acting on the advice of the Presbytery of the bounds, may exercise grace in dealing with any particular case as it deems fit.

(6) in the case of death - the removal expenses of a widow shall be paid in accordance with (3) and (4) above.

II The fund shall pay for Licentiates proceeding to an appointment in a Calling or Appointment Charge - all expenses involved in accordance with I (1) above.

III The fund shall pay for students for the ministry during their three year field appointments - one (1) removal during the period of field appointment.

IV The fund shall pay for Accredited Ministry Workers and Deaconesses

(1) provided that not more than one appointment shall be made over a two year period; otherwise the Charge shall be responsible for the extra removals.

(2) proceeding to an appointment in Queensland - all removal expenses, and insurance during transit, of all household furniture and effects, and the appointee's library, and economy rail fares plus sleepers, or the cost of an alternate means of travel actually expended, up to the cost of economy rail fares where applicable, for the appointee and his dependent family.

(3) proceeding to an appointment in Queensland, but coming from outside of Queensland - only such an amount as determined by the Finance and Administration Board in each specific case considered.
(4) proceeding to retirement within the State of Queensland - all expenses as detailed in I (1) above to the place of retirement.

(5) proceeding to retirement beyond the State - all expenses as detailed in I (1) above shall be paid to the place of retirement up to 2000 kilometres or pro rata if beyond 2000 kilometres for retirement interstate.

(6) who, owing to ill health, have to resign from the employ of the Committee on Ministry Resourcing prior to their reaching retirement - all removal expenses as outlined in I (1) above shall be paid to the place of retirement if within Queensland; and up to 2000 kilometres or pro rata if beyond 2000 kilometres for retirement interstate, provided that:

(i) the Appointee has served the Committee on Ministry Resourcing for a period of two years; and

(ii) the Committee on Ministry Resourcing has had the advice of an independent medical referee if the Committee deems such action necessary; however, if the Finance and Administration Board declares that special circumstances exist it may waive point (6) (i) above and pay all expenses, or part thereof at its discretion, as outlined in IV (2) above to Brisbane.

(7) who resigns from the Committee on Ministry Resourcing to undertake full-time study for the ordained ministry in the Queensland Theological College of the Presbyterian Church of Queensland - all expenses as detailed in IV (2) above to Brisbane, provided that the Accredited Ministry Worker has completed the current appointment, or served for a period of two years in the current appointment, whichever is the lesser.

(8) in the case of the death - the removal expenses of his widow and dependent family shall be paid in terms of IV (4) or IV (5) above.

**Assessments**

4. All Charges, and where appropriate Appointing Committees, shall be assessed annually at a rate determined by the Assembly.
Team Ministries Assessments
5. In Team Ministries, an assessment shall be paid for each Minister/Appointee.

Committees or Boards
6. Committees or Boards paying the annual assessment shall be eligible for refund of removal expenses incurred in filling the office for which payment is made.

Internal Movement
7. For all removals, the expenses shall be paid only where the beginning or end of an induction or an appointment is involved. In cases of internal movement, no payment shall be made from the fund.

Minimum Service Period
8. When a Minister or Accredited Ministry Worker is called or appointed to a Charge it is anticipated that the term of his call or appointment will be for a minimum of three years. Should a Minister or Accredited Ministry Worker take up an appointment for a period less than three years, a pro rata bond, based upon the total payment made from the Removal Fund, shall be payable to the Fund by the Charge at the time of the initial removal. The bond shall be repaid to the Charge in full or on a pro rata basis based upon the reappointment of the Minister or Accredited Ministry Worker to the Charge.

When a Minister moves from a Charge before he completes two (2) years of ministry (except for special circumstances), then the Congregation, Board or Committee so calling him or appointing him, must pay 50% of the cost involved in the translation of a Minister to his new settlement.
(COA Min. 12/65.2)

Early Resignation of an Accredited Ministry Worker or Deaconess
9. If an Accredited Ministry Worker or Deaconess resigns from employment with the Committee on Ministry Resourcing prior to the completion of the current appointment, or prior to a period of two years’ service in the current appointment, whichever is the lesser, no removal expenses shall be paid.
**Discipline or Unsatisfactory Service**

10. (a) If the Accredited Ministry Worker or Deaconess has his/her employment with the Committee on Ministry Resourcing terminated because of -
   (i) an act of discipline, including failure to comply with the terms of the Letter of Agreement; or
   (ii) unsatisfactory service during a period of probation no removal expenses will be paid
(b) the Committee on Ministry Resourcing shall make a report to the Finance and Administration Board outlining approximate financial commitments the Committee anticipates for the period that the Board will bring an assessment recommendation to the Assembly.

**Annual Leave**

11. A minimum of four weeks’ annual leave (including four Sundays) shall be included in the terms of settlement for a Minister and in the terms of appointment for an Accredited Ministry Worker or Deaconess. Annual leave may only be accrued to a maximum of eight weeks. If further leave becomes due it shall be deemed that the Minister, Accredited Ministry Worker or Deaconess is immediately on leave until the entitlement is reduced to eight weeks. While a Minister, Accredited Ministry Worker or Deaconess is on annual leave the charge shall continue to pay the cash component of the stipend plus usual allowances to the Ministry Support Fund and expense-payment fringe benefits on behalf of the Minister, Accredited Ministry Worker or Deaconess. The Finance and Administration Board shall maintain a record of the annual leave owing and taken by Ministers, Accredited Ministry Workers and Deaconesses.

**Study Leave**

12. (a) Leave from pastoral duties for seven days annually, being non-cumulative but not necessarily consecutive (ie not one week), including one Sunday’s pulpit supply, shall be included in the terms of settlement for a Minister, Accredited Ministry Worker or Deaconess for the purpose of professional development.
(b) While a Minister, Accredited Ministry Worker or Deaconess is on study leave the Charge shall continue to pay the cash component of the stipend plus usual allowances to the Ministry Support Fund and expense-payment fringe benefits on behalf of the Minister, Accredited Ministry Worker or Deaconess.
(c) Unused study leave shall not accrue at the conclusion of any annual period, or period of employment, and the Minister, Accredited Ministry Worker or Deaconess shall not be entitled to be paid in lieu thereof.

(d) The record of study leave taken shall be maintained as follows:
   (i) Ministers – by the Session Clerk;
   (ii) Accredited Ministry Workers or Deaconesses – by the Director of Ministry Resourcing.

(e) In the case of a Minister taking study leave, details of the study programme are to be submitted to both Session and Presbytery, and have the approval of the Presbytery. In the case of an Accredited Ministry Worker or Deaconess taking study leave, details of the study programme are to be submitted to Session. An application detailing the study programme is also to be submitted to, and approved by, the Committee on Ministry Resourcing.

(f) For an Accredited Ministry Worker or Deaconess, the Committee on Ministry Resourcing shall advise Presbytery of the outcome of any such application.

(g) The Ministers’ Refresher Course and Accredited Ministry Workers’ Conference do not qualify as study leave.

**Long Service Leave**

13. Ministers serving the church at home or abroad, Accredited Ministry Workers and Deaconesses shall be eligible for thirteen weeks’ Long Service Leave after ten years of continuous full-time service, and subsequent periods of Long Service Leave after subsequent periods of five (5) years of continuous service. Those serving in part-time positions shall have their actual service re-calculated in terms of the equivalent number of full-time years served and shall be eligible for 1.3 weeks’ Long Service Leave at full Zone Urban Stipend rate for each year they are deemed to have served as per this calculation.

**General Regulations**

14. The following general regulations shall apply:
(a) The Board shall notify members when they are about to become eligible for Long Service Leave. Members must begin to take their leave within three years when they have been notified that their leave has become due and they have accrued entitlements of at least thirteen weeks’ Long Service Leave. Leave may be taken either in an unbroken period, or broken periods as approved by the Presbytery. Where leave is taken in broken periods, the total
entitlement must be taken within three years and any one period of leave shall not be less than four (4) weeks’ duration.

(b) For the purposes of calculating the period of service, approved sick leave shall be included.

(c) Long Service Leave shall not affect normal annual leave.

(d) (i) When a Minister returns to ministry within the Presbyterian Church of Queensland, immediately after serving as a Chaplain to the Armed Services, he shall be deemed to have given continuous service, but the years spent in chaplaincy to the Armed Services shall not be counted as service when calculating long service leave entitlements.

(ii) When a Minister, Accredited Ministry Worker or Deaconess returns to ministry or employment within the Presbyterian Church of Queensland, immediately after serving as an overseas missionary, they shall be deemed to have given continuous service. Up to twenty years spent in overseas missionary service shall be counted when calculating long service leave entitlements, and entitlements for these years shall be calculated on a pro rata basis of fifty percent (50%), except (on a pro rata basis) for any period where payments in excess of fifty percent (50%) have been made to the long service leave fund in accordance with the determination of the Stipends Commission.

(iii) Accredited Ministry Workers who proceed to ordination, having spent time as a student for the ministry in the Queensland Theological College, shall be deemed to have given continuous service, but the years spent in the Queensland Theological College shall not be counted as service when calculating long service leave entitlements except (on a pro rata basis) for any period where payments have been made to the long service leave fund in accordance with the determination of the Stipends Commission.

(e) Reciprocity shall apply with churches of the Presbyterian Church of Australia in other States, so that when a Minister serving the Presbyterian Church of Queensland is translated to a Congregation in another State, any Long Service Leave accrued in Queensland shall immediately be paid pro rata to the Fund of the other State at the rate of the Queensland Urban Zone stipend.

(f) (Deleted COA Min. 13/100)

(g) Long Service Leave must be taken as leave but payment in lieu of leave may be payable:
(i) on compulsory retirement through ill health prior to reaching retirement;
(ii) on retirement if leave has not been taken already;
(iii) pro rata on leaving the employment of the Church after seven years’ continuous service for the first period of leave, and after commencing a subsequent period of five (5) years' service (see Regulation 110.13) pro rata after a period of two (2) years beyond the period of the previous five (5) or ten (10) years of service. (COA 11/65)

(h) Application shall be made to the Presbytery for leave, and the Board shall notify the applicant when leave may be taken. The Board shall be responsible for the payment of the cash component to the Ministry Support Fund and the expense-payment fringe benefit (adjusted by the notional manse provision) to the Charge at the rate of a Urban Zone stipend. For the period of the leave the Charge will not be required to contribute the cash payment amount to the Ministry Support Fund.

(i) During leave, the Charge shall continue to pay to the Fund any stipend amount in excess of the Urban Zone rate in accordance with their terms of settlement, and the relevant book/computer software allowance and one-third of the Minister’s normal travelling component within the Ministry Allowance. The Charge shall continue to pay expense-payment fringe benefits at the appropriate rate on behalf of the Minister in advance or upon completion of the leave. The Charge shall also pay all costs of supply during the leave period.

(j) Leave shall be approved by the Presbytery which shall make adequate arrangements for supply.

(k) Leave is conditional on the Minister’s relinquishing of all activities associated with the Charge during the period of leave.

(l) Long service leave accrued prior to 31 December 1991 may be retained up to retirement.

(m) The Board shall have discretionary powers to deal with exceptional cases.

(COA 10/57)

**Accident and Sickness (including Salary Continuance) Benefits**

**Casual Sickness Benefits**

15. Ministers, Accredited Ministry Workers and Deaconesses shall be entitled to casual sick leave of a short duration and in any one instance when that casual sick leave exceeds five days, a medical certificate should be obtained; such certificate should be held in retentis by the Clerk of the
Presbytery in the case of Ministers, and forwarded through the Clerk of the Presbytery in the case of Accredited Ministry Workers and Deaconesses to the Committee on Ministry Resourcing; in both cases, the Kirk Session should be advised; in no case should the details of the certificate in relation to casual sick leave be published.

**Short-term Sickness Benefits**

16. In the event of a Presbytery or Appointing Body taking action outlined in Rule 4.43 (a) and (b), for the purpose of short-term sick leave, sickness benefits shall be payable as follows:

(a) Up to 3 months for any one claim at the rate of 50% of the regional minimum stipend for Urban Zone including Urban Zone expense payment fringe benefits (where there is no manse provided) to be paid from the Accident and Sickness Fund. If the medical condition allows the Minister, Accredited Ministry Worker or Deaconess to resume work and if that same medical condition later requires further leave, then the second and subsequent claims on the Accident and Sickness Fund shall be added together and shall not exceed the 52 weeks total allowable claim; however, the second and subsequent claims will also be subjected to the requirements of clause 18 (b) (i). Whilst the Minister, Accredited Ministry Worker or Deaconess is covered by this regulation, the Charge shall pay to the Minister, Accredited Ministry Worker or Deaconess three quarters of his/her normal travelling allowance.

(b) After 3 months’ continual sick leave, the Minister, Accredited Ministry Worker or Deaconess shall continue to be eligible for Sickness Benefits as follows:

(i) The Minister, Accredited Ministry Worker or Deaconess shall claim from his/her salary continuance insurance policy provided through the Presbyterian Church of Queensland Superannuation Fund. This policy pays 75% of the superannuation salary (ie minimum Urban Zone stipend plus Urban Zone expense payment fringe benefit (where there is no manse provided) plus compact charge travelling allowance) for up to twenty-four months – subject to the conditions of that policy; and

(ii) The benefit provided to a Minister, Accredited Ministry Worker, or Deaconess by their Salary Continuance Insurance Policy shall be supplemented for a period of up to nine months by an expense payment fringe benefit of 25% of the superannuation
salary of the Minister, Accredited Ministry Worker or Deaconess from the Accident and Sickness Fund.

(iii) Whilst the Minister, Accredited Ministry Worker or Deaconess is covered by this regulation, the Charge shall be relieved of all stipend or travel allowance payments.

(c) Sickness Benefits from the Accident and Sickness Fund will be paid on behalf of the Charge, Committee or other employing body for the duration of the disablement up to the time the Minister, Accredited Ministry Worker or Deaconess is eligible to claim from his/her Salary Continuance Insurance Policy.

(d) Sickness Benefits payable under this regulation are applicable to Ministers, Accredited Ministry Workers and Deaconesses who continue in their inducted or appointed position.

Long-term Sickness Benefits

17. In the event of a Presbytery or Appointing Body taking action as outlined in Rule 4.43 (a) – (e), for the purpose of long-term or permanent sick leave, sickness benefits shall be payable as follows:

(a) Up to 3 months for any one claim at the rate of 50% of the regional minimum stipend for Urban Zone including Urban Zone expense payment fringe benefits (where there is no manse provided) to be paid from the Accident and Sickness Fund. Whilst the Minister, Accredited Ministry Worker or Deaconess is covered by this regulation, the Charge shall pay to the Minister, Accredited Ministry Worker or Deaconess three quarters of his/her normal travelling allowance.

(b) After 3 months’ continual sick leave, the Minister, Accredited Ministry Worker or Deaconess shall continue to be eligible for Sickness Benefits as follows:

(i) The Minister, Accredited Ministry Worker or Deaconess shall claim from his/her Salary Continuance Insurance Policy provided through the Presbyterian Church of Queensland Superannuation Fund. This policy pays 75% of the superannuation salary [that is, minimum Urban Zone stipend plus Urban Zone expense payment fringe benefit (where there is no manse provided) plus compact charge travelling allowance] for up to 24 months – subject to the conditions of that policy; and

(ii) The benefit provided to a Minister, Accredited Ministry Worker, or Deaconess by their Salary Continuance Insurance Policy shall be supplemented for a period of up to nine months by an
expense payment fringe benefit of 25% of the superannuation salary of the Minister, Accredited Ministry Worker or Deaconess from the Accident and Sickness Fund.

(c) Sickness Benefits from the Accident and Sickness Fund will be paid on behalf of the Charge, Committee or other employing body for the duration of the disablement up to the time the Minister, Accredited Ministry Worker or Deaconess is eligible to claim from his/her salary continuance insurance policy.

(d) When the Minister, Accredited Ministry Worker or Deaconess resigns from his or her inducted or appointed position, or the Presbytery or the appointing body takes action according to Rule 4.43 (c), the Minister, Accredited Ministry Worker or Deaconess is still eligible to claim from his or her Salary Continuance Insurance Policy. When the inducted position or appointment ceases under such circumstances, the Corporation of the Presbyterian Church of Queensland shall continue the employment of the person concerned until further notice to enable the sickness benefits referred to in (b) (ii) to be paid directly to the Minister, Accredited Ministry Worker or Deaconess from the Accident and Sickness Fund.

(e) Unless action is taken to the contrary by the Presbytery or Assembly, the ongoing employment status outlined in (d) will not entitle the person concerned to hold a seat in a Presbytery or carry out any position which is work related within the Presbyterian Church of Queensland.

(f) The employment status of a Minister, Accredited Ministry Worker or Deaconess outlined in (d) shall conclude when salary continuance payments cease in terms of the policy.

18. **General Regulations**

(a) Claims on the Accident and Sickness Fund can only be paid if supported by medical evidence acceptable to the Committee.

(b) Sickness Benefits shall not be payable from the Accident and Sickness Fund:

(i) during the first month of the disability;

(ii) if workers' compensation can be claimed;

(iii) if a Minister, Accredited Ministry Worker or Deaconess has demitted his Charge, or has had the pastoral tie severed, or an appointment discontinued, under Rule 4.43 (c), and is in receipt of, or eligible to receive, an aged pension or some other mature age allowance or retirement income approximating the aged pension; provided however that from
the date of cessation of employment to the commencement of these benefits, sickness benefits equivalent to the amount to be provided by these benefits shall be paid directly to the Minister, Accredited Ministry Worker or Deaconess from the Accident and Sickness Fund.

(iv) if the illness or accident is attributable to boxing or wrestling, racing of any other kind other than on foot, football, hockey, riot, warfare, suicide, pregnancy or childbirth or any other risks not normally met with as a Minister of Religion including aviation other than

(a) a fare paying passenger on a commercial aircraft over an established route; or

(b) as a pilot or passenger in a non-commercial aircraft provided that the pilot of the aircraft holds a current commercial licence with a minimum of 200 hours flying and provided also that the aircraft is currently licensed and if being used in Western Queensland or other remote areas or is being flown over water, shall carry full survival equipment as provided in Australian Navigational Regulations.

(v) to a Minister who demits his Charge or has had his Charge declared vacant in terms of Rule 4.43 (c) and is totally or permanently incapacitated and disabled in accordance with Government requirements for invalidity, and is in receipt of, or entitled to, an invalid pension or some other allowance or income that is granted as a result of their disability, and approximating the invalid pension; provided however that from the date of the demission or the Charge being declared vacant to the commencement of the payment of these benefits, sickness benefits equivalent to the amount to be provided by these benefits shall be paid directly to the Minister, Accredited Ministry Worker or Deaconess from the Accident and Sickness Fund.

(c) The discretion will lie with the Committee to determine the duration of the sickness benefits payable, after consultation with the Presbytery or the appointing body, and on the production of such medical evidence as the Committee deems necessary, but the payments from the Accident and Sickness Fund shall in no case be for a greater period than twelve months.
REGULATION 111
ARCHIVES

Administration
1. The Archives of the Presbyterian Church of Queensland shall be administered under the direction of the Finance and Administration Board.

Duties
2. The duties of the Archives shall include, with regard to historical records:
   (a) arranging for the preservation of the historical records of the Church, its Courts, Committees, Congregations and Institutions;
   (b) the recording of important events in the life of the Church;
   (c) the facilitating of research into all aspects of the history of the Church;
   (d) preserving important relics of Church life which may be given to the Church's keeping; and
   (e) displaying such materials in the Historical Records room.

Archivist Librarian
3. (a) The Finance and Administration Board may appoint an Archivist and/or Librarian or another designated person to assist in carrying out its work;
   (b) The officer as appointed in clause (a) shall be authorised by the Finance and Administration Board to be responsible for the day-to-day activities of Historical Records, including recruiting and co-ordinating volunteers known as “Friends of Archives”.

Presbytery Historical Officer
4. Presbyteries should each appoint an Historical Officer who should encourage the preservation and study of historical records of the Presbytery itself and of Charges and Institutions within its bounds. Presbyteries shall also enquire, when holding ordinary visitations, as to the whereabouts and care of church records which are no longer current.

Securing of Records
5. The records of Church organisations are the property of the Corporation of The Presbyterian Church of Queensland. It is the responsibility of the Sessions to ensure that the records of the organisations within the Charge, both past and current, are preserved, appropriately stored, and protected against deterioration. This should be done within the church
property, but if this is not possible the past records should be deposited with the Historical Records collection of The Presbyterian Church of Queensland. Congregations are asked to forward a copy of printed material (including duplicated material) such as annual reports, orders of service for special occasions, church bulletins, magazines and histories of charges, to the Committee.

### Acquisitions

6. The Archivist Librarian, with the approval of the Finance and Administration Board, may, in special cases, purchase materials important for the study of the history of the Presbyterian Church in Queensland or elsewhere.

### Access to Historical Records

7. Congregations of the Presbyterian Church, and those formerly belonging to this Church, shall have access to information in the records, and access may be granted to other persons undertaking historical research at the discretion of the Archivist Librarian, at a fee to be determined from time to time by the Archivist Librarian, subject to the requirements of the privacy legislation.
REGULATION 112
CAPITAL FUND

Name
1. There shall be a special fund known as the Capital Fund (hereinafter referred to as the "Fund").

Composition
2. The Fund shall consist of:
   (a) gifts and bequests;
   (b) interest-free loans;
   (c) interest-bearing loans;
   (d) interest from investments; and
   (e) such other funds as the Assembly may from time to time allocate.

Vesting
3. The Fund shall be vested in The Presbyterian Church of Queensland.

Surplus Monies
4. The general oversight and investment of surplus monies of the Fund shall be under the guidance of the Finance and Administration Board.

First Charge
5. The cost of administration shall be first charge on the income of the Fund.

Administration
6. The Fund shall be administered according to these Regulations by a Committee of the Finance and Administration Board, comprised of, as follows:
   (a) the Treasurer of the Assembly and the General Manager who shall act as Secretary of the Committee;
   (b) a Convener and four other members appointed by the Finance and Administration Board.

Interest Rates
7. The interest rates allowed on deposited funds and charged on borrowed funds shall be determined by the Committee, from time to time.
**Object**

8. The object of the Fund shall be to make loans and grants from the Fund for church extension and ministry, on terms determined from time to time by the Committee.

**Priority for Loans and Grants**

9. Priority in making such loans and grants shall be:
   (a) in new areas, purchase of land and/or maintenance of ministry;
   (b) assistance with financing the erection of halls, manses and churches in new areas;
   (c) as surplus funds become available, assistance with such other undertakings of Congregations, Presbyteries or of the Assembly.

**Applications to be Supported**

10. All congregational applications for financial assistance shall be submitted to the Committee through the appropriate Presbytery, and in the case of Home Mission Charges, also through the Committee on Ministry Resourcing.

**Standard Application**

11. All applications must be on the Committee's standard application form, together with relevant extract congregational minutes.

**Borrowing for Speculative Profit**

12. The Fund reserves the right to vary terms and conditions of any loan should it be deemed by the Finance and Administration Board that monies borrowed are utilised for speculative profit.
REGULATION 113
CAR LOAN FUND

Approve and adopt the Car Loan Fund Regulations, as follows:

1. The aim is to assist Ministers, Deaconesses, Exit Students, Accredited Ministry Workers with the Committee on Ministry Resourcing, Congregations, to acquire cars in good order for use in their parishes, or to trade-in cars where necessary, to acquire more efficient vehicles.

2. The Finance and Administration Board will review the terms and conditions of the Car Loan Fund on a regular basis, and vary them as appropriate to optimise the Fund’s purpose as stated in clause 1.

3. Loans will be available once every three (3) years from the Ministers’ Car Loan Fund established by the Finance and Administration Board.

4. A loan of up to $15 000-00 is available to those who qualify in terms of clause 1.

5. Applicants must advise the General Manager of the vehicle to be purchased, and undertake that any second-hand vehicle has been surveyed by a competent person (not the vendor) and the applicant is satisfied the vehicle is of an acceptable standard.

6. The applicant guarantees that the vehicle will be kept insured for, at least, the amount of the Church’s equity in the vehicle, while a loan exists.

7. Loans attract an interest rate of 7.5% pa, calculated at monthly rests (also refer clause (2)). Any loan made would generally have the same percentage of interest applied for the term of the loan.

8. The loan, both principal and interest, is repayable over five (5) years by equal monthly instalments deducted from the stipend. Additional amounts can be repaid at the borrower's discretion.

9. The make or model of the vehicle on which money is loaned, is not to be changed without prior consent of the Finance and Administration Board. Any loans unpaid will fall due immediately a vehicle is changed.
10. In the event of the borrower leaving the services of the Presbyterian Church of Queensland, the whole of the amount outstanding becomes payable forthwith.

11. Advances made by the Board will be covered by correspondence from the General Manager, outlining the conditions under which the loan is made, and acceptance of the cheque will be deemed as acceptance of the terms outlined.

12. The Finance and Administration Board will review the capital in the Car Loan Fund, annually, and take steps it may consider necessary to augment the capital required, and recommend any such variation to the next Assembly.

13. The Board reserves the right to determine priorities in applications for loans, to vary the amount of advance or period of repayment in particular cases, or to refuse any application, and is not bound to furnish reasons for so acting.
REGULATION 114
ENDOWMENT FUND

Interpretation
In these regulations the terms used shall have the following meanings ascribed to them:
"Endowment Committee" means the Endowment Committee of the Finance and Administration Board.
"The Finance and Administration Board" means the Finance and Administration Board of The Presbyterian Church of Queensland.
"Administration" means the management of the disbursement of moneys available from the Endowment by advising the Assembly whether principal as well as interest should be made available for appropriation, by recommending to the Assembly how such moneys made available are to be appropriated, and to consider between meetings of the Assembly exceptional circumstances calling for the urgent decision, reporting any action approved to the next Assembly.
"Appropriation" means the setting aside of a sum of money for a specific purpose, either by way of loan or grant.

Name
1. The fund shall be known as the Black-Smith-MacPherson-Martin Endowment Fund.

Capital
2. The capital of the endowment shall be the total sum at the credit of the following funds as at 30th June, 1977, as determined by the Property Commission appointed pursuant to the provisions of the Presbyterian Church of Australia Act - 1971:
(a) the William Robert Black Endowment Fund;
(b) the Smith MacPherson Bequest;
(c) the Assembly Building Fund;
(d) the W.R. Black Building Fund;
(e) the Alexandra Park Assembly Fund;
(f) the Margaret Hart Martin Loan Fund;
(g) the Church Extension Fund;
(h) the Building Fund.
Purpose
3. The endowment is held for the church extension and development schemes, theological training and Christian education of the General Assembly of The Presbyterian Church of Queensland.

Appropriation
4. Portion of the capital may be loaned to Congregations as an endowment investment, and the income of the fund shall be available for appropriation and expenditure as hereinafter provided.

Administration
5. The administration of the fund shall be the function of the Endowment Committee of the Finance and Administration Board.

Accounts
6. Full accounts shall be kept by the Treasurer of the Assembly, of the Endowment Fund, its assets, liabilities, income, expenses and appropriations according to the normal accounting practices of the Church and the balance sheet of the fund shall be published annually.

Investment
7. The Finance and Administration Board shall be responsible for the investment of the endowment and as hereinafter provided.

Loan Funds
8. One half of the amount of maturing investments and loan funds repaid during any year as part of the capital of the fund shall be available to be advanced upon loan to Congregations or Charges during the next year for church extension purposes and specifically for the acquisition of sites for the first manse and towards the cost of erection or acquisition of the first manse, such loans to bear interest at a rate determined annually by the Finance and Administration Board at the time when applications for loans are being considered.

North Queensland
9. A portion of loan funds and grants available for allocation in any year shall be made available for allocation to Congregations or Charges in the Presbytery of North Queensland.
Loan Applications

10. All applications for loans bearing interest at a rate determined annually by the Finance and Administration Board at the time when applications for loans are being considered, or grants, shall be made to the Endowment Committee of the Finance and Administration Board, to reach the General Manager not later than the 31st August each year.

Supporting Documentation

11. All applications for loans or grants received by the Endowment Committee shall be supported by a recommendation from the Presbytery concerned.

Applications for loans or grants shall be in writing with a full statement of the proposal, its utility, what financial aid is required, and an outline of future development and need. A recommendation shall be made to the Assembly by the Endowment Committee on the amount, terms and conditions of loans and grants.

Grant Funds

12. Eighty-five percentum (85%) of the income of the fund for the preceding year shall be available for appropriation by the State Assembly upon recommendations of the Endowment Committee through the Finance and Administration Board.

Accumulated Capital

13. Fifteen percentum (15%) of the income of the Fund for the preceding year shall be capitalised and become part of the accumulated capital of the fund each year.

General

14. Appropriation may be made to assist Charges for purposes not otherwise specified.

15. When schemes or projects and other effects are assisted or supported by the endowment, the Endowment Committee shall be furnished, as it may direct, with reports of the progress or accomplishment of the objectives.

16. When an appropriation that has been approved by the State Assembly consists of a sum expendable over a term of years, the unpaid portion for each succeeding year shall be provided for in the list of appropriations submitted to that State Assembly as already approved, and not included amongst those appropriations for which approval is sought.
17. Should the Assembly not approve of an appropriation proposed, the project is referred back to the Endowment Committee for further investigation and decision, and the sum involved reverts for appropriation in the next year.

18. When an appropriation has been approved it shall be placed in the account books to the credit of the project, scheme or purpose and payment is made to the controllers concerned, or may be made in such sums and as required, and as authorised by the Finance and Administration Board.

19. When an appropriation has been made, and later it is found is not required, or only partially required or used, the Endowment Committee may, after investigation, direct that the appropriation or the portion not availed of be restored to income available for appropriation.

20. The Finance and Administration Board shall, in its annual report to the Assembly, include a summary of the work done by the Endowment Committee in relation to the endowment since the last report was made, and shall include a statement of the estimated income of the endowment for the twelve months from the following first day of July and a list of the appropriations therefrom already approved, and of recommendations for appropriations from the balance of such income.

**Alterations**

21. The Finance and Administration Board shall have discretion to deal with special circumstances in relation to the administration of the Endowment Fund, provided always that such circumstances shall be reported to the State Assembly for its endorsement.
REGULATION 115
THE INSURANCE FUND

1. **Name**
The Fund shall be known as the Insurance Fund of the Presbyterian Church of Queensland.

2. **Object**
The object of the Fund shall be to insure all churches, manses, schools, church halls, or other buildings and structures, furnishings or contents thereof (if any) and property of the Church against loss arising from destruction or damage by fire, and/or storm and/or tempest.

3. **Management**
The Fund is managed and controlled by the State Assembly through the Finance and Administration Board.

4. **Responsibility of Committees and Others**
It is the duty of the Committee of Management and other responsible persons to insure in the Fund the properties for which they are responsible, subject to the acceptance of the proposal. The insurable value is in all cases finally determined for by the Finance and Administration Board appointed by the Assembly, and premiums are paid to the Treasurer of the Church, at the Presbyterian Church Offices.

5. **Allocation of Monies**
All insurance premiums together with all donations and bequests specifically given to the Fund, and interest earned by the monies shall be placed to the credit of the Fund.

6. **Premiums determined: Finance and Administration Board**
The rate of the premium to be paid shall be fixed and determined by the Finance and Administration Board with reference to the nature, the value and the situation of the property, liable to damage or destruction.

7. **Destruction or Damage to Properties**
In the event of any destruction or damage by fire, or by storm or by tempest, happening to any property insured in the Fund and provided that the premiums have been paid, the Board shall in the case of a total destruction, pay the value of such property according to the assessment.
thereof made by the Board or its assessors but not more than the amount insured (subject to the provision in clauses 8, 9, 10 and 11 next following), or in the case of partial damage, such amount as shall be proportionate to the extent of the damage as may be determined by the Board or its assessors (subject to the provisions in clauses 8, 9, 10 and 11 next following), but not more than the amount insured provided that the Board shall have the option of themselves reinstating or repairing any property so destroyed or damaged.

8. **Committees to Advise the Board of Property Damage**
   A report of every such destruction or damage as aforesaid and the circumstances shall be reported to the Board immediately after the happening thereof, and the Committee of Management or other party shall also within a reasonable time supply the Board with full particulars of the property destroyed or damaged, and an estimate of the cost of reinstatement or repairs. When a building or property has been partially destroyed by fire, or storm or tempest, the Committee of Management or other party responsible must take requisite action to preserve the remaining property and prevent further damage arising.

9. **Committees to Advise the Board of Property Particulars**
   The Committee of Management or other party, on effecting all insurances on property as aforesaid, shall supply the Board with full particulars of the said properties, and thereafter from time to time of all subsequent alterations thereof and additions thereto and deletions therefrom, and shall give notice to the Board of any matter or thing including all lighting and heating arrangements, which may increase the risk of the destruction or damage of such properties by fire. In areas that are subject to storm and tempest visitations, buildings and structure should be well secured.

10. **Payment of Premiums**
    All premiums shall be paid on or before the day on which they become due, or within such days of grace as the Board may allow.

11. **Failure to Comply with Regulations**
    If any Committee of Management or other party fails to observe or comply with any of the provisions in these regulations the Board may refuse to pay to such Committee of Management or party any amount out of the Fund for the purpose of making good any property which may have been destroyed or damaged.
12. **Financial Reports to the State Assembly**
The Board shall furnish a report, a revenue account and balance sheet of the Fund at the end of each year to the annual meeting of the State Assembly next following. When the Board considers a distribution may be made of profits earned by the Fund, it submits its recommendations to the State Assembly for authorisation. The State Assembly approves or rejects or may refer a recommendation again to the Board.

13. **State Assembly Power to Amalgamate Fund**
The State Assembly shall have power to effect an amalgamation of the Fund with any similar fund of the General Assembly of the Presbyterian Church of Australia or of the Assembly of the Church in any other State of the Commonwealth.

14. **State Assembly Power to Vary Regulations**
The State Assembly shall have the power from time to time to vary, alter or amend these regulations, or to make any other regulations or conditions in relation to any insurance effected with the Fund.
REGULATION 116
SUPERANNUATION FUND

1. The Fund
The commencement date of the original Plan was 1 July 1980. On 1 June 1993 the Fund was transferred from the Westpac Tailored Fund to Commonwealth Life Superannuation Mastertrust. On 1 July 2001 the Fund was subsequently transferred to ING Custodians Pty Limited as trustees for ING Corporate Super, which is a complying Fund under the Superannuation Industry (Supervision) Act 1994.

2. Upon transfer, OnePath (formerly ING Custodians Pty Limited) assumed responsibility for the control of the Fund, trusteeship responsibilities, and the meeting of all legislative requirements including those specified under the Superannuation Guarantee Charge Legislation 1992, and the new Superannuation Industry (Supervision) Act 1994.

The OnePath Corporate Super Member Booklet which is given to all Fund members at the outset gives a summary of the various conditions and regulations that apply to superannuation in general, and OnePath in particular, and is based on:
- present laws (including superannuation, insurance and taxation legislation) and their interpretation at the time of preparation; and
- the provisions of the Policy Documents and the Trust Deed which contain the complete terms and conditions of the OnePath Corporate Super plan.

3. The design of the Fund will remain the responsibility of the Superannuation Committee of the Finance and Administration Board and any decision to vary the Fund, including the contributions, benefits or vesting levels remains with the Board.

4. Membership
Membership of the Fund is compulsory for every entrant to the Ministry of the Church in the State (Rule 7.1) and is available to staff members and private appointments on the invitation of the Board. Superannuation Guarantee Charge regulations, and the requirements of the Superannuation Industry (Supervision) Act 1994, will continue to be met as has been our practice in the past.
5 Contributions
The basis for contributions to the Fund changed from 1 September 1991 when compulsory personal contributions by Ministers, Accredited Ministry Workers and Deaconesses ceased. The basis for contributions further changed from 1 February 2001 when the new stipends arrangements were introduced. The October 2009 Stipends Commission resolved to change the base for Superannuation Contributions to Monthly Cash Stipend plus EPFB (Manse Not Provided).

Additional information on Preservation is contained in paragraph 18, and a general background to taxation considerations is given in paragraph 17.

6. Contributions to the Fund may be varied from time to time in line with revised stipends or salaries as determined by the Stipends Commission.

7. Voluntary Contributions
Members may make voluntary contributions to supplement the Employee Account as agreed between the member and the Finance and Administration Board.

Insurance Cover
Insurance to cover Death and Disablement is arranged annually for all members (based on their age and relevant remuneration for insurance purposes) to supplement the accumulated benefit due to the member on death or disablement. Full-time students at the Theological College are provided with cover on a basis equivalent to Accredited Ministry Workers, to be funded from the Employer Reserve Account (refer paragraph 14).

Salary Continuance Insurance is arranged annually for all members working 20 or more hours a week, based on their relevant remuneration for insurance purposes.

9. Where required, insurance benefits may be required to be subject to acceptance by the Underwriter having regard to health evidence.

10. Death Benefits
Should a member die before attaining the age of 65 years, the Fund Trustees, who have been advised of the member’s nominated preference, will pay the total of the member’s account balances at the date of death plus the amount of insurance cover.
11. **Total and Permanent Disablement**
   In the event that the insurers accept medical evidence of total and permanent disablement, the member will receive a benefit equivalent to the amount payable on death.

12. **Resignation or Retirement**
   In the event of a member resigning from membership before the age 55 the full amounts that have accumulated in the Employee and Employer Accounts will be retained for the member.

   Members may only continue as members of the Fund after attaining the age of 65 years if permitted to do so under government superannuation regulations.

13. **Leaving Service**
   Members will receive on leaving the service (other than on retirement) the accumulated balance of the Employee Account, including salary sacrifice contributions by the employer, plus the total Award SGC account, plus a proportion of the Employer Additional Account depending on the length of membership, with 100% applying after 10 years. This is subject to Preservation rules (refer paragraph 18).

14. **Employer Reserve Account**
   An account shall be maintained called Employer Reserve Account. This account shall be used to accumulate any forfeited benefits (on a member's withdrawal) and contributions previously made by a charge temporarily without a Minister.

   From time to time the balance of the account may be used to:
   (a) pay the insurance cover for theological students,
   (b) allocate additional benefits to members in such proportions as the Superannuation Committee in its absolute discretion may determine.

15. **Transferring Previous Superannuation Fund Balances**
   A new member upon joining the Fund may transfer to the Fund the proceeds of any previous superannuation arrangements. Such transfers will be added to the Employee Account, attract interest in line with the earnings of the total Fund and be available to the member or trustee on retirement, resignation, death or disablement.
16. **Leaving Service**
Members leaving service are not permitted by law to remain within the OnePath Corporate Super plan. However, they may apply to transfer the total amount set aside by both employee and employer contributions at the date of the member leaving service to an OnePath personal plan (subject to approval by OnePath).

Upon leaving service in Queensland to join a similar employer in another State of Australia, members may apply to the Superannuation Committee to transfer to an alternative Fund established by the new employer (or any other alternative Fund) the total amount set aside by both employee and employer contributions at the date of the member leaving service. The alternative Fund must be a complying Fund under the Superannuation Industry (Supervision) Act 1994.

Members on leave without pay may request the Superannuation Committee to allow the total amount set aside by both employee and employer contributions to remain in the Fund without further contributions (but continuing to accrue interest) for a period of up to 1 year, or as otherwise agreed by the Superannuation Fund Trustees.

17. **Taxation**
Superannuation monies will be subject to taxation in accordance with the requirements of Australian taxation legislation. In general, within a superannuation fund Employer contributions (including award, salary sacrifice or additional voluntary employer contributions) are taxed at 15%, whilst an employee's personal contributions from after tax monies are not taxed. Any investment earnings are also taxed according to Federal legislation, currently at a maximum of 15% (this may also be reduced by dividend imputations, which effectively increases the return).

18. **Payment of Benefits**
Under "preservation" rules, benefits can be paid from the Fund at any time after retirement. However, benefits remaining in the Fund on turning age 65 must be paid either as a lump sum or commence to be paid as a pension unless the Trustee otherwise consents in the following circumstances:
- where the member remains in full-time (30 or more hours per week) employment; or
- where the member remains in part-time (between 10 and 30 hours per week) employment (in which case benefits may only remain in the Fund until attaining age 70).

"Retirement" is taken to occur as follows:
- the member attains the age 55: the date of retirement (ie the date when the member leaves his present employer or occupation, without intending to become gainfully employed again, either on a full-time or part-time basis); or
- the member attains the age 60: the date on leaving the present employer or occupation (regardless of whether the member intends to continue working).
REGULATION 130
PROPERTY BOARD

Duties

1. The duties of the Board shall include, with regard to architectural matters:
   (a) assisting in ensuring that all buildings for church purposes (including places of worship, halls and manses), alterations/renovations/restoration to existing buildings and all church furnishings are planned, designed, constructed and equipped or prepared for equipment in accordance with:
      (i) the needs of the particular Charge; and
      (ii) such principles of ecclesiastical architecture as the Assembly shall from time to time determine;
   (b) supplying advice concerning selection of sites, and plans and estimates of utility buildings for guidance and information of Charges; and
   (c) research into:
      (i) the minimum requirements for manses;
      (ii) new techniques and equipment for rendering Christian education facilities more effective; and
      (iii) the relation between ecclesiastical architecture and its practical application to Presbyterian traditions of worship;
   and make recommendations concerning these and other related matters to the Assembly for the guidance and advice of Congregations.

Function

2. (a) Before making the purchase of a building or initiating a program of building, whether new work or major alterations/renovations/restoration to existing buildings, a Congregation shall secure plans and specifications either prepared or endorsed by a registered Architect as adequate and complying with all relevant ordinances, and shall submit them to the Property Board for report and recommendation, unless the value of the project is below 50% of the Congregation’s ordinary income.

The relevant plans and specifications must also be submitted to the Presbytery and may not be dealt with until the report and recommendation of the Property Board is received.
(b) A Congregation, through its Committee of Management, shall initially submit all plans for proposed new buildings or alterations/renovations/restoration to existing buildings in sketch form to the Board, unless the alteration/renovation/restoration is below 50% of the Congregation’s ordinary income and these plans should indicate proposed future development.

These sketch plans should be submitted concurrently to the Presbytery and to the Board for guidance and advice.

(c) Final plans and specifications, either prepared or endorsed by a registered Architect as adequate and complying with all relevant ordinances, shall be submitted to the Board for report and recommendation (unless the alteration is below 50% of the Congregation’s ordinary income), and to the Presbytery for approval in the light of this report. In Appointment Charges, prior approval of the Committee on Ministry Resourcing must first be obtained.

(d) Ensure that a Contract Superintendent is engaged by a congregation or other relevant denominational body when it deems the contract or project warrants such appointment. In reaching its determination, the Property Board may consult with and or be guided by the Church’s insurers. (BB 2013 Min. 94.2)

(e) In cases where delay could result in financial loss, the Chairman of the Property Board and General Manager shall be empowered to act on behalf of the relevant bodies to give recommendation concerning the transaction.

**Manses**

3. In planning, erecting, purchasing, or renting buildings for use as manses, Congregations and Presbyteries shall give attention to “The Guidelines for Manses” adopted by the Assembly.
REGULATION 131
CHECK LIST RE PROPERTY MATTERS

ACTION BY THE CONGREGATION:
1. With regard to the proposed purchase of a property, the Committee of Management shall provide a certificate to the Congregation, the Presbytery, the Committee on Ministry Resourcing (if applicable) and the General Manager, stating:
   (i) The property has been professionally inspected, including pest control.
   (ii) The property is suitable and acceptable for the purpose for which it is being purchased.
   (iii) Relevant local government By Laws and Regulations have been met.
   (iv) Recommendations for improvements or otherwise.
   (v) That a plan of the building has been submitted to the Property Board for approval.
2. Provide Presbytery and the General Manager with extract minutes of the congregational meeting approving the acquiring, disposing or otherwise dealing with real property.
3. Provide Presbytery and the General Manager with extract minutes of the congregational meeting approving financial arrangements.
4. Obtain from the General Manager an application form, if funding assistance from the Capital Fund is required, and when completed submit copies to Presbytery and the General Manager.
5. Where major building extensions or renovations are contemplated, provide Presbytery with an extract minute of the congregational meeting approving the works being undertaken. There is no need to advice the General Manager unless finance from the Church is required or insurance cover needs to be arranged.

ACTION BY PRESBYTERY:
Provide the Congregation and General Manager with extract minutes of the meeting approving the proposed property transaction and support financial arrangements.

ACTION BY COMMITTEE ON MINISTRY RESOURCING:
Provide the congregation, Presbytery and General Manager, with extract minutes approving the arrangements regarding an Appointment Charge.
ACTION BY THE PROPERTY BOARD:
Examine the plans for the purchase or erection of buildings or extensions to ensure that Church standards are maintained and advise the Congregation and General Manager when plans have been approved.

ACTION BY THE GENERAL MANAGER:
1. On receipt of approvals to buy or sell property from the Congregation, Presbytery, Home Missions (if applicable):-
   (i) Authorise the solicitors to handle the matter to reach an early settlement.
   (ii) Arrange for insurance cover on any building being acquired.
   (iii) Arrange for the Trustees to execute any documents required to be signed under the seal of the Church.
   (iv) Make an application for a Title Deed on property being acquired and retain same in safe keeping at Church Offices on behalf of the Congregation.
   (v) Apply for exemption from Stamp Duty if appropriate.
   (vi) Arrange for the payment or distribution of funds on settlement.
2. On receipt of an application for Capital Fund Loan which has been approved by the Congregation and Presbytery, place the matter before the Finance and Administration Board for attention and advise the outcome.
3. As time is the essence in property transactions, bring all matters together expeditiously to enable a prompt settlement.
REGULATION 132
REAL PROPERTY MATTERS

The following regulations shall be followed in all Real Property matters:

1. When a Congregation or Charge is considering acquiring, disposing or otherwise dealing with real property, the Committee of Management should prepare a firm proposal for submission to a congregational meeting.

2. A congregational meeting, acting under Rule 9.3, shall then give direction as to the purchase, sale or other dealing with the real property in question.

3. A Congregation or Charge can only authorise such transactions by resolution passed by at least three-fourths of its members personally present at a duly convened congregational meeting (Rule 9.3).

4. Thereafter an extract minute of the congregational meeting, under the hand of the Session Clerk, duly certifying the requirements of Rule 9.3, should be forwarded to the Presbytery of the bounds with a request that the Presbytery favourably consider the action approved by the congregational meeting.

5. After the approval of the Presbytery be obtained (Rule 9.3), the Presbytery Clerk forwards all documentation, both congregational and Presbytery extract minutes, to the Convener of the Property Board for consideration and approval.

6. When the Property Board is satisfied that the requirements of the Rules and Forms of Procedure of the Presbyterian Church of Queensland have been satisfied and that all civil legal requirements are in order, on the authority of the Property Board, the necessary instructions are then issued to the solicitors by the General Manager for the preparation of the necessary conveyancing documentation and the settlement of the transaction.

7. All contact and instructions to the solicitors regarding real property are issued by the Property Board through the General Manager (Rule 5.29).

8. The necessary action for the execution of all documents in relation to sales, purchases and all other dealings with real property is conducted through the Property Board in accordance with the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

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9. To assist Congregations and Charges concerned with the acquisition, sale and other dealings with real property, appropriate draft minutes for congregational and Presbytery approval are as follows:

(a) The Congregation or Charge of ........................................ by resolution passed by at least three-fourths of its members personally present at a duly convened congregational meeting on ............................................ approved the purchase of an improved property situate at ......................................... Street, ................................ (Town or City) as a manse for the Congregation of ................................ for the sum of $................................. or for not more than $...............................

(b) The Congregation or Charge of .................................... by resolution passed by at least three-fourths of its members personally present at a duly convened congregational meeting on ............................. approved the sale of vacant land situate at ......................................... Street, ...................................... (Town or City) for not less than $..............................................

(c) The Congregation or Charge of ................................ by resolution passed by at least three-fourths of its members personally present at a duly convened congregational meeting on ............................................ approved the borrowing of up to $................................. from ..............................................(name of bank or other financial agency) to finance the purchase of the abovementioned manse property.

(d) The Congregation or Charge of ........................................ by resolution passed by at least three-fourths of its members personally present at a duly convened congregational meeting on ............................................ approved the mortgaging of the Presbyterian Church situate at ......................................... Street, .............................................. (Town or City) or the newly acquired manse in ......................................... Street, .............................................. (Town or City) to .............................................. (name of bank or other financial agency) as security for the abovementioned loan.

10. Boards, Councils and Committees of the General Assembly acquiring, selling and otherwise dealing with real property should resolve in terms similar to Congregations and Presbyteries.

**Contracts**

11. Any contract for the purchase or sale of property must include a special condition stating that the transaction is subject to the approval of the all relevant courts, committees and boards of the Church. A contract (or similar or related document) may be signed by:

(a) A trustee of the Church.
(b) The Chairman or Secretary of the Property Board.
(c) An office bearer authorized by the Commission of Assembly.
(d) An office bearer authorized by a person authorized in terms of clauses (a) to (c) above.

12. If additional security is required by the bank or other financial agency, appropriate congregational extract minutes, as above, will be required.

13. Any special conditions applying, such as in the acquisition of vacant land to be used for the erection of a new church or hall, will also be the subject of a resolution by a congregational meeting eg "Subject to the re-zoning of the said property by .................. Council, for church purposes".

14. Alternatively "Subject to the purchaser obtaining the necessary finance from .................. (name of bank or other financial agency)" will form the basis of another congregational minute.

15. Presbytery approval may be granted in the following terms:
Approve the purchase of an improved property situate at .................. Street, .................. (name of Town or City) as a manse for the Congregation of .................. for a sum not exceeding $.................. in accordance with the approval of the said Congregation thereanent.

16. All costs and outlays in connection with all real property transactions will be borne by the Congregation or Charge concerned, to whose Treasurer the Charge's solicitors will forward an itemised Bill of Costs for outlays and professional charges.

17. Further detailed advice on specified proposals for real property dealings may be obtained from the Convener, Property Board, the Presbyterian Church of Queensland.
"Pearsby" holiday home, situated at 15 Savoy Drive, Florida Gardens on the Gold Coast (phone 07 5538 7272) is "THE JOHN ROGERSON MEMORIAL HOME FOR CLERGY". It is partly maintained by The Rogerson Memorial Fund.

The Finance and Administration Board has approved the following Regulations with effect from 17 March 1983.

**BOOKING REGULATIONS**

1. **Preference A**
The home shall be available free of levy primarily to Ministers, Deaconesses, Licentiates and Accredited Ministry Workers. In school holidays, preference will be given to country Ministers with school children over city Ministers with school children, provided the country Ministers have made their booking at least twelve (12) months in advance.

2. **Preference B**
Other than in school holidays, the home shall also be available free of levy to Presbyterian Missionaries on furlough. In this category, bookings may not be made more than three (3) months in advance to allow those in category (a) the maximum opportunity for occupancy.

3. **Preference C**
Other than in school holidays the home shall also be available free of levy to salaried Assembly Appointees and Students for the Ministry. In this category bookings may not be made more than one (1) month in advance to allow those in categories (a) and (b) the maximum opportunity for occupancy.

**Booking Times**

2. The home shall normally be available for periods of two (2) weeks - Monday to Monday. Occupancy is from 2.00 pm on the day of arrival until 10.00 am on the day of departure.

If any occupant elects to occupy "Pearsby" for less than the prescribed two (2) weeks, then that lesser time shall be deemed to be his allotment under this regulation.
If, one (1) month prior to occupancy, no other person has booked the home, a period of longer than two (2) weeks may be available at the discretion of the Convener of the Committee.

**Availability**

3. No person shall normally book the home for more than one (1) period each calendar year.

**Holiday Period**

4. No person, Minister or otherwise, shall be entitled to book the home during holiday periods in consecutive years.

**Where to Book**

5. Bookings of the home shall not be made more than two (2) years in advance, through Church Offices, PO Box 1508, Fortitude Valley Queensland 4006. Phone (07) 3251 4103, Fax (07) 3852 1564, or call at 35 Amelia Street, Fortitude Valley.

**GENERAL REGULATIONS**

6. **POSITIVELY NO PETS OF ANY DESCRIPTION ARE PERMITTED ON THE PREMISES.**

**Responsibility of Occupants**

7. The premises are to be left clean and tidy by each occupant after use. Occupants are required to pay costs in order to maintain the grounds and mow the lawns; as well as water the lawns when appropriate.

**Removal of Property**

8. Property of "Pearsby" is NOT to be removed from the home for any purpose at any time.

**Repairs and Maintenance**

9. The Committee will not be responsible for the cost of any repairs to any appliance in the home without the prior approval of the Convener, or, in his absence, the Secretary. Any defects to the property, furniture, etc. should be reported to the committee on your yellow form.

**Keys and Security**

10. The keys of the home shall be obtained from Church Office and returned PROMPTLY after occupancy ceases. Occupants must ensure that the
home is SECURELY LOCKED ALL AROUND on vacating the premises. (Additional keys for the security doors are located on the wall inside each door. The same key opens the front and the laundry security doors.)

**Telephone**

11. All calls will be billed accordingly.

**Instruction for Equipment**

12. Dishwasher, washing machine, clothes dryer and television instructions must be STRICTLY adhered to. The proper dishwasher detergent is provided in the pantry, and is to be used ONLY in the dishwasher. Please do not cut food on the kitchen benches or in the frypan. Adequate cutting boards have been provided for that purpose.

**Security Fencing**

13. Security fencing and gates are installed around the property. However, occupants are fully and personally responsible for the whereabouts and safety of their children and/or children in their care.

**Electricity**

14. The meter box and main switch are located on the side wall at the right of the house. You are asked to take care not to waste electricity. Please switch off the main switch before leaving. Occupants are invited to make a contribution towards the cost of electricity on return of keys to Church Office. See yellow form for this.

**Linen**

15. Household linen is NOT provided.

**Library**

16. Occupants are invited to donate a sum of not more than $10 per occupancy to be used by the Committee for the purpose of books, etc. for the lounge room library. See yellow form for this.
(A) COMMITTEE ON MINISTRIES TRAINING
The Committee on Ministries Training (CMT) is a Standing Committee with the responsibility to oversee ministries training as set out in Rule 5.50. In doing so it shall:

1. Ensure that the requirements of the Assembly and the General Assembly of Australia are met.
2. Establish and maintain a strategic direction for ministry training by the Presbyterian Church of Queensland (PCQ).
3. Oversee the operations of the Queensland Theological College (QTC) by:
   a. Establishing and maintaining clear objectives and policies under which the Queensland Theological College operates.
   b. Recommending to the Assembly any changes to the QTC Constitution.
   c. Ensuring the Queensland Theological College provides contemporary relevant courses for ministry in Australia.
   d. Monitoring the operation of the Faculty through the reports received from the Faculty.
   e. Make recommendations to the Assembly regarding the appointment of Faculty and Principal who will creatively implement the aims and objectives set out in the QTC Constitution.
   f. Representing Faculty needs to the wider Church as required.
   g. Ensuring performance appraisals are undertaken to meet Assembly and/or CMT requirements by:
      i. Establishing and communicating the bases upon which the performance appraisals of those who have lecturing responsibilities at the Queensland Theological College (eg Assembly Appointees to the Faculty and other CMT Appointees) will be assessed.
      ii. Conducting performance appraisal of the Principal. The CMT Executive may choose to invite another qualified individual to participate in the appraisal if the Executive considers it appropriate.
      iii. Conducting performance appraisals of other full-time Faculty members appointed by the Assembly.
      iv. Conducting performance appraisals of part-time or visiting lecturers who are Faculty members appointed by the Assembly.
h. Appoint another member of Faculty as acting Principal in the event of the absence of the Principal until the next Assembly.

i. Provide pastoral care where appropriate for the members of Faculty.

4. Act as the reporting body to the Assembly and other bodies or Courts with respect to:
   a. All matters arising from the operations of the Queensland Theological College including the Faculty.
   b. Consolidation and submission of CMT budget (which includes QTC) seeking Assembly funding.
   c. Student bursaries to be paid.

5. Approve the consolidated CMT budget (QTC and other activities of the Committee).

6. Undertake actions according to Rule 6 to ensure candidates for the ministry are suitable and ensure that candidates for the ministry are adequately supported as they train.

7. Determine the objectives and policies for activities of the Committee beyond the Queensland Theological College and those to whom the management of such activities shall be delegated, the means by which their performance is reviewed and reporting requirements.

8. Deal with grievances and appeals when required.

(B) FACULTY

The Faculty is appointed by the Assembly of the Presbyterian Church of Queensland and includes the full-time Assembly Appointees as well as others appointed annually by the Assembly. The Faculty is convened by the Principal, and has the responsibility of:

1. Planning and managing the programs of the Queensland Theological College (QTC), which are to carry out the objectives and policies of the Committee on Ministries Training (CMT) which include:
   a. Developing the courses to be offered at QTC to fulfil the aims and objectives of the QTC Constitution according to the policies of the Assembly, the General Assembly of Australia (in particular the College Committee), Australian College of Theology and the CMT.
   b. Making provision for field work where required.
   c. Providing at least one conference per year suitable for or with the purpose of the refreshment of Ministers.
   d. Being aware of societal changes so as to ensure that the activities of the College are always relevant to ministry needs.
2. Operating effectively as a Faculty to ensure the QTC Constitution is being progressed by:
   a. Making recommendations to CMT regarding the future directions and needs of QTC.
   b. Reporting regularly to CMT via the Principal on the operations of QTC and the compliance to the objectives and policies established by the CMT.
   c. Providing input to the development of the annual QTC budget regarding changing needs.
   d. Supporting each other as members of the Faculty pastorally.
   e. Inviting other QTC lecturing staff to contribute views on matters being considered by Faculty.

3. Ensure the ability to effectively deliver the agreed courses through:
   a. Making arrangements for teaching of courses and the issuing of awards.
   b. Obtaining and supervising suitable visiting and part-time Lecturers for the College.
   c. Ensuring performance appraisals are undertaken for visiting and part-time Lecturers of the College by:
      i. Establishing and communicating the basis upon which the performance appraisals will be assessed for Lecturers engaged by the Faculty.
      ii. Ensuring performance appraisals (via the Principal and Vice-Principal) are conducted for Lecturers engaged by the Faculty.

4. Ensuring effective pastoral care for students in the College.

5. Ensure that candidates for the ministry are undertaking appropriate academic programs and that suitable progress is being made to meet PCQ and GAA requirements.

6. Develop policies and principles with respect to:
   a. The admission, enrolment and progression of students;
   b. Arrangements for teaching, assessment and the general support and development of students at QTC;
   c. The holdings, services and acquisitions of the Gibson-Radcliffe Library.

(C) PRINCIPAL
The Principal shall implement Faculty decisions, CMT decisions related to QTC and manage the day to day operations of QTC and in doing so shall:
1. Report on the Faculty operation, decisions and identified future directions and needs to the CMT.
2. Report to the Faculty on the day to day operations of QTC.
3. Manage the ongoing relationship with Emmanuel College.
4. Managing the relationship with the GAA College Committee.
5. In accordance with the policies developed by the Faculty, exercise management responsibility and oversight of:
   a. the admission, enrolment and progression of students at QTC.
   b. arrangements for the education, support and development of students.
   c. the holdings, services and acquisitions of the Gibson-Radcliffe Library.
6. Operate the programs of QTC within the budget allocated by CMT.
7. In consultation with the Faculty:
   a. Develop specific job descriptions for library staff for approval of Finance and Administration Board in terms of the relevant rules.
   b. Appoint personnel to library roles approved by the PCQ and where CMT has approved the budget for such positions.
   c. Prepare specific job descriptions for visiting and part-time teaching staff in the College.
8. Manage the recruitment of other staff to support the operation of QTC by:
   a. Developing specific job descriptions for those who work in non-teaching roles at QTC (eg financial management, administrative, promotion) for approval of Finance and Administration Board in terms of the relevant rules.
   b. Appointing personnel to those non-teaching positions approved by the PCQ and where CMT has approved the budget for such positions.
9. Manage those appointed to work in non-teaching roles (including library staff) in the college including undertaking regular performance reviews and providing appropriate pastoral care.
10. Lead the performance appraisals of lecturing Faculty members under the arrangements put in place by the CMT, and lead the performance appraisals for non-Faculty Lecturers on behalf of the Faculty.

(D) VICE-PRINCIPAL
Under the direction of the Principal, the Vice-Principal is to:
1. Assist the Principal in his management of strategic and pastoral matters, and represent / deputize for the Principal as and when requested by him;
2. Perform the role and duties of Acting Principal when the Principal is on leave, or otherwise absent from QTC for a period of one week or more (unless the CMT resolves otherwise in accordance with clause A.3.h.);
3. Retain current knowledge of the tertiary education sector in Australia and of theological education practices and methods in Australia and overseas, and regularly review the curriculum and educational practices of QTC in relation to
the needs of students, PCQ and destination ministries. Provide advice and recommendations to the Principal, Faculty and CMT on these matters to assist them to ensure that the college is performing its educational function at the level of best-practice;

4. Manage the relationship with the Australian College of Theology on behalf of the Faculty & Principal and at their direction;

5. Supervise the QTC Registrar as directed by the Principal;

6. Fulfil the role and responsibilities of Academic Dean in relation to the requirements of the Australian College of Theology regarding this role within affiliated colleges.

(E) BURSARIES

In relation to bursaries:

1. Candidates or Probationary Students desiring to receive a Bursary make written application to the CMT Executive. Normally bursaries are payable to full-time (9 subjects per annum) approved Candidates for the Ministry of the Word and Sacrament during the course of their training at the Queensland Theological College or its successor. However bursaries may also be paid, on a case by case basis, to probationary students or part-time approved Candidates for the Ministry of the Word and Sacrament during the course of their training at the Queensland Theological College or its successor. The level of bursary shall be determined by the following schedule, based on the Minister's cash stipend + EPFB (manse provided) level for Zone “Urban” at the commencement of the year.

<table>
<thead>
<tr>
<th>Status</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
<td>35%</td>
</tr>
<tr>
<td>Married</td>
<td>40%</td>
</tr>
<tr>
<td>Married with children under 3</td>
<td>50%</td>
</tr>
<tr>
<td>Married with 1 child over 3</td>
<td>55%</td>
</tr>
<tr>
<td>Married with more than 1 child over 3</td>
<td>60%</td>
</tr>
</tbody>
</table>

2. The bursary shall be paid monthly during the year.

3. The CMT Executive may vary the bursary payable to a probationary student or candidate.

4. The CMT Standing Committee shall have discretionary powers to deal with exceptional circumstances, as necessary, with respect to the payment of bursaries. (COA Min. 14/18)

5. A probationary student or candidate shall have the right to work subject to the Faculty concluding that such work will not adversely affect the candidate's course of training.

6. Disputes regarding bursaries shall be referred to the Committee on Ministries Training. (COA Min. 13/96)
(F) POST GRADUATE SCHOLARSHIP FUND
In relation to the Post Graduate Scholarship Fund the following regulations shall apply:

1. The Post-Graduate Scholarship Fund is made up of donations and bequests made for this purpose, and of transfers made by the CMT from its General Bursaries’ Account or its Accumulated Funds.
2. The scholarship is to obtain a teaching degree only.
3. The degree must be in a subject area that would make the holder qualified to lecture ACT MDiv subjects.
4. The scholarship is for one year of the degree only (ie some of the degree must be done at the applicant’s expense).
5. The scholarship is for full-time study only.
6. The applicant must be a Minister of the PCQ with proven pastoral experience.
7. The scholarship shall be paid for up to 12 months, plus fees for that year.
8. The granting of the scholarship places the CMT under no obligation to the applicant, should they apply for any lecturing positions.
9. The CMT shall administer the scholarship.
10. Only one scholarship shall be granted per year.

(G) FIELD EDUCATION ALLOWANCE
In relation to field education allowances:

1. Probationary students and approved Candidates for the Ministry of the Word and Sacrament are required as part of the course of training to undertake practical ministry for ten hours per week, usually in a congregation, for a specified number of years.
2. Placement of probationary students and approved candidates shall be arranged by Faculty or through a Field Education Supervisor if appointed. The Faculty may delegate this function to a subcommittee if it so determines. It may appoint any member(s) of the CMT and a nominee of the Committee on Ministries Resourcing to any such subcommittee, in addition to any of its own members, as the Faculty deems expedient.
3. Communicant members of the Church studying full time at QTC may be granted a FES placement by the Faculty when the Faculty believes that it is in the best interest of the student and the relevant Presbyterian congregation (or ministry) for the student to serve as a FES appointee.
4. Payment of the allowance shall be made by Church Office and shall ordinarily be recovered from Congregations or Ministries in which they shall be placed. When the Committee for Ministries Training believes that it is beneficial for a probationary student, candidate for the ministry or member of the Church to

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serve in a Congregation or Ministry from which their Field Education Scheme Allowance is not partly or fully recoverable, the Committee on Ministries Training, with the concurrence of the Finance and Administration Board, may recover the payment of the allowance in part or in full from the St Andrew’s Mission Fund. When a probationary student, candidate for the ministry or communicant member of the Church undertakes a summer field placement within a Charge other than their approved placement for the calendar year, that payment for the field placement is to be recovered from the Charge where the summer placement is undertaken.

5. The allowance shall not be granted to probationary students, candidates for the ministry or communicant members of the Church serving the Committee on Ministry Resourcing or serving as a private appointment.

6. The allowance shall be paid monthly for the months of February to December during the year, and consists of two parts:
   a. Travel – 25% of the Minister’s monthly urban/provincial Charge travel allowance.
   b. Field Education – 17.5% of the Minister’s monthly Zone Urban cash stipend + EPFB (manse provided).

(BB 2013 Min. 71.7)

7. The Faculty may determine that, for the month of December, a probationary student, Candidate for the Ministry or communicant member may undertake a Field Education placement for more than ten hours per week. In those circumstances, the probationary student, Candidate for the Ministry or communicant member shall be paid, pro rata, the minimum stipend for a Accredited Ministry Worker as determined by the Stipends Commission.

The Faculty may also determine that a Field Education placement which would ordinarily be served in December may be served in January of the following year. However, should such a determination be made, the probationary student, Candidate for the Ministry or communicant member shall be paid on the same terms as if the Field Education placement was served in December of the preceding year.

(COA Minute 13/99)

(H) TRIALS FOR LICENCE
Rule 6.3(b) of the Church outlines the purpose, scope and making of arrangements for Trials for Licence, and indicates that the minimum requirements which may be set by a Presbytery for the Trials shall be defined by a Regulation of the Church. The Presbytery will prescribe as minimum requirements the following Trials for Licence over a student’s course of training in the Queensland Theological College or

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its successor, as follows:

(i) As part of the report from Faculty outlined in Rule 6.1(h), the Presbytery will receive a copy of the FES supervisor's report from their student placement.

(ii) During each of the first three years of the student's candidacy, members of Presbytery will observe the Candidate either (a) pastor an individual; or (b) lead a small group; or (c) lead public worship and preach; this shall be arranged such that at the end of three years (or equivalent) all three of areas (a), (b) and (c) will have been assessed. Where the candidate has an FES appointment in another Presbytery, the student's Presbytery may arrange for the other Presbytery to conduct (a) and (b) on their behalf. In their second and third year, the Candidate will also provide a work of exegesis on the passage used in that teaching context to assist in evaluating how he has worked from exegesis to pastoring and teaching, with reference to the doctrinal position of the Church.

(iii) In his fourth year of candidacy, members of Presbytery will observe the Candidate lead public worship and preach.

(iv) Each year of the student's candidacy, Presbytery will select one of the essays submitted by the student to the QTC (recommended units being systematic theology, ethics and those regarding pastoral theology and skills) and request a copy of the essay from the student, accompanied by a reflection (typically 1,000 words) applying the essay to practical issues in the life of the Church with reference to the Westminster Confession of Faith.
Ministry Resourcing Responsibility

1. Responsibilities of the Committee shall include the following:
   (a) while spiritual oversight of Congregations and Charges remains within the jurisdiction of the Presbytery and Session, the Committee will be responsible together with them, to extend the Church's mission and to maintain a ministry within the State;
   (b) to assist Congregations and Presbyteries in the planting and nurturing of Congregations;
   (c) to assist the Assembly and its various Committees and Bodies in their work;
   (d) to assist Presbyteries in their work;
   (e) to assist Congregations and Charges in their work;
   (f) to have, together with other appointing authorities where applicable, a general pastoral oversight over Accredited Ministry Workers serving in their various appointments;
   (g) to undertake, in conjunction with Presbyteries:
      (i) a constant survey of the need for Presbyterian Inland Mission patrols, and attend to all Presbyterian Inland Mission activities within the State required by the GAA Committee on the Presbyterian Inland Mission;
      (ii) to assist in raising funds for and publicising the work of this mission.

Specific Functions

2. The functions of the Committee shall include the following:-

   Subsidies
   (a) Liaising with all appropriate congregational office bearers, Presbyteries and the Finance and Administration Board in assessing the subsidy levels requested by the various Congregations and thereafter granting an appropriate subsidy;

   Accredited Ministry Workers
   (b) Accept for appointment, suitable applicants as accredited Ministry Workers. In the appointment of an accredited ministry worker, the Committee shall act in a consultative way with Assembly Committees and Bodies, Presbyteries and Sessions wherever possible, recognising that such consultations appropriately can take place through the Director and those appointed to represent the appointing authority;
Exit Appointments
(c) Consult with final year students for the ministry, Assembly Committees and Bodies, Presbyteries, Congregations and other bodies approved by the Committee in relation to exit appointments and to make such appointments, in accordance with the terms of Rule 6.5 (b);

Chaplains to Institutions
(d) To make provision for visitation to hospitals, correctional centers and similar institutions and industries, and make recommendations to the Assembly for appointments necessary to fulfill these obligations;

Chaplains to Defence Forces
(e) Be responsible to carry out any directions or supervision required by the Defence Forces Chaplaincy Committee in relation to Chaplains serving within the State;

Administration of Funds
(f) Administer the Ministry Support Fund, and Ministry Resourcing Ministry Personnel Fund;

Supply in Vacant Charges
(g) Co-operate with Presbyteries and Sessions in arranging supply in vacant Calling Charges and in providing information covering Ministers and Licentiates available for call;

Field Appointments
(h) Consult with the Committee on Ministries Training in relation to student field appointments;

Administration of Committee
3. The administration of the Committee will be supervised by the Convener, together with such staff as the Assembly may from time to time appoint, and the Committee may appoint an Honorary Secretary;

Regulations for Home Missionaries
4. The Committee shall observe the following general regulations in relation to the selection and appointment of Home Missionaries, in consultation with Committees, Sessions and Presbyteries concerned:

Home Missionaries:
A Home Missionary is an accredited ministry worker who undertakes a general pastoral ministry within an Appointment or Calling Charge similar to the general pastoral ministry undertaken by a Minister or Licentiate.
**Preliminary Requirements**

(a) Must be Communicants of the Presbyterian Church, be medically fit, have approved attainments, gifts and character (such being declared by recommendations from an applicant's Minister, Session and Presbytery), and satisfactorily complete the required entrance examination for a Home Missionary;

**Probation**

(b) Will be placed on probation for three months, after which the Home Missionary will be 'enrolled' as a permanent employee. However, the Committee may extend the probationary period for up to a further three months;

**Supervising Authority**

(c) Will be required to undertake the responsibilities as set forth in their employment agreement, co-operate, consult and work with all supervisory authorities, keep adequate records where and when required by the supervisory authority and when and where required by the Committee on Ministry Resourcing;

**Annual and Study Leave**

(d) Will be entitled to Annual, Study, Long Service and Sick Leave as set out in the Regulations of the Church; (COA Minute 13/140)

**Superannuation Fund**

(e) Upon appointment shall be required to join the Superannuation Fund unless the Superannuation Fund Committee of the Finance and Administration Board is prepared to waive such a requirement under special circumstances;

**Meetings**

(f) Upon appointment may be invited to attend meetings of the Session and Committee of Management, but no Home Missionary shall accept any executive office in either the Committee of Management or Session;

**Appointments and Resignations**

(g) Appointments may be cancelled subject to one month's notice or salary in lieu thereof and if a Home Missionary resigns the Presbytery and the Committee will require one month's notice and will not be responsible for his removal expenses from the place of appointment;

**Complaints**

(h) Upon appointment, shall have the right, if they feel aggrieved, to state their case to the Committee, and any complaints against Home Missionaries must be submitted to the Committee through the appointing authority. A Home Missionary shall have the right of appeal to the State Regulations – page 63
Assembly from the decision of the Committee providing that it is in relation to a complaint against the Home Missionary. In other matters the Courts of the Church are open to the Home Missionary as a Communicant;

**Administering Sacraments**

(i) May be authorised by the Committee on Ministry Resourcing to administer the Sacraments, but only in accordance with the resolution of the General Assembly of Australia;

**In-Service Training Course**

(j) Shall attend an in-service training conference from time to time at the direction of the Committee, at which Biblical, theological and applied subjects will be taught;

**Study Course**

(k) When required by the Committee shall undertake, during the first two years of employment (including the probationary period), a set study course which shall include doctrine, administration and polity, reformation history and doctrine, and other subjects as prescribed from time to time by the Director;

**Honorary and/or Part-Time**

(l) May be honorary and/or part-time provided that:
   (i) a recommendation from the relevant Minister, Presbytery and Session is forthcoming;
   (ii) the normal procedure for appointment is followed;
   (iii) the entrance examinations for a Home Missionary, unless waived, are completed; and
   (iv) a modified form of agreement is signed.

**Service of Introduction**

(m) When a Home Missionary is first appointed or reappointed to another work, there shall be a Service of Introduction conducted by the Presbytery, on behalf of the Committee, at which the Home Missionary shall testify to his faith and affirm his adherence to the doctrines and practices of the Church by answering in the affirmative the following questions:
   (i) Do you confess anew your faith in God as your Heavenly Father, in Jesus Christ as your Saviour and Lord, and in the Holy Spirit as your Sanctifier?
   (ii) Do you profess your faith in the Gospel of the love and grace of God, wherein through Jesus Christ His only Son our Lord, He...
freely offers to all men forgiveness and eternal life, and calls them into the fellowship and service of His Kingdom?

(iii) 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?

(iv) Do you own and accept the Westminster Confession of Faith, read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith?

(v) Are the glory of Almighty God, love to the Lord Jesus Christ, and an earnest desire to see men and women of all ages come to a saving faith in Christ, your chief reasons for accepting the position of Home Missionary within the Presbyterian Church of Queensland?

(vi) Do you engage in the strength of the Lord Jesus Christ to lead a life worthy of your office, to discharge with integrity and cheerfulness the duties entrusted to you to seek furtherance of the Kingdom of God?

(vii) Will you, by God's grace, carry out all lawful instructions issued directly by the courts of the Church, and by the Committee on Ministry Resourcing of the Assembly of the Presbyterian Church of Queensland, or through their delegated officers?

(viii) All these things you profess and promise, through grace as you would answer to your Lord, and enter into His eternal glory?

after which the Moderator shall charge the Home Missionary to be faithful in his tasks and shall offer prayer setting the Home Missionary apart for the sphere of service and commending the Home Missionary to the grace of God.

Regulations for Specialised Ministry Workers

5. The Committee shall observe the following general regulations in relation to the selection and appointment of Specialised Ministry Workers, in consultation with Committees, Sessions and Presbyteries concerned:

Specialised Ministry Workers:

A Specialised Ministry Worker is an accredited ministry worker who undertakes a designated specialised pastoral ministry within a Charge or other sphere of ministry for which the person is specifically gifted and appointed. The nature of their specialised pastoral ministry is similar to that of a
specialised pastoral ministry undertaken by a Minister, Licentiate or Deaconess. A Specialised Ministry Worker will be referred to using a title associated with their specialised ministry. These titles may include Children's Worker; Youth Worker; Young Adults Worker; Pastoral Worker; Evangelistic Worker and Aged Worker.

**Preliminary Requirements**

(a) Must be Communicants of the Presbyterian Church, be medically fit, have approved attainments, gifts and character (such being declared by recommendations from the applicant's Minister and Session and a Presbytery), and satisfactorily complete the required entrance examinations for a Specialised Ministry Worker;

**Probation**

(b) Will be placed on probation for three months, after which the Specialised Ministry Worker will be 'enrolled' as a permanent employee. However, the Committee may extend the probationary period for up to a further three months;

**Supervising Authority**

(c) Will be required to undertake the responsibilities as set forth in their employment agreement, co-operate, consult and work with all supervisory authorities, keep adequate records where and when required by the supervisory authority and when and where required by the Committee on Ministry Resourcing;

**Annual and Study Leave**

(d) Will be entitled to Annual, Study, Long Service and Sick Leave as set out in the Regulations of the Church; (COA Minute 13/140)

**Superannuation Fund**

(e) Upon appointment shall be required to join the Superannuation Fund unless the Superannuation Fund Committee of the Finance and Administration Board is prepared to waive such a requirement under special circumstances;

**Meetings**

(f) Upon appointment may be invited to attend meetings of the Session and Committee of Management, but no Specialised Ministry Worker shall accept any executive office in either the Committee of Management or Session;

**Appointments and Resignations**

(g) Appointments may be cancelled subject to one month's notice or salary in lieu thereof and if a Specialised Ministry Worker resigns the appointing authority and the Committee will require one month's notice
and will not be responsible for their removal expenses from the place of appointment;

Complaints

(h) Upon appointment, shall have the right, if they feel aggrieved, to state their case to the Committee, and any complaints against Specialised Ministry Workers must be submitted to the Committee through the appointing authority. A Specialised Ministry Worker shall have the right of appeal to the State Assembly from the decision of the Committee providing that it is in relation to a complaint against the Specialised Ministry Worker. In other matters the Courts of the Church are open to the Specialised Ministry Worker as a Communicant;

Administering Sacraments

(i) When required for their specialized ministry a Specialised Ministry Worker may be authorised by Presbyteries to administer the Sacraments, but only in accordance with the resolution of the General Assembly of Australia;

In-Service Training Course

(j) Shall attend an in-service training conference from time to time at the direction of the Committee, at which subjects will be taught that apply to their status as an Accredited and Specialised Ministry Worker.

Study Course

(k) When required by the Committee shall undertake, during the first two years of employment (including the probationary period), a set study course which shall include subjects relevant to their status and role as an Accredited and Specialised Ministry Worker.

Honorary and/or Part-Time

(l) May be honorary and/or part-time provided that:
   (i) a recommendation from the relevant Minister, Session and a Presbytery is forthcoming;
   (ii) the normal procedure for appointment is followed;
   (iii) the entrance examinations for a Specialised Ministry Worker, unless waived, are completed; and
   (iv) a modified form of agreement is signed.

Service of Introduction

(m) When a Specialised Ministry Worker is first appointed or reappointed to another work, there shall be a Service of Introduction conducted by the appointing authority, on behalf of the Committee, at which the Specialised Ministry Worker shall testify to their faith and affirm their
adherence to the doctrines and practices of the Church by answering in the affirmative the following questions:

(i) Do you confess anew your faith in God as your Heavenly Father, in Jesus Christ as your Saviour and Lord, and in the Holy Spirit as your Sanctifier?

(ii) Do you profess your faith in the Gospel of the love and grace of God, wherein through Jesus Christ His only Son our Lord, He freely offers to all men forgiveness and eternal life, and calls them into the fellowship and service of His Kingdom?

(iii) 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?

(iv) Do you own and accept the Westminster Confession of Faith, read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July, 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith?

(v) Are the glory of Almighty God, love to the Lord Jesus Christ, and an earnest desire to see people come to a saving faith in Christ, your chief reasons for accepting the position of Specialised Ministry Worker within the Presbyterian Church of Queensland?

(vi) Do you engage in the strength of the Lord Jesus Christ to lead a life worthy of your office, to discharge with integrity and cheerfulness the duties entrusted to you to seek furtherance of the Kingdom of God?

(vii) Will you, by God's grace, carry out all lawful instructions issued directly by your supervising authorities, and by the Committee on Ministry Resourcing of the Assembly of the Presbyterian Church of Queensland, or through their delegated officers?

(viii) All these things you profess and promise, through grace as you would answer to your Lord, and enter into His eternal glory? after which the Specialised Ministry Worker shall be charged to be faithful in their tasks and a prayer shall be offered, setting the Specialised Ministry Worker apart for their specified sphere of service and commending the Specialised Ministry Worker to the grace of God.
Regulations for Other Ministry Workers

6. The Committee shall observe the following general regulations in relation to the selection and appointment of Other Ministry Workers, in consultation with Committees, Sessions and Presbyteries concerned:

Other Ministry Workers:
An Other Ministry Worker is an accredited ministry worker who undertakes a ministry, specialised but not of a pastoral nature, within a Charge or other sphere of ministry for which the person is specifically gifted and appointed. Other Ministry Workers will be referred to using a title associated with their specialised ministry. These titles could include Administrative Worker.

Preliminary Requirements
(a) Must be Communicants or Adherents of the Presbyterian Church, be medically fit (COA 13/40), have approved attainments, gifts and character (such being declared by recommendations from the applicant's Minister and Session and a Presbytery), and satisfactorily complete the required entrance examinations for Other Ministry Workers;

Probation
(b) Will be placed on probation for three months, after which the Other Ministry Worker will be 'enrolled' as a permanent employee. However, the Committee may extend the probationary period for up to a further three months;

Supervising Authority
(c) Will be required to undertake the responsibilities as set forth in their employment agreement, co-operate, consult and work with all supervisory authorities, keep adequate records where and when required by the supervisory authority and when and where required by the Committee on Ministry Resourcing;

Annual and Study Leave
(d) Will be entitled to Annual, Study, Long Service and Sick Leave as set out in the Regulations of the Church; (COA Minute 13/140)

Superannuation Fund
(e) Upon appointment shall be required to join the Superannuation Fund unless the Superannuation Fund Committee of the Finance and Administration Board is prepared to waive such a requirement under special circumstances;

Meetings
(f) Upon appointment may be invited to attend meetings of the Session and Committee of Management and may accept any executive office in either the Committee of Management or Session;
**Appointments and Resignations**

(g) Appointments may be cancelled subject to one month’s notice or salary in lieu thereof and if an Other Ministry Worker resigns the appointing authority and the Committee will require one month’s notice and will not be responsible for his removal expenses from the place of appointment;

**Complaints**

(h) Upon appointment, shall have the right, if they feel aggrieved, to state their case to the Committee, and any complaints against Other Ministry Workers must be submitted to the Committee through the appointing authority. An Other Ministry Worker shall have the right of appeal to the State Assembly from the decision of the Committee providing that it is in relation to a complaint against the Other Ministry Worker. In other matters the Courts of the Church are open to the Other Ministry Worker as a Communicant;

**In-Service Training Course**

(i) Shall attend an in-service training conference from time to time at the direction of the Committee, at which subjects will be taught that apply to their status and role as an Accredited and Other Ministry Worker.

**Honorary and/or Part-Time**

(j) May be honorary and/or part-time provided that:

(i) a recommendation from the relevant Minister, Session and a Presbytery is forthcoming;

(ii) the normal procedure for appointment is followed;

(iii) the entrance examinations for an Other Ministry Worker, unless waived, are completed; and

(iv) a modified form of agreement is signed.

**Local Committee Finances**

7. Committees of Management, Presbyteries and Assembly Committees and other supervising bodies shall ensure that the amount to be contributed to the stipend of the accredited ministry worker is a first charge on their finances.

**Terms of Settlement**

8. All Ministry Support Fund Schedules shall be approved by the Committee including all proposals for terms of settlement and appointment; the Committee shall also approve any variation of terms of settlement or appointment and all appointments under Rule 4.28 shall be subject to the approval of the Committee.
Ministers of Other Denominations

9. The Presbytery, in consultation with the Committee, may appoint a Minister of another denomination who has applied to the General Assembly of Australia to be accepted as a Minister of the Presbyterian Church of Australia, as temporary supply.

Salaries and Allowances

10. The Committee and all appointing authorities shall observe all directions of the Stipends Commission in relation to salaries, travelling expenses and manse allowances for Accredited Ministry Workers. Charges and appointing authorities shall ensure that Accredited Ministry Workers are provided with adequate accommodation in light of their appointment and family circumstances.

Insurance and Removal

11. On transferring an Accredited Ministry Worker, the Committee shall ensure that their furniture is insured during transit, and shall ensure adequate travel arrangement for the Accredited Ministry Worker and their family to their new appointment.

Deaconesses

12. The Committee shall be responsible for the appointment and general supervision of Deaconesses on completion of training. The following general regulations will apply to applicants for and appointees to deaconess service:

   Applicants
   (a) Applicants shall be Communicants of the Presbyterian Church and shall apply to the Committee for appointment. Appointments shall be made by Presbyteries or Assembly Committees where appropriate, in consultation with the Committee on Ministry Resourcing after the Committee on Ministry Resourcing has received the necessary advice from the relevant Presbytery concerning the completion of her training and her commissioning as required by the rules of the Church.

   Terms of Appointment
   (b) Salary and allowances will be those determined by the Stipends Commission, and a Deaconess shall be entitled to four weeks’ annual holiday, including four Sundays.

   Appointment and Transfer
   (c) Appointments shall be made by Presbyteries or Assembly Committees where appropriate in consultation with the Committee.
Resignation
(d) A Deaconess retiring from her work resigns to the appointing Presbytery or Assembly Committee and the Committee on Ministry Resourcing. One month's notice of intention to resign to all parties shall be required.

Supervision
(e) Deaconesses serving with a Congregation are under the spiritual jurisdiction of the Presbytery but work under the local Session, and shall confer with them as required. They shall submit quarterly reports in writing to the Presbytery and Committee. If employed by an Assembly Committee, the Deaconess shall report as required to that Committee and the Committee on Ministry Resourcing.

Grievances
(f) Grievances against a Deaconess shall be submitted in writing through the Presbytery or employing Committee, to the Committee on Ministry Resourcing. If a Deaconess feels aggrieved against any action of the Committee, she has the right to state her case to the Committee, either by letter or in person, and shall have the right of appeal from its decision to the State Assembly.

Leave of Absence
(g) A Deaconess may be granted leave of absence, including extended leave, without ceasing to be a Deaconess. However, a person shall not be eligible to hold a position as a Deaconess without the approval of her Commissioning Presbytery and the Committee.

Relation to Presbytery and Session
(h) Deaconesses may be invited by Presbytery to attend meetings of Presbytery, and while not entitled to a seat on the Session, may be consulted by the Session in relation to matters dealing with her work. Similarly, while a Committee of Management has no jurisdiction over a Deaconess, she may be consulted by such a Committee for special purposes.

Accommodation
(i) Charges and appointing authorities shall ensure that Deaconesses are provided with adequate accommodation in light of their appointment and family circumstances.

Dual Membership
13. Dual membership shall be available for members of the Presbyterian Church of Australia within the State of Queensland who are serving as full-time workers within an agency other than the Church within the State of...
Queensland. The Committee on Ministry Resourcing shall keep a Register of Agencies approved by it and a Directory of Full-Time Workers serving with such approved agencies, provided that both the agency and the work concur with the agreement below.

CO-OPERATIVE AGREEMENT BETWEEN QUEENSLAND PRESBYTERIAN COMMITTEE ON MINISTRY RESOURCING AND AN INDEPENDENT AGENCY FOR THE SUPPORT AND ACTIVITIES OF A MISSIONARY WHO IS IN MEMBERSHIP WITH THE PRESBYTERIAN CHURCH OF AUSTRALIA.

(1) The Missionary shall have dual membership status with both the Presbyterian Church of Australia and the (a).

(2) The appointment of the Missionary shall be subject to the approval of both agencies in accordance with the standards established by each agency.

(3) In the event that either agency requests confidential materials gathered by the other, such materials shall be shared, providing that any worker personally concerned agrees to the sharing and providing such materials shall be kept confidential at all times.

(4) The candidates shall participate in the full candidate and training programme of (a).

(5) At the appropriate time the candidate shall be allowed to itinerate and do deputation work in order that adequate prayer and financial support may be realised. The co-operation of the appropriate authority within the Presbyterian Church should be sought when representation to Presbyterian churches is planned.

(6) Prior to his or her commencement of service, the worker's home church and/or the Presbytery in which that church is located, in co-operation with (a) and (where appropriate) a supporting church which wishes to be involved, should arrange a Service of Commission to be held in a place mutually decided upon.

(7) The finances in relation to the employment of the worker shall be under the control of (a).
(8) The worker shall have liberty in the full and free presentation of the Gospel as contained in and understood in the Reformed view. The manner of this presentation shall be subject to the field policies of (a) who is the directing agency in relation to the worker's activities in the sphere of service in which the agency is engaged.

(9) Final discipline as relates to faith and conduct of the worker rests in the proper Church Court of the Presbyterian Church of Australia. However, discipline by either agency may not commit the other agency to the same action.

(10) While serving with the agency, the worker shall be an integral part of the staff sharing equally in privileges and responsibilities as any other member and being subject to the policies and direction of (a).

(11) The worker shall not solicit constituencies of either agency for personal funds or field needs without the permission of the respective agency. Any appreciable funds realised in this manner must be made known to both agencies.

(12) There shall be no restriction or objection on the part of either party to this agreement in respect of gifts of a strictly personal nature, eg birthday, Christmas, or similar gifts, irrespective of the source of the gifts.

(13) The financial relationship of the worker with (a) shall be the same as that for all other members of (a) including any assessment and support quotas.

(14) Either party may terminate this agreement as regards a particular worker after consultation with the other party. In this event it would be expected that the worker's needs and the work would be fully considered and that, if possible, a mutual agreement as to the further relationship of each body with the Missionary would be arrived at.

(a) - Here insert the name of the agency.

BB 2013 Min. 107.12
REGULATION 161
COMMITTEE ON MINISTRY RESOURCING
MINISTRY (PERSONNEL) FUND

Purpose of Fund
1. This Fund is made up of the previous Sustentation Aid Fund, Supply Subsidy Fund and the Church Planting Fund Reserve within the St Andrew’s Mission Fund:
   (i) The Fund is to ensure that all Ministers are paid a minimum stipend as declared by the Stipends Commission from time to time and in accordance with their appointments. The Fund has a particular responsibility to ensure that under normal circumstances minimum stipends will be paid to Ordained Ministers serving in Calling Charges.
   (ii) The Fund may be used to support appointments in Appointment Charges and appointments in Calling Charges when the Appointee is not called but appointed to the position, and any other form of ministry which the Committee on Ministry Resourcing deems to be productive for the ongoing life of the Church.
   (iii) The Fund shall also be used to support the planting of new churches.

2. Administration
The Fund shall be administered by the Committee on Ministry Resourcing or any Committee which the Assembly appoints to replace the Committee.

Salary Zones
3. Minimum stipend payments and the relevant zones shall always be as determined by the Stipends Commission.

Composition of Fund
4. The Fund shall be maintained by:
   (i) Assessments on Charges, both Calling and Appointment, by a percentage of stipend determined by the Assembly. The Assembly shall make its determination of assessment levels based on recommendations brought before it by the Finance and Administration Board after that Board has consulted with, and received advice from, the Ministry Resourcing Committee.
(ii) Grants from whatever source, or specific donations made payable to the Fund, including monies left to the Fund through bequests, etc.

(iii) Interest which will accrue from time to time from the capital within the Fund.

Aid Provision

5. (a) The Fund shall be used:

(i) Upon a Presbytery recommendation in terms of Rule 1.23 (c):
The Fund shall be authorised to pay up to 20% of the regional minimum stipend and such aid shall be reduced annually by at least 1/5 of the first year aid over a five year period unless otherwise determined by the Committee on Ministry Resourcing in consultation with the Presbytery of the bounds.

(ii) For Appointment Charges and appointments in Calling Charges, or within a framework of team ministries: At the discretion of the Committee on Ministry Resourcing but only after recommendations have been received from the relevant Presbytery.

(iii) For the planting, renewal or resourcing of Charges: At the discretion of the Committee on Ministry Resourcing after consultation with and a recommendation from the relevant Presbytery.

(iv) For special purposes outside of clauses (i) to (iii), but only after the Commission of Assembly has approved a submission from the Committee on Ministry Resourcing.

(b) In granting of funds, reserve funds must be declared to the Committee on Ministry Resourcing when aid is being sought and the Committee may declare that such reserves shall be drawn upon prior to the release of aid to the Charge

Ministry Support Fund Schedule

6. A Ministry Support Fund Schedule, showing the estimated revenue and expenditure of the Charge, and the financial proposals in relation to the maintenance of the ministry under consideration, must be approved by a congregational meeting, by the relevant Presbytery, and by the Committee on Ministry Resourcing before a Charge may proceed to a call or an appointment, or any other special appointment can be made.
Supplementing the Minister's Income

7. Charges or works which in any way or form receive aid from the Fund are not permitted to supplement the Minister’s income without the concurrence of the Committee on Ministry Resourcing. All extraordinary expenditure beyond that required for the normal running expenses for a Charge or work subsidized in accordance with Regulation 161.1 (i) must be submitted through the Presbytery to the Committee on Ministry Resourcing for approval before such funds are expended.

(BB 2013 Min. 107.14)

Assessments during Vacancies

8. Assessments shall continue to be made during any vacancy in a Calling Charge or an Appointment Charge or to any other denominationally recognized position which has not been dissolved.

Annual Financial Statement

9. Every Charge or work which receives aid from the Fund must furnish an annual audited statement to the Committee on Ministry Resourcing by 31 March following the year in which aid is received; if such audited financial statement is not received, aid shall be automatically discontinued by the Committee on Ministry Resourcing. The Director of Ministry Resourcing shall report on the statements to the Committee on Ministry Resourcing.

Applications

10. Any Charge seeking funding from this Fund shall apply to the Committee on Ministry Resourcing, such application being sent in the first instance from the Committee of Management and Session and shall require the approval of the Presbytery of the bounds. Applications for any other works which may be funded from this Fund shall be made in the first instance from the specific body involved in the work and shall require the approval of the relevant Presbytery.

(BB 2011 Min 115)
REGULATION 162
COMMITTEE ON MINISTRY RESOURCING
MINISTRY (PROPERTY) FUND

Purpose of Fund
1. This Fund shall be used in two areas:
   (i) Land banking by which the Committee, following the normal protocols approved within the Code, shall seek to acquire land for future church development. This purpose of the Fund shall be pursued, particularly in terms of co-operation with the Property Board.
   (ii) General use of funds may be applied to loans to any Charge requiring property for church extension work or other purposes that the Committee may deem potentially productive for church extension work, provided that any loan which may be granted shall have the approval of the Finance and Administration Board.

Administration
2. The Fund shall be administered by the Committee on Ministry Resourcing; however the Committee shall follow any protocols in relation to funds as presented in the Code of the Church.

Composition of Fund
3. The capital and interest in the Fund shall consist of:
   (i) Funds acquired specifically for the previous Home Missions Committee Church Extension Fund since the 1 July 1977 and now rolled over into this Fund.
   (ii) Funds acquired from the sale of land where the previous Home Missions Committee was the administering body.
   (iii) Funds provided by an assessment on assessable income as approved annually by the Assembly upon recommendation of the Finance and Administration Board after consultation with the Committee on Ministry Resourcing.
   (iv) Funds designated out of the sale of land at Alexandra Headland.
   (v) Donations, gifts or bequests received for the Fund from time to time.

Acquisition of Land
4. In the acquisition of land, the Committee on Ministry Resourcing shall consult with the Church’s Property Board and the relevant Presbytery.
Applications

5. Any Charge seeking funding from this Fund shall apply to the Committee on Ministry Resourcing, such application being sent in the first instance from the Committee of Management and Session and shall require the approval of the Presbytery of the bounds. Applications for any other works which may be funded from this Fund shall be made in the first instance from the specific body involved in the work and shall require the approval of the relevant Presbytery.

(BB 2011 Min 115)
REGULATION 165
COMMITTEE ON MINISTRY RESOURCING
MINISTRY TRAINING NETWORK

(a) Ministry Training Network (MTN)
There shall be a scheme for the training of men and women over the age of 18 years who are seriously considering future theological training or Accredited Ministry Worker service, the funding of which shall be sourced equally from the Training Charge and the Presbyterian Church of Queensland through the Committee on Ministry Resourcing.

(b) Trainees
Trainees must be Communicants of the Presbyterian congregation in which their training will be conducted, be medically fit, come with letters of recommendation from (i) the Minister who proposes to conduct the training and (ii) the Session of the affected Charge, and shall sign the Ministry Traineeship Agreement before appointment.

(c) Minister/Trainer
A Minister who proposes to oversee a Ministry Training Network Trainee shall first meet with the Regional Ministry Training Network Co-ordinator to ensure that he is suitably prepared to take on the role of the trainer. Upon receiving a satisfactory report and the concurrence of the Director of Ministry Resourcing, the Regional Ministry Training Network Co-ordinator may encourage the Minister to proceed to an appointment.

(d) Regional Ministry Training Network Co-ordinator
A Regional Ministry Training Network Co-ordinator shall be appointed for each Ministry Training Network Region by the Committee on Ministry Resourcing in consultation with the Presbyteries of each region to carry out the various responsibilities assigned to him under this regulation.

(e) Ministry Training Network Regions
There shall be Ministry Training Network Regions defined as follows:-
(i) South East Region consisting of the Presbyteries of Brisbane, Moreton, Mowbray and Wide Bay Sunshine Coast.
(ii) Central Region consisting of the Presbytery of Central Queensland.
(iii) Northern Region consisting of the Presbytery of North Queensland.
(iv) Western Region consisting of the Presbytery of Darling Downs.
(f) **Appointment Process**

Ministry Training Network Appointments shall be made by the Committee on Ministry Resourcing, on the recommendation of the Director and the Minister and Session of the training church. When the Minister and Session of a Charge identify a candidate suitable for training under the Ministry Training Network scheme, they shall take the following steps:

(i) The Minister shall invite the potential trainee to be interviewed by Session, to gain Session approval for (a) the creation of a Ministry Training Network traineeship and (b) the proposed trainee.

(ii) The Session, in consultation with the Committee of Management, shall seek approval for the provision of the necessary congregational funds for the proposed traineeship.

(iii) The Minister shall contact the regional Ministry Training Network Co-ordinator, who will arrange to meet with the Trainer and proposed trainee and assist in preparing a co-funding application to be forwarded to the Committee on Ministry Resourcing.

(g) **Funding Approvals**

Ministry Training Network funding applications are approved by the Committee on Ministry Resourcing on the recommendation of the Director in consultation with the Regional Co-ordinator.

(h) **Term of Appointment**

A Ministry Trainee appointment is ordinarily for a period of 24 months. The initial appointment shall be for a period of 12 months and may be extended for a further 12 months upon recommendation from the Trainer and the Session. Upon receiving a satisfactory progress report from the Trainer, Session, the Regional Co-ordinator and Director of Ministry Resourcing, the Committee on Ministry Resourcing may give its approval to the continued funding of the relevant traineeship.

(i) **Supervising Authority**

Ministry Trainees will come under the direct supervision of the Trainer and under the general supervision of the Session of the relevant Charge. The Trainer will assign all ministry training duties and will report regularly to the Session on the Trainee’s progress.
(j) **Ministry Training Network Conference/Seminar**
Trainees shall attend Ministry Training Network seminars and conferences and complete coursework as directed by the Director of Ministry Resourcing through the Trainer.

(k) **Meetings**
Upon appointment a Ministry Trainee may be invited to attend meetings of the Session and Committee of Management, but no Ministry Trainee shall accept any office in either the Committee of Management or the Kirk Session.

(l) **Stipend**
The Ministry Trainee shall receive a Ministry Trainee stipend as determined from time to time by the Stipends Commission. The Treasurer of the Charge's Committee of Management shall remit monthly the stipend as required.

(m) **Self-Supporting**
A Ministry Trainee may be self-supporting, and not receive a Ministry Trainee stipend, provided that the normal appointment procedure is followed and a modified form of agreement is signed.

(n) **Holidays**
Will be entitled to four weeks' holiday per annum, including four Sundays.

(o) **Superannuation Fund**
Upon appointment shall be required to join the Superannuation Fund.

(p) **Appointments and Resignations**
Appointments may be terminated subject to one month's notice or stipend in lieu thereof. A Ministry Trainee tenders their resignation through the Director of Ministry Resourcing to the Committee on Ministry Resourcing. Ministry Trainees may be dismissed forthwith for serious misconduct.

(q) **Complaints**
Upon appointment, Trainees shall have the right, if they feel aggrieved, to state their case to the Committee on Ministry Resourcing, and any complaints against Trainees must be submitted to the Committee on Ministry Resourcing through the Session, or the Presbytery. A Trainee shall have the right of appeal to the State Assembly from the decision of the Committee on Ministry Resourcing providing that it is in relation to a complaint against the Trainee. In other matters the Courts of the Church are open to the Trainee as a Communicant.
REGULATION 170
COMMITTEE ON OUTREACH AND NURTURE

1. **Functions**
The functions of the Committee are
(a) to be a resource and support body in matters of Christian education, evangelism, discipleship, stewardship and like ministries and programs directed towards building a healthy Church. This function is chiefly carried on by Presbyterian Christian Education (henceforth known as PCE).
(b) to give advice on or consult in matters under its responsibility.
(c) to provide, through PCE, a variety of camps, programs and ministries designed to meet the needs of the Church in the areas under the Committee’s jurisdiction.
(d) to make recommendations to the Assembly in matters relating to youth, children’s groups and clubs (including Sunday Schools), religious education in State schools, evangelistic programs and strategies, stewardship education and any other ministries or matters within the Committee’s jurisdiction.
(e) to operate campsites as determined by the State Assembly or Property Board. Where the Assembly has determined that a particular campsite shall be administered through a local sub-committee, the sub-committee shall be appointed by the Outreach and Nurture Committee and shall be accountable and subject to the Outreach and Nurture Committee in every respect.
(f) in consultation with the Finance and Administration Board, to be responsible for the appropriate usage of any funds or resources apportioned to it by the Assembly.

2. **Members of Committee**
The Committee on Outreach and Nurture is a Standing Committee consisting of a Convener, the members ex-officio (the Moderator, the Clerks, the Treasurer, and the Director of Christian Education), members appointed by the Presbyteries and numbers decided by the Assembly from time to time, comprising Ministers, Elders and Communicants of the Church. The members and the Convener are appointed by the General Assembly of the Presbyterian Church of Queensland. The Director of Christian Education, hereinafter in this regulation referred to as “the Director”, shall be a member of the Executive which shall be appointed in terms of Rule 5.32. An Assistant to the Director of Christian Education
may be a member of the Committee if duly nominated by resolution of the Standing Committee and elected by the Assembly.

3. **Presbyterian Christian Education**
   Presbyterian Christian Education consists of the Director together with appointees appointed under Regulation 170 (5) (d) and (e).

4. **Director of Christian Education**
   (a) The Director is appointed by the Assembly in terms approved by the Assembly, and shall be a Minister or Elder of the Presbyterian Church of Australia.
   (b) The position of Director may be full-time, part-time, or a conjoint position with that of another ministry within the PCQ.
   (c) The Director may undertake responsibility for Christian Education training within the Queensland Theological College or its successor.

5. **Administration**
   (a) The administration of the Committee's business shall be undertaken under the supervision of the Director.
   (b) The Director is responsible for the day-to-day operation and functions of Presbyterian Christian Education.
   (c) In the absence of the Director, the Convener or his appointee shall act for the Director.
   (d) The Committee may, subject to Assembly approval and agreed job description, appoint one or more Ministers, Licentiates, Accredited Ministry Workers or Deaconesses as a full or part-time Assistant or Assistants to the Director and who shall work under the direction of the Director.
   (e) Voluntary workers approved by the Director, but subject to the veto of the Committee, may be given specific tasks to do for PCE in the running of its ministries.
REGULATION 171
COMMITTEE ON OUTREACH AND NURTURE
MINISTRY (PERSONNEL AND PROPERTY) FUND

Preamble
1. This Fund replaces the N. F. Nelson Memorial Campsite and Camping Ministry Development Fund. The Fund shall be a memorial to the work of the Norman F. Nelson, a former Director of Christian Education in the Presbyterian Church of Queensland.

2. In setting up this Fund, the Presbyterian Church of Queensland acknowledges with gratitude to God the formative role played by the late N. F. Nelson in the development of camping activities and campsites within the Presbyterian Church of Queensland.

Administration
3. The Fund shall be administered by the Committee on Outreach and Nurture or any Committee which the Assembly appoints to replace the Committee on Outreach and Nurture.

4. The Fund shall be used in two distinct areas, namely:
   (a) the funding of activities or personnel for the Committee on Outreach and Nurture.
   (b) the funding of activities or personnel consistent with the ministry which would be otherwise be carried out by the Committee on Outreach and Nurture.

Purpose of Fund
5. The Fund shall:
   (i) Make annual grants to the Committee on Outreach and Nurture to sustain existing ministries and to develop future ministries at a denominational level.
   (ii) Make grants towards sustaining of ministry outside of the Committee on Outreach and Nurture but within the Presbyterian Church of Queensland towards personnel working with Charges or Presbyteries in general terms, and the work of Outreach and Nurture, such appointments to be always within the requirements of the Code of the Church.
(iii) Make grants and/or loans to any project approved by the Committee on Outreach and Nurture which falls within the general definition of outreach and nurture as defined by the work of that Committee.

Composition of Fund

6. The Fund shall consist of:
(i) Capital received from the sale of Alexandra Headland Caravan Park.
(ii) Interest accrued on the capital in (i).
(iii) Funds known previously as the Alexandra Headland 30% and 20% accounts.
(iv) Any donations or grants received for the Fund from time to time.

General Matters

7. The Finance and Administration Board shall ensure that adequate capital is maintained in the Fund.

8. The Finance and Administration Board shall be responsible for the day-to-day investment of any surplus funds.

Applications

9. Any Charge seeking funding from this Fund shall apply to the Committee on Outreach and Nurture, such application being sent in the first instance from the Committee of Management and Session and shall require the approval of the Presbytery of the bounds. Applications for any other works which may be funded from this Fund shall be made in the first instance from the specific body involved in the work and shall require the approval of the relevant Presbytery.

(BB 2011 Min 115)
REGULATION 180
APWM (Queensland)

Name
1. The name of the Committee shall be the APWM (Queensland).

Membership
2. The Committee is a Special Committee of the Assembly consisting of eleven (11) members including a Convener. Notwithstanding the foregoing, the Committee shall have power to add as associates, those from among our Church membership who, in its opinion, have an important contribution to make to world mission.

Functions
3. The functions of the Committee shall be:
   (a) The promotion of world mission within The Presbyterian Church of Queensland through the work of the Australian Presbyterian World Mission.
   (b) The encouragement of the participation of all church members in the task of world mission.
   (c) The financial responsibility for supporting projects and personnel as determined by the policies of the Committee on Australian Presbyterian World Mission and in accordance with the rules and practice of the General Assembly of The Presbyterian Church of Queensland.
   (d) The recruitment of missionary personnel under the general lines of policy laid down by the Committee on Australian Presbyterian World Mission, and the recommendation of such personnel to that Committee for appointment where appropriate.
   (e) The responsibility for the making of travel and furlough arrangements for Missionaries while within Queensland, this being the total arrangements in the case of Missionaries under the control of the Committee on Australian Presbyterian World Mission and by negotiation in the case of Presbyterian Missionaries working with approved mission agencies.
   (f) The responsibility for informing the Church of policies and guidelines approved by the Committee on Australian Presbyterian World Mission especially in relation to missionary recruitment, missionary support and the setting apart of Missionaries.
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GUIDELINE 201
AMALGAMATION OF CHARGES
See Rule 4.30

The Presbytery may take the following guidelines into consideration when reaching the decision to amalgamate:

1. Presbytery shall appoint a Minister and two Elders from outside the Charges to oversee the necessary meetings required.

2. A combined statement of proposed income and expenditure for the proposed amalgamated Charge shall be submitted to the Presbytery and the Committee on Ministry Resourcing for approval.

3. If the Presbytery and the Committee on Ministry Resourcing approve the proposed budget, the budget will be approved by the Congregation after the amalgamation has taken place.

4. (i) The Minister appointed shall issue an edict to the various Congregations to be read with at least 8 days’ (to include two Sundays) notice and this edict will clearly state the purpose for which the meetings are called.

   (ii) The duly called Congregational meetings may be held as a combined meeting provided the voting on amalgamation of the Charges is separately counted.

5. All Communicants and Adherents will be entitled to vote.

6. The vote will be taken by secret ballot.

7. A majority of three-quarters of Communicants and three-quarters of Adherents, present and voting, will be sufficient to declare the vote carried.

8. The Minister appointed will declare the vote, and report to the Presbytery.

9. Following the report, the Presbytery may:

   (i) Declare the existing boundaries of the Charges amalgamating to be the boundaries of the new Charge.

   (ii) Declare the name of the new Charge.

   (iii) Declare the existing Ministers as the Ministers of the new Charge.

   (iv) Name the senior colleague.

   (v) Declare a non-Ordained Minister who is already serving as an Assistant to be the Assistant in the new Charge subject to the approval of the Charge.

   (vi) Declare existing terms of Call as the terms of Call for each Minister.

   (vii) Declare all Elders from the existing Sessions to be the Session of the new Charge.

   (viii) Declare all Managers of the existing Committees of Management to be the Committee of Management for the new Charge.

   (ix) Declare all Communicants of the existing Charges as forming the Communicant Roll of the new Charge.

Guidelines – page 3
(x) Declare all Adherents of the existing Charges form the Adherents’ Roll or the new Charge.

(xi) Declare that all debts of the existing Charges shall become the responsibility of the new Charge.

(xii) Declare all liquid assets, including cash, investments, stocks and shares, of the existing Charges the responsibility of the new Committee of Management.

(xiii) Declare that all real property held by the existing Charges be held by the new Committee of Management on behalf of the Presbyterian Church of Queensland.

(xiv) Declare the date when the Charge formed by the amalgamation, shall become operative.

(xv) Arrange a service of unification.


GUIDELINES 202
ASSEMBLY APPOINTEES AND ASSEMBLY OFFICE BEARERS

(A) Assembly Officers

(i) The Moderator, Clerk, Treasurer and Deputy Clerk are the Officers of the Assembly and of these officers, all except the Deputy Clerk, are the Officers who form the Body Corporate. They are appointed in terms of Rules 5.7, 5.8, 5.10, 5.11, 5.12, 13.9, SO 8.

(ii) The Business Convener is appointed in terms of Rule 5.19.

(iii) With the exception of the Moderator, the positions of Clerk, Treasurer, Deputy Clerk and Business Convener, when vacant, shall be filled EITHER by nominations made by the Commission of Assembly meeting with its full membership (and after the position has been advertised) OR by nominations made to the Assembly.

(B) Assembly Appointees

(i) Assembly appointments shall be for a period of 5 years, and may be extended upon the recommendation of the relevant Committee, or apart from the relevant Committee, by a simple majority decision of the House. The Commission of Assembly shall not make or extend such appointments.

(ii) All proposed appointments shall include the terms of appointment for Assembly approval, and any remuneration package shall be in accord with the determination of the Stipends Commission.

(iii) (a) The Director of Christian Education, and the Director of Ministry Resourcing (or any subsequent title) shall be recommended by the Joint Committees on Ministry Resourcing and Outreach and Nurture (or their successors)

(b) Professors and/or full-time Lecturers at the Queensland Theological College (or its successor) shall be recommended by the Committee on Ministries Training (or its successor) in terms of Rule 6.6, 6.7 and 6.8

(c) The position of General Manager may be excluded from the 5 year term requirement of B (i) above; however, if the appointment is for a fixed term, the terms of appointment shall take into consideration the commercial basis of such appointment. The appointment of General Manager shall be upon the recommendation of the Finance and Administration Board.

(C) General

(i) Nominations concerning the appointments of Clerk, Deputy Clerk, Treasurer, Business Convener shall include all nominations submitted by members of the Assembly in proper form.
(ii) Additional nominations for any Assembly appointment or Assembly Officers may be made from the floor of the Assembly or by notice of motion.

(iii) Where the Assembly is required to vote in the case of there being two or more nominations, the election shall be carried out by secret preferential ballot, except where the rules of the Church lay down a specific mode of election.
GUIDELINES 203
THE BARRIER ACT 1697 AND EXPLANATION

The General Assembly, taking into consideration the Overture and Act made in the last Assembly concerning innovations, and having heard the report of the several commissioners from presbyteries to whom the consideration of the same was recommended, in order to its being more ripely advised and determined in this Assembly; and considering the frequent practice of former Assemblies of this Church, and that it will mightily conduce to the exact obedience of the Acts of Assemblies, that General Assemblies be very deliberate in making of the same, and that the whole Church have a previous knowledge thereof, and their opinion be had therein, and for preventing any sudden alteration or innovation, or other prejudice to the Church, in either doctrine or worship or discipline or government thereof, now happily established; do, therefore, appoint, enact, and declare, that before any General Assembly of this Church shall pass any Acts, which are to be binding rules and Constitutions to the Church, the same Acts be first proposed as overtures to the Assembly, and, being by them passed as such, be remitted to the consideration of the several presbyteries of this Church, and their opinions and consent reported by their commissioners to the next General Assembly following who may then pass the same in Acts, if the more general opinion of the church thus had agreed thereunto.

EXPLANATION TO THE BARRIER ACT

Before any change can be made which affects the Constitution of the Church in its doctrine, government, worship, or discipline, a certain procedure must be followed, and the approval of the whole Church must be obtained through the Presbyteries and Kirk Sessions. The General Assembly cannot of itself alone effect such a change.

The procedure is known as the operation of the Barrier Act. This Act which is printed above was passed by the General Assembly of the Church of Scotland in 1697. Its intention was to prevent hasty and ill-considered legislation, which might appear at the moment to be of value, but might prove to be really not in the best interests of the Church.

When the General Assembly approves of a proposal for fresh legislation made in an Overture transmitted to it through the Code and Legal Reference Committee, or prepared by another Committee, according to the Assembly's instructions, it is not permitted to pass the proposal at once into a rule that shall have permanent effect. It can only agree to remit the same in the form of an Overture to the Presbyteries and Kirk Sessions of the Church for their comments.
Each Presbytery and Kirk Session thereafter considers the Overture and gives its comments to the Officer of the Church (the Clerk of Assembly) by the time set by the Assembly. The Clerk of Assembly then submits the comments to the Code and Legal Reference Committee which carefully considers the comments and revises the Overture as it deems fit.

Thereafter the Code and Legal Reference Committee transmits the revised Overture to the following Assembly or Commission of Assembly. The Overture is then remitted again under Barrier Act procedure to Presbyteries and Kirk Sessions for approval or disapproval.

Each Presbytery and Kirk Session, in giving its opinion, must either approve the Overture simpliciter without alteration or disapprove of it. Any Presbytery or Kirk Session altering the Overture in any way will be held as disapproving of it.

If three-fifths of Presbyteries and Kirk Sessions have approved of the Overture, the General Assembly may pass the Overture and enact the rule of the Church. Alternatively, if three-fifths of the Presbyteries and Kirk Sessions have not approved simpliciter without alteration any Overture, the Assembly may either pass from the subject or retransmit the Overture either in the same form as previously or with alterations. In this case, however, the Assembly has no power to approve a new rule.

Any Session or Committee of Management failing to lodge a return to remit by the due date shall be deemed to have acquiesced in the remit. (Rule 13.25 G (d)).

If an object of an Overture remitted to Presbyteries and Kirk Sessions appears to any General Assembly as of urgent practical importance, it is competent for that Assembly, while transmitting the Overture, to approve it at the same time with interim authority. Such interim authority has effect until the next General Assembly.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Acquiesce</td>
<td>To give legal assent to a judgment – thereby disqualifying to object.</td>
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<tr>
<td>Ad vitam aut culpam</td>
<td>For life or until fault. Used of tenure of office.</td>
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<tr>
<td>Apud acta</td>
<td>In the proceedings, in presence of the Court.</td>
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<td>Attestation</td>
<td>Evidencing or authenticating, by signature of officials or witnesses, with or without relative explanatory words, as the case may be.</td>
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<td>Bona fide</td>
<td>In good faith, honestly.</td>
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<td>Contumacy</td>
<td>The ecclesiastical offence of contempt of court, stubbornness.</td>
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<tr>
<td>Cum periculo</td>
<td>With awareness of the risk involved.</td>
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<td>De fidei (administratione officis)</td>
<td>Of the faithful discharge of duty.</td>
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<tr>
<td>De jure</td>
<td>Of right.</td>
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<td>De novo</td>
<td>Anew.</td>
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<td>Deposition</td>
<td>(1) Statement of a witness on oath; (2) Judicial removal from office.</td>
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<td>Edict</td>
<td>A legally authoritative public intimation.</td>
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<td>Ex gratia</td>
<td>From favour – not from right.</td>
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<tr>
<td>Ex officio</td>
<td>From his office – in virtue of the office held.</td>
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<tr>
<td>Extract</td>
<td>A part taken from the minutes of a Court by the authorised official (the legal extractor).</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>Fama</td>
<td>A scandalous report.</td>
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<td>Fama clamosa</td>
<td>A clamorous, scandalous report.</td>
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<td>First instance</td>
<td>The Court of the first instance is the Court before which a matter must first be brought.</td>
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<td>Formula</td>
<td>A set form of words necessary or prescribed for a certain purpose.</td>
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<td>Heresy</td>
<td>Opinion at variance with the doctrine of the Church's standards.</td>
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<td>In hunc effectum</td>
<td>For this purpose only.</td>
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<td>In retentis</td>
<td>Among things preserved. Used of papers not recorded but kept.</td>
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<tr>
<td>Inter alia</td>
<td>Among other things.</td>
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<tr>
<td>Ipso facto</td>
<td>By the very fact or deed.</td>
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<tr>
<td>Jurisdiction</td>
<td>The authority which a Court has to entertain and decide a case. It flows from the supreme power,</td>
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<td>from which also comes the right, or the freedom, to exercise it; the voluntary consent of persons</td>
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<td>to accept certain others for their judges do not give jurisdiction to those others.</td>
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<tr>
<td>Jus devolutum</td>
<td>A right devolved on a party because of its not having been exercised within the appointed time by</td>
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<td>those having priority.</td>
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<td>Nobile officium</td>
<td>There is a species of authority or power admitted to belong to the General Assembly, which is</td>
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<td>called the <em>nobile officium</em>. In the General Assembly it is without definition or rules of action.</td>
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<td>But it is in short the power, which would seem naturally and necessarily to belong to a Supreme</td>
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<td>Court to determine, and order such things as are necessary to be done in a pending case, and</td>
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<td>for which there is no legal provision. It cannot</td>
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overrule law but can only supply the want of it when necessary; and it belongs only to the Supreme Court.

Pari passu
With equal pace.

Prima facie
At first sight.

Privilege
Protection from penalty for defamatory statements made without malice in discharge of duty. For example, statements in one's duty to a Court, or in taking part in its business, or in business ordered by it, are privileged.

Pro re nata
For unforeseen business that has arisen.

Pro tempore
For the time.

Sederunt
“They sat”, those of whom the meeting consisted. It is the first word of a Latin sentence, There sat So-and-So.

Seriatim
One by one in succession.

Simpliciter
Simply, neither more nor less.

Sine Die
Without a time appointed, indefinitely.

Sine mora
Without delay.

Sist procedure
To stop in the meantime.

Sub judice
Under the judge, in course of being tried.

Ultra vires
Beyond the legitimate power of a court.
A Christian school is far more than an educational programme with a religious coating. A school that is truly Christian is first of all created in the Triune God (Father, Son and Spirit), in the authority of the Scriptures, and in the person of Jesus Christ.

Every subject needs to be thoroughly permeated with the wonder of God's power and love. In science, Christian teachers refer to the Creator of the creation. The pupil needs to be reminded that God has revealed Himself in creation, and that God wishes to be served and glorified throughout the entire creation. In literature, Christian teachers evaluate man's writing by Biblical standards. In music and art, Christian teachers point out that man was created by God and fearfully and wonderfully made. In social studies, Christian teachers help students understand God's view of the world's culture, government and problems. The Christian school must seek to train its students to view the whole of life from God's perspective, not just from man's point of view. There is a need to be reminded that man is a fallen creature who can only be made new by Christ. As a result of Adam and Eve disobeying God, men fell under the Divine judgment, and God inflicted His curse upon Satan and upon man's environment. Through Christ, creation has been restored in principle to its original purpose and task, awaiting still the new heaven and earth. In the meantime, there is war - the battle between the kingdoms of Christ and Satan. In a Christian school, pupils are taught to recognise what is of Satan and what is of Christ, so that in all areas they will serve Christ and so advance His Kingdom.

We have a solemn warning to "beware, lest any man spoil you through philosophy and vain deceit after the tradition of men - after the rudiments of the world, and not after Christ". All philosophies narrow down to be either men-centred (humanism), or God-centred. The philosophy of the Christian is to be conformed to the image of Christ. The Christian school, in accomplishing this goal, helps young people look at their world and evaluate it through the eyes of Jesus, using Scriptural standards.

1 To elaborate, "trained" connotes reliability and compliance to a set of skills or code of principles; "educated" implies a rationale and context for the skills, analysis, and a rational belief system underlying association with a set of principles.
The Christian school fails if it merely turns out young people who are sharp mentally. Our young people must be trained not to be merely directed by the intellect, but to be directed by a renewed mind in Christ Jesus and to be guided by His Spirit. The Beatitudes contrast this spiritual secular approach. To be exalted, one must humble himself; to seek one's life, one must lose it; and so on.

A. CHRISTIAN EDUCATION
The Church school, therefore, as an arm of the Church and as an extension of the family, is to provide for its pupils' Christian Education - that is, the Church school is charged to deliver all that is within the concept "Christian" and all that is within the concept "education" to the children in its care.

(i) The concept "education" involves "worthwhile" things deliberately transmitted, using morally acceptable procedures. The "worthwhile" matter is essentially the cultural content of Christian tradition, according to the Old and New Testaments, especially (but not exclusively) as developed in Western civilization - Mathematics, Science, History, Literature, Art, etc. It involves content, understanding, and commitment to the subject matter, to understanding, to the values espoused; and the capacity to relate a particular perception to other realms of knowledge and to life (cognitive perspective).

(ii) The concept "Christian" involves: (a) belief; (b) worship of God; and (c) practice of the Scriptural injunctions in daily life.

(a) Belief, within Christian tradition usually means wholehearted agreement with the content of the creeds (eg Apostles' Creed and Nicene Creed) and Reformed confessions (for the purposes of this document, the Westminster Standards are cited as an example). These statements are accepted as being in compliance with the content and intent of the Bible, which is taken, in its original form, to be the infallible Word of God.

(b) Worship, within Presbyterian tradition, involves the praise and adoration of God through prayer, hymnody and above all, the truthful exposition of the Scriptures.

(c) Practice in daily life involves the obvious duties of the Ten Commandments and the further summary injunction of Christ to "love God, and to love our neighbour as ourselves". It involves personal prayer, Bible study and devotion - in short, the out-working of the indwelling Christ in the life of the Believer through the power of the Holy Spirit.

B. THE CHRISTIAN EDUCATION SCHOOL
Having considered the question of what "Christian Education" is, we come to a consideration of the type of school which will put this concept into effect. To begin with, we will consider two types which we feel to be inadequate.
(a) **Type I** - The Church runs these schools as a service to mankind, offering a liberal, humanist education with a consideration of Christian religion as part of its curriculum, with a modicum of worship, and a commitment to pastoral care. Open-mindedness, tolerance and gentleness are major values espoused.

(b) **Type II** - The total curriculum is used as a vehicle for religious indoctrination, instruction or evangelism.

Then there is a third type, which we would regard as the model for any Presbyterian school.

(c) **Type III** - A third type of Church school exists in which Christian worship, belief and instruction, and Christian operational procedures are the norm. These undergird the study of the usual (and unusual) subjects of the curriculum. Belief motivates, informs and provides perspective in all domains, but does not subvert and convert these domains for other purposes.

Such a school has:

(i) a philosophical basis tied to the triune God, and to the person, life and salvation of Christ;

(ii) a structural basis - tied to the Church and accountable to it;

(iii) a policy basis:
- Christian staff;
- student entry (interview and counselling of parents with respect to the school's central objectives);
- curriculum orientation subject to philosophical basis.

(iv) an operational basis:
- regular worship;
- regular instruction in the faith;
- Christian procedures for proper 'nurture and admonition' of both staff and students.

**C. CONCLUSION**

Arising from the above statement, we arrive at the following aims and objectives of Christian Education Schools controlled by The Presbyterian Church of Queensland.

1. **Faith Development**
   (a) A personal commitment to Jesus Christ and His way of life by the evangelising and/or evangelical life of the school community, by Christian example and practice, together with instruction in the Christian faith. However, the intention will be not so much to create Presbyterians as to encourage members of all Christian denominations in their faith, and to awaken in the unchurched an awareness of God, His salvation through Jesus Christ, and the work of the Holy Spirit in the life of the Christian.
(b) A basis for understanding the moral and spiritual conditions of this world and mechanisms to assist in finding answers to their own difficulties and those of others.
(c) A commitment to serving Christ sacrificially in this world.
(d) A desire to worship God both corporately and individually.
(e) A desire to relate to others in a positive, loving, Christ-like manner, and the capacity to share the Gospel with integrity.

2. **Academic Development**
The Christian Education Schools of The Presbyterian Church of Queensland seek to:
(a) develop in students the abilities to think effectively, to communicate thought, to make relevant judgments by exercising imagination and independent enquiry, and appraising alternative viewpoints in an open and tolerant manner, yet always subject to the authority of Scripture;
(b) provide opportunities for students to achieve understanding in the main areas of human knowledge;
(c) promote individual excellence by enabling students to achieve a level of mastery commensurate with their own abilities and with the particular stage of development they have reached.

3. **Social-Emotional Development**
The Christian Education Schools of The Presbyterian Church of Queensland seek to:
(a) develop in students feelings of sensitivity, compassion and service to others because of the God-given gifts of abilities in each;
(b) promote and explore issues in human relationships;
(c) provide chaplaincy and counselling services to help students with their personal problems;
(d) promote citizenship and responsibility towards others by fostering cooperation amongst students, teachers, families, and schools, and by active involvement in community issues and activities;
(e) provide an experience of Christian community (where people are concerned for one another) and encourage each student to contribute to and benefit from its fellowship.

4. **Liberal/Vocational/Cultural Development**
The Christian Education Schools of The Presbyterian Church of Queensland seek to:
(a) develop the qualities of initiative, flexibility, and independence in exploring the main areas of human knowledge and making them relevant to the students' present and future needs;
(b) provide opportunities for students to experience different kinds of success and achievement through learning in a variety of formal and informal settings;
(c) assist students to appreciate the richness and diversity of their cultural heritage for personal enrichment in both work and leisure;
(d) promote in students a love of learning and a desire to continue learning beyond the formal completion of their studies;
(e) assist students to achieve effectively the transition from school/college to work.

5. **Physical Development**

The Christian Education Schools of The Presbyterian Church of Queensland seek to:

(a) develop the physical capacities of students to the optimum level;
(b) provide students with a range of recreational skills;
(c) develop a positive attitude to fitness, hygiene and maintenance of physical well-being.
GUIDELINES 207
ISSUING OF PUBLIC STATEMENTS BY SESSIONS AND PRESBYTERIES

Sessions and Presbyteries should consider the following principles when making public statements on issues:

1. The Courts of the Church should normally reflect their place within the polity of the Church when making public statements:
   - Sessions address local issues;
   - Presbyteries address regional issues;
   - State Assemblies address State issues;
   - The GAA addresses national issues.

2. Sessions and Presbyteries may, with care, make public statements in order to address State and national issues.

3. When addressing State and national issues, Sessions and Presbyteries should:
   - Ascertain whether the GAA or State Assembly has made a declaration on the matter and, if so, shall concur with that declaration;
   - Ascertain whether the Moderator of the State Assembly has made a statement on a matter under Rule 5.13 and, if so, shall concur with that statement.

4. Sessions and Presbyteries may decide to apply a declaration by the Assembly or an official statement of the State Moderator to a particular circumstance.

5. Sessions and Presbyteries may express their own opinion when an Assembly or the State Moderator has not made an official declaration or statement on the matter on behalf of the Church.

6. Sessions and Presbyteries, when expressing their own opinion, should realise that both the PCQ, and they as individual members, are personally responsible and may be liable for any implications which follow from the statement made and therefore extreme caution should be exercised when making comment on sensitive issues.

7. It would be prudent for Sessions and Presbyteries to ensure, before making a public statement, that:
   - they have consulted with the Public Questions and Communications Committee;
   - there are clear scriptural grounds for making such a statement;
   - it is not contrary to the official position of the Church;
   - it is in keeping with the general principles upon which the Church has developed its theological and ethical standards.
In the preparation of Petitions, the following steps shall be taken:

1. Determine that petition is the correct way to proceed.

2. Determine which Court of the Church is to be petitioned and the pathway of the petition.

3. Prepare the petition in accordance with Form XVII.

4. Ensure that all material relevant to the petition is included in the WHEREAS clauses.

5. Ensure that the prayer of the petition is within the power of the Court petitioned and is a practical solution to the concern raised in the petition.

6. Determine whether the petition affects the interests of other people and determine who those people are.

7. Meet with the Clerk of the Court to be petitioned to ensure that steps 1-6 have been complied with.

8. Forward a finalised copy of the petition to the Clerk of the Court petitioned and a copy of the petition by registered mail (or its equivalent) to all other people whose interests are affected by the petition.

9. Meet with a Pastoral Care Committee if appointed to meet with them.

10. If there is no Pastoral Care Committee appointed, or if meeting with the Pastoral Care Committee does not lead to a resolution of the concerns raised in the petition, inform the Clerk of the Court petitioned and all other people whose interests are affected by the petition that the petition is proceeding and the time, date and place of the meeting at which the petition will be heard.

11. Meet with the Clerk of the Court petitioned to ensure that steps 7-10 have been complied with.

12. Petition is heard in accordance with Rule 13.24 (J).
GUIDELINE 209
PRESERVATION OF CHARGE RECORDS

PREAMBLE
People are more conscious than they used to be of the need to keep and look after
the records of organisations, but church records are still often vulnerable because of
lack of knowledge, turnover of voluntary office-bearers, or lack of interest.

Every Charge needs to assume responsibility for ensuring that the records of all its
organisations are kept, are stored properly, and give a true picture of its history.

WHAT SHOULD BE KEPT?
(i) Up to 7 years
Each Charge should adopt its own policy, but every organisation would be
well advised to keep for 7 years the following:
   - Minutes of meetings
   - Correspondence
   - Ledgers
   - Receipts and bank statements
   - Periodic financial statements
   - Annual reports and financial statements

(ii) After 7 years
Receipts and bank statements can be discarded.
Correspondence should be weeded; only documents of significance, related
to people, property, and events, need to be kept. Sorting would best be done
by at least two people.
Periodic financial statements may be kept, but if the annual statements are
detailed enough, they would be sufficient.
Other records should be preserved.

WHO SHOULD KEEP THE RECORDS?
(i) Documents up to 7 years old are probably best kept by the office bearers of
each organisation - this is a matter for negotiation within the Charge.

(ii) After 7 years they could be handed over to the Session Clerk or a person
appointed as Charge Archivist. Communion Rolls, Baptismal and Marriage
Registers are the concern of the Session.

There are other documents and objects of historical importance as well as
records of organisation that need preservation; for this reason there is a
strong argument for appointing a local Archivist.
WHERE SHOULD RECORDS BE KEPT?
The following criteria should be applied to a storage place:
   Somewhere secure - able to be locked up;
   Weatherproof - well protected from damp;
   Fireproof if possible - steel cupboard or trunk;
   Free of insects - regularly checked and treated for insect pests;
   Preferably not on private property but kept in church vestry or a specially allocated room/area in church hall.

HOW SHOULD THE RECORDS BE KEPT?
(i) Prepare the documents: Remove metal staples, pins, paper clips etc.
   Straighten out papers: Remove dog-ears on corners, have as few folds as possible.
(ii) Organise documents in folders or envelopes. Label according to organisations, type of document, inclusive dates.
(iii) Make sure all ledgers, minute books and other book-type records are similarly labelled (office bearers need to be instructed about this).
(iv) Wrap documents in parcels according to some system: years, organisations, etc. Use brown paper and tie with tape. Label clearly.

POLICY OF CENTRAL HISTORICAL RECORDS.
Where a Charge wishes to keep its own records of history, this should be encouraged. It is in fact preferable, as we could not possibly store all the Queensland records in a central place. If there is a danger of loss of records, then it would be better for them to be sent to Brisbane.

We should like eventually to be able to establish as full an information bank as possible in our holdings, especially for baptisms, marriages, and communion rolls but also for early Session minutes. What we should like to do is borrow these registers and minutes books when we are ready to deal with them, film them, and then return them to the Charge.
GUIDELINE 210
REQUIREMENTS FOR MANSES

The Manse
In the design of a manse it is important to recognise that the building will be required to meet two fundamental requirements.

(a) It will serve as the private residence of the Minister and his family.
   In this regard it must be:
   (i) Planned to provide adequate and normal accommodation for an average family;
   (ii) Convenient in plan layout, oriented to the favourable aspect, economic in construction and maintenance;
   (iii) So situated as to be in the proximity of other church buildings but far enough away to preserve its function of private home. A separate enclosed site is preferable. The siting of the manse within a general master plan may be of primary importance.
   (iv) Provided with a kitchen large enough for necessary entertaining;
   (v) Provided with fences and the like to permit the broadest range of occupants possible;
   (vi) Provided with security at entrance doors, and windows of inhabitable areas on ground level.

(b) It will serve as part of the church complex providing facilities for administration of the parish by the Minister. In this regard it should be:
   (i) Planned to include a study, with access from a front entrance without the need to enter the main part of the house. The study needs to be large enough for interviews. This should have sound and temperature control as is appropriate for the study position and situation of the manse.
   (ii) Provided with secondary living-type accommodation, large enough to cater for gatherings or meetings related to church activities or for family use while gatherings are being conducted.
   (iii) So arranged that the use of study and other rooms used for church activities will not unduly interfere with the normal running of the home. Kitchen/bedroom/bathroom access must be independent of entrance/study areas;
   (iv) Provided with phone extension outlets, bookshelves, built-in fixtures etc. necessary for its dual function of home-administrative centre (intercom from front door is applicable);
   (v) Soundproofing between family areas and church activities areas.
### Essential Accommodation

<table>
<thead>
<tr>
<th>Bedrooms</th>
<th>Bedroom 1</th>
<th>11m²</th>
<th>(2.4m of built-in cupboards)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bedroom 2</td>
<td>10.5m²</td>
<td>(1.8m of built-in cupboards)</td>
</tr>
<tr>
<td></td>
<td>Bedroom 3</td>
<td>10.5m²</td>
<td>(1.8m of built-in cupboards)</td>
</tr>
<tr>
<td></td>
<td>Bedroom 4</td>
<td>10m²</td>
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</table>

<table>
<thead>
<tr>
<th>Living Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lounge</td>
</tr>
<tr>
<td>Dining</td>
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</tbody>
</table>

May be combined

<table>
<thead>
<tr>
<th>Work Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kitchen</td>
</tr>
<tr>
<td>Laundry</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bathroom</td>
</tr>
<tr>
<td>WC</td>
</tr>
<tr>
<td>Car accommodation</td>
</tr>
<tr>
<td>Linen</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Administrative Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Study</td>
</tr>
<tr>
<td>Secondary living area or rumpus room</td>
</tr>
</tbody>
</table>

### Desirable Accommodation

- Verandah or open courtyard
- Family room off kitchen (kitchen size may be reduced)
- Workshop area (may be in garage)
- Separate shower, WC, basin (may be in one room, locate near rumpus room)
- Storage area (4.5m² - may be off garage)
- Ensuite bathroom and WC (off main bedroom)

### Checklist for Manse Buyers

Bearing in mind that the manse has to fulfil two important functions, it is necessary to consider the following items carefully. It will be readily observed that just any house will not suffice as a manse.

Whilst it may not be possible to achieve the ultimate in all categories, it is often possible to carry out modifications to improve various aspects.

Failure to observe these guidelines may result in the Property Board giving an unsatisfactory report.
Site:  
- General geography - does it have good breezes? Does it have a pleasant aspect? Will it be hot in summer?  
- Is it wet, soggy?  
- Are fences in good condition?  
- Is car access good?  
- Visitors’ cars - can they park safely?  
- Is it noisy?

Location:  
- Is it easily accessible by public transportation?  
- Is it within walking distance of church?

Appearance:  
- Is it pleasant?  
- Is it inviting?

Standard of Building:  
- Is it in good condition generally?  
- Roof - is it in good condition?  
- Gutters, downpipes - are they in good condition?  
- External paving - is it in good condition?  
- Paint work - is it in good condition?

General Design:  
- Are rooms generally sufficient in size?  
- Is study accessible from front porch so as to not disadvantage the manse family?  
- Is study soundproof, of adequate height?  
- Are bedrooms adjacent to bathrooms?  
- Can family use a private space, e.g. rumpus, family type room?  
  Can the premises be maintained easily?

Fittings:  
- Floor coverings - are they clean? Are they in good condition?  
- Blinds and curtains - are they necessary for privacy?
St Andrew’s War Memorial Hospital was a hospital to whose Board governors were appointed solely by the Presbyterian Church of Queensland. Following the establishment of the Uniting Church in 1977, both Churches had the power to appoint governors. It became evident that for the hospital to remain viable, an injection of substantial capital would be required. The Uniting Church indicated that it was prepared to inject that capital and continue to support the hospital whilst the Presbyterian Church resolved not to continue its support of the hospital and desired to apply the funds which would have been available on dissolution to other purposes. As a consequence, in 1999, the Presbyterian and Uniting Churches reached an agreement to amend the Constitution to enable the Uniting Church to have the sole power to appoint to the St Andrew’s Board. The Supreme Court of Queensland made a cy pres order which allowed funds ($9.4M) from St Andrew’s Hospital to be applied to PresCare. Upon a decision of the State Assembly, PresCare applied those funds toward the acquisition of the interests of the Presbyterian Church’s Department for Social Mission. The St Andrew’s Mission Fund was established out of those funds.

The following are the Guidelines for the administration of the Fund:

(i) The Church acknowledges the provision of Almighty God of these funds and will strive to be a good steward of these resources to benefit the Statewide Church and bring glory to His Holy Name.

(ii) In considering applications for grants, loans and ministry projects, the Assembly or its Commission will take into account the benefits that any grant of funding or loan will make to the overall ministry of the Presbyterian Church of Queensland.

(iii) The State Assembly or its Commission will, after a report from any other body or person it deems prudent to consult, determine the outcome of applications.

(iv) Applications should be fully documented to demonstrate the merits of the application.

(v) If loans are made from the fund, the terms and interest rates will be determined by the Finance and Administration Board to ensure the real value of the loan does not become eroded.

(vi) Each year, the Finance and Administration Board will report to the State Assembly on the state of the fund, while the Commission of Assembly will report on the ministry projects that have been beneficiaries.

(vii) The Finance and Administration Board should ensure these guidelines are reviewed from time to time to ensure they remain realistic in the light of circumstances.
changing circumstances and bring to the State Assembly any recommended variations.
GUIDELINES 212
STATEMENT ON GROW 21

Repealed by 2011 Assembly. BB 2011 Minute 115.4.
## STIPEND ZONES MAP (1 January 2012)

<table>
<thead>
<tr>
<th>Zone</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>All locations in the local government areas of Gold Coast, Scenic Rim, Logan, Redlands, Brisbane, Ipswich, Moreton Bay and Sunshine Coast.</td>
</tr>
<tr>
<td>Provincial</td>
<td>The provincial centres of Cairns, Townsville, Mackay, Rockhampton and Toowoomba.</td>
</tr>
<tr>
<td>Rural</td>
<td>The area to the east of the line defining the remote zone, excluding the areas described as defining the urban and provincial zone.</td>
</tr>
<tr>
<td>Remote</td>
<td>All that area of Queensland north of latitude 16° and west of a line from the junction of longitude 145° and latitude 16° to the junction of longitude 145° and latitude 18° to the junction of longitude 150°30’ and latitude 25° then directly south to the border along longitude 150°30’.</td>
</tr>
</tbody>
</table>
GUIDELINE 214
THE PRESCARE PHILOSOPHY

Repealed by 2014 Assembly. BB 2014 Minute 121.19.
GUIDELINE 215
GOVERNING RULE 2.10 AND RULE 2.10A

1. No one person shall be encouraged, rostered or ordinarily permitted to be the regular person to transfer offerings from the place where they are collected to the place where the offering is counted.

2. No two people shall be encouraged, rostered or ordinarily permitted to count the offering on a sequence of weeks or count the offering together on a sequence of occasions.

3. The Committee shall prepare a summary sheet of the offering particulars to be completed and to accompany the offering when banked.

4. No person shall be encouraged, rostered or ordinarily permitted to be the person to bank the offering when they have participated in the counting of the offering.

5. Offerings are not to be held on church or private property for any longer than absolutely necessary and the banking of the offering shall be a high priority for the person designated with that task.

6. The Committee shall ensure that a minimum of two Committee members, in addition to the Treasurer, shall have access to bank statements to ensure that monies banked correlate with offerings recorded in the Worshiping Offering Book.

7. Married couples or close relatives shall not be encouraged, rostered or ordinarily permitted, to count the offering together or to be the signatories on any particular cheque.
GUIDELINE 216
CONFLICT OF INTEREST – WHAT YOU NEED TO KNOW

Conflicts of Interest at Common Law
The highest formulation of the rule against conflicts of interest is that a person “...is not allowed to put himself in a position where his interest and his duty conflict”.2 The fundamental rule of equity is said to be that a person acting in a fiduciary capacity must not make a profit out of his trust which is part of the wider rule that a trustee must not place himself in a position where his duty and his interest may conflict.3 This strict interpretation is not generally applied because the courts take a more practical approach to conflicts of interest in a commercial setting. The fundamental issue that arises for members of boards and committees is whether, in fact, there is any conflict of interest in duty even applying the most strict formulation of the rule.

A conflict of interest does not arise simply because a person is “interested”. A conflict arises when one has a personal, usually pecuniary, interest in the outcome of a decision. It arises in particular when one will profit personally from involvement in a decision or activity. The following examples are offered merely to assist committee members to understand conflicts. It is issued for general guidance only and should not be taken as formal legal advice. Anyone who is doubt about conflicts in any given circumstance should contact the Code and Legal Reference Committee for an opinion.

Examples
The examples below are provided to illustrate situations where some might think a conflict of interest arises, but one does not. In the great majority of cases when a person is serving on boards for the Presbyterian Church of Queensland there will be no conflict in serving on another board. If there is any question of a conflict of interest it should be raised with the entirety of the Board so that the Board can consider the question.

Example 1
Remembering that a body like PresCare and the PCQ are one corporation, the fact that a trustee serves on the Board of PresCare, the Finance and Administration Board and the Commission of Assembly, will not necessarily create a conflict. A conflict may arise if a person has a personal interest which they seek to exercise, such as obtaining a contract with the organisation for services. They would not

3 Boardman v Phipps [1967] 2 AC 46 at 123.
need to be excused from a meeting where they did not have a personal interest. This means that the member would have the right to debate and vote even on issues which affected another of the organisations on whose board they sat.

**Example 2**
A lecturer at the Theological College may serve on the faculty and also as a member of the Committee on Ministries Training. Unless he had a personal interest in a debate, such as his own position, he would not be required to absent himself from meetings which debate other issues in either of these bodies. This would also be true where he was a member of another committee such as the Commission of Assembly or the Finance and Administration Board.

**Example 3**
There are some officers of the church, such as the Director of Ministry Resourcing/Director of Christian Education, who have a seat on their respective committees. Often those committees will ask for approvals of financial issues from the Finance and Administration Board or they may even be asking for approvals from the Commission of Assembly. The Director/Administration Manager could be involved at both the Standing Committee level and the Finance and Administration Board and/or the Commission of Assembly. The officer concerned has no personal involvement and therefore would not need to excuse himself from consideration of that issue. The committee or office may benefit, but he, as an individual would not have any personal interest.

**Example 4**
When a person’s position is being considered in relation to an appointment or a call, that person must absent themselves from the debate and the decision making process. This is because he has a personal interest in the outcome of the decision. A person who has supported or acted as a referee for the person being considered has no personal interest and so is entitled to remain and participate in the decision making process.

**Example 5**
A person may have a relative employed within one area of the church while he or she is serving as a member of the board or committee supervising that area of the Church. It would be essential for him or her to declare his or her interest. It would be practical for that person not to participate in the actual debate process, but he is not obliged to leave the meeting in that circumstance. It is a matter for each individual whether they feel it would be better for them to leave the room or not. It is important to realise that if a person leaves the meeting of his or her own volition, he or she will not have the ability to appeal that decision if the vote is taken in his or her absence. The only way he or she can appeal any process would be by taking part.
in the actual vote. There will be occasions where a person may wish to have inserted in the minutes the fact that he did not vote on an issue. This is a form of protection if it is thought that there is a personal interest involved.

Example 6
An officer of the church may be a member of several of committees and courts which are required to review, approve or concur with decisions of other committees and courts of which they are also a member. Unless the officer has a personal interest in the decision being reviewed, there would be no conflict of interest which arose in the circumstances because the member would gain no personal benefit from either the initial approval or the outcome of the subsequent review approval or concurrence.

Dealing with a Conflict
Once a conflict of interest has been established, it should be declared by the committee member immediately at the meeting in which he or she is participating. When the conflict of interest has been declared, the committee member involved should either:

- leave the room while discussion continues or until the matter being discussed is resolved; or
- cease to participate in the discussion and not vote on the issue at hand.

The fact that the conflict of interest has been raised, discussed and determined; and the committee member involved has either left the room or refrained from participating in the discussion or decision should be recorded in the minutes of that meeting. The time of the committee member’s leaving and re-entering the room or refraining from and then re-joining the meeting’s procedure should also be entered into the minutes.

(COA 13/53)
CONSTITUTIONS

Updated as of February 2015

PCQ BODIES

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>300</td>
<td>Adult Singles Ministry</td>
<td>3</td>
</tr>
<tr>
<td>301</td>
<td>Campsite Sub-committee - Bunya Mountains</td>
<td>7</td>
</tr>
<tr>
<td>302</td>
<td>Campsite Sub-committee - Lammermoor</td>
<td>11</td>
</tr>
<tr>
<td>303</td>
<td>Campsite Sub-committee - Tinaroo</td>
<td>13</td>
</tr>
<tr>
<td>304</td>
<td>Presbyterian Women's Association of Australia in State of Queensland</td>
<td>15</td>
</tr>
<tr>
<td>305</td>
<td>Presbyterian Women's Missionary Union</td>
<td>23</td>
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<tr>
<td>306</td>
<td>Presbyterian Youth</td>
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<td>Queensland Theological College</td>
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PCQ RELATED BODIES

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<td>Surecom Pty Ltd</td>
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<td>Credere Services Group Pty Ltd</td>
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PCQ RELATED AFFILIATED BODIES

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<td>353</td>
<td>The Presbyterian &amp; Methodist Schools Association</td>
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NAME
1. The name of the Association shall be “New Horizons” Adult Singles of the Presbyterian Church of Queensland

CONNECTION
2. “New Horizons” shall report annually to the State Assembly through the Committee on Outreach and Nurture under whose general direction it shall operate.

AIMS AND OBJECTIVES
3. The broad aims and objectives of the ministry shall be:
   I  To minister to “single” adults who are beyond the age range of existing ministry as provided by Presbyterian Youth.
   II To minister to “single again” adults
      (a) Separated by death;
      (b) Separated by marriage or relationship break-down.
   III To encourage singles in growing in their singleness through Jesus Christ our Saviour, and to serve and worship within His church.
   IV To provide a non-threatening, supportive, and encouraging Christian environment to aid in the healing of individuals and re-establishing themselves as “Singles Again” through the love of the Lord Jesus Christ.
   V  To provide opportunities for fellowship, and personal growth as Singles and Singles Again through a ministry of
      (a) Bible studies;
      (b) “Issues” presentations;
      (c) Social programs, and functions;
      (d) Weekend seminars, and retreats.

MEMBERSHIP
4. The members shall be those who participate in a Congregation of the Presbyterian Church of Queensland either as communicant members or regular attenders at worship services.

GOVERNMENT
5. I  “New Horizons” shall function at the following levels:
      (a) Local Congregational Unit - Operating under the oversight of the local Kirk Session;
(b) State Committee – Operating under the oversight of the State Assembly through the Committee on Outreach and Nurture.

II The business of “New Horizons” shall be conducted by the State Committee which shall consist of:

(a) Office Bearers appointed by an annual State meeting, namely President, Vice-President, Secretary/Treasurer, and such other positions from time to time required, who shall take up office the following January;

(b) One representative from each congregational unit;

(c) One representative from each Presbytery (if no congregational units within its boundaries);

(d) The Convener of the Committee on Outreach and Nurture (or his appointed representative) as an ex officio member;

(e) The Director of Christian Education (or his appointed representative) as an ex officio member.

III The State Committee shall act as a consultative, co-ordinating, and resource body.

IV The State Committee shall encourage and equip local Congregations to establish “New Horizons” ministries within their Charge boundaries.

V The State Committee shall conduct an annual State meeting for the purpose of:

(a) receiving the annual report, and audited financial statements;

(b) election of office bearers;

(c) other business.

VI The State Committee may establish “By-Laws” for governance of its activities and those of its member local Congregational units, within the bounds of this Constitution, but before enactment of same must seek the approval of the Committee on Outreach and Nurture.

VII All meetings and undertakings shall be conducted in accordance with the Standing Orders and Rules of the State Assembly of the Presbyterian Church of Queensland.

AMENDMENTS TO THE CONSTITUTION

6. I The Constitution may be altered from time to time by a two-thirds majority of members present and voting at a duly constituted meeting of the State Committee provided that at least three months’ notice has been given to all members of the proposed amendments.

II All amendments must be submitted through the Committee on Outreach and Nurture to the State Assembly for approval.

III No alterations or amendments to the Constitution shall have affect until approved by the State Assembly.
**INTERPRETATION**

“Church” refers to the Presbyterian Church of Queensland.

“Assembly” refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

“Committee on Outreach and Nurture” refers to the Committee of the State Assembly as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

“Presbytery” refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

“Kirk Session” refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

“Congregational Unit” refers to a meeting of Single or Single Again Adults endeavouring to fulfil the aims and objectives of “New Horizons”, and acting under the authority of the Kirk Session.

“State Committee” refers to the advisory body which represents the “New Horizons” ministry at a State level, and which is responsible to the State Assembly through the Committee on Outreach and Nurture.
CAMPSITE SUB-COMMITTEE – BUNYA MOUNTAINS

NAME
1. The name of the Committee shall be "Camp Bunya Mountains Management Committee" (hereinafter referred as the "Campsite Committee" or "the Committee").

JURISDICTION
2. (a) The Campsite Committee shall be under the jurisdiction of the Committee on Outreach and Nurture (hereinafter referred to as "Outreach and Nurture").
(b) The Campsite Committee shall report on its activities and finances to Outreach and Nurture at intervals not exceeding three months.
(c) The Campsite Committee shall report annually to the Assembly of the Presbyterian Church of Queensland through Outreach and Nurture.

AIMS AND OBJECTIVES
3. The broad aims and objectives of the Campsite Committee shall be:
   (a) To manage and administer Camp Bunya Mountains (hereinafter referred to as “the Campsite”) on behalf of Outreach and Nurture and the Presbyterian Church of Queensland.
   (b) Maintain buildings and lands in a timely, and diligent manner, and in accordance with Government and Statutory regulations.
   (c) Seeking to enhance and grow the facilities as opportunity arises or permits.
   (d) Operating monetary accounts to:
      (i) Manage the Campsite’s affairs.
      (ii) Maintain the facilities.
      (iii) Undertake capital improvements.
   (e) Sourcing new Caretakers/Managers as required, conducting interviews as required, negotiating terms of engagement, and making recommendations pertaining to the appointment to Outreach and Nurture.
   (f) Supervising, training, assisting, and encouraging Caretakers/Managers in their roles.
   (g) Sourcing new Committee members as required, ensuring a broad range of talents and skills, and making requisite recommendations to Outreach and Nurture.
   (h) Growing and maintaining the clientele business through personal and localized representations, and other marketing initiatives.
(i) Representing the Campsite as being owned and identified with the Presbyterian Church of Queensland in a way that enhances the Church's standing in the wider community, and maintaining its standards and policies in regard to clientele.

(j) Reporting on its activities, financial health and needs, as required, to Assembly, Committees, Presbyteries and Congregations.

**MEMBERSHIP**

4.  (a) The Membership shall consist of Communicant or Adherents of a Presbyterian congregation.

(b) Members shall be appointed for a term not exceeding three years by Outreach and Nurture on the nomination of the Presbytery of the Darling Downs and are eligible for re-appointment.

(c) The Committee shall be made up of not less than five (5) members, and not more than thirteen (13) members, from at least two (2) Congregations.

(d) Nominations for membership shall be called for via "expressions of interest" after advertising, such "expressions" to be made to the Presbytery of the Darling Downs to be accompanied by a letter of commendation from the nominee's Session.

(e) Officers shall be elected annually from among the appointed members at the Committee's Annual General Meeting; and shall consist of:
   (i) Chairman;
   (ii) Vice-Chairman;
   (iii) Secretary;
   (iv) Treasurer.

(f) The Officers shall comprise an Executive to make urgent decisions as required, which must be reported upon and endorsed at the next Ordinary Meeting.

(g) Members and Officers may not assume office until approved by Outreach and Nurture.

**FINANCES**

5.  (a) All working Funds shall be vested in the one account in the name of the Committee by the Treasurer.

(b) Funds surplus to "working" requirements may be invested in interest-bearing accounts in a fund operated by the Presbyterian Church of Queensland, or a reputable commercial banking institution, and in the name of the Committee.

(c) All cheques and documents (including all bank withdrawals) shall be signed by any two (2) Executive Members of the Committee.
(d) The Committee cannot exceed expenditure beyond its accumulated capital without the approval of Outreach and Nurture, however may by application to Outreach and Nurture borrow additional funds.

(e) Any capital expenditure for any one item or project beyond the sum of five thousand dollars ($5000) must be approved by Outreach and Nurture.

(f) A proposed annual budget must be in the hands of Outreach and Nurture prior to 31 October each year for approval prior to the commencement of the next fiscal year.

(g) The Committee must abide by their adopted annual budgeted expenditure, and any variation greater than ten percent (10%) must have the approval of Outreach and Nurture.

(h) Adopted profit and loss statements shall be forwarded to Outreach and Nurture not more than seven working days after their adoption.

(i) The Committee's financial year shall start from first of January, and conclude on the thirty-first of December of the same calendar year.

(j) The Committee may raise monies, goods and material by way of donations, appeals or bequests subject to the approval of appropriate bodies.

MEETINGS

6. (a) The Committee's Annual Meeting shall be held as soon as practicable after the end of the Committee's financial year, but not exceeding six (6) weeks thereafter.

(b) The Annual Meeting shall comprise the presentation of an annual report from the Chairman (or his nominee); the presentation of an audited annual financial report; the setting of fees and charges; the election of office bearers; the appointment of an auditor (who shall not be a member or former member of the Committee); and such other business of an annual nature.

(c) The Committee shall conduct regular Ordinary Meetings to conduct the business of the Committee at intervals not exceeding three (3) months.

(d) Extraordinary Meetings may be called by the Chairman, on his/her own initiative, or on the written request of any two members.

(e) Meetings (excepting the Annual Meeting) may be conducted by telephone, or other electronic media, providing such meetings shall be minuted and endorsed at the next Ordinary Meeting.

(f) A quorum shall consist of not less than four (4) members representing at least two (2) congregations, and two (2) of whom must be Executive members.
(g) Copies of minutes, reports and financial statements shall be forwarded to Outreach and Nurture not more than seven (7) working days from their adoption.

**DISSOLUTION AND REMOVAL FROM MEMBERSHIP**

7. (a) After consultation with the Committee, the Presbytery of Darling Downs and the Committee on Outreach and Nurture, the Committee may be dissolved on the authority of the Assembly.

(b) Individual members may be removed from office by the Committee if (i) they have been the subject of censure made under the Code of Discipline of the Presbyterian Church of Australia or (ii) fail to participate in the Committee’s activities for a period of 6 months without reasonable excuse.

**CONSTITUTION**

8. (a) The Constitution may be amended or altered from time to time by application to the Committee to Outreach and Nurture, or the Committee on Outreach and Nurture itself after fully consulting with the Committee and the Presbytery of Darling Downs, providing at least three months’ notice has been given to relevant stakeholders.

(b) No amendments or alterations may take effect until approval of the Assembly has first been obtained.

**INTERPRETATION**

"Church" refers to the Presbyterian Church of Queensland.

"Assembly" refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

"Committee on Outreach and Nurture" refers to the Committee of the State Assembly as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

"Presbytery" refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

"Session" refers to the Court of the Church as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.

"Congregation" refers to a Congregation as defined in the Rules and Forms of Procedure of the Presbyterian Church of Queensland.
Campsites

1. The Lammermoor Campsite Committee (hereinafter referred to as “the Committee”) is a Sub-Committee of the Committee on Outreach and Nurture of the Presbyterian Church of Queensland (hereinafter referred to as “Outreach and Nurture”).

Objects

2. To manage and administer the campsite known as Camp Lammermoor on behalf of Outreach and Nurture.

Membership

3. (a) The membership of the Committee shall be appointed by the Outreach and Nurture Committee and shall consist of 12 Communicants or Adherents of the Presbyterian Church of Queensland from Congregations within the Presbytery of Central Queensland on the nomination of the Presbytery of Central Queensland with a minimum of one (1) and a maximum of four (4) coming from each of the Congregations of Fitzroy, St Andrew’s, Capricorn Coast and Gladstone.

   (b) Officers will be elected annually from among the appointed members at the Annual General Meeting of the Committee and shall be:

      (i) Convener;
      (ii) Deputy Convener;
      (iii) Secretary;
      (iv) Treasurer.

Executive

4. The Convener, Deputy Convener, Secretary, and Treasurer of the Committee shall comprise the Executive to make urgent decisions which must be reported to the next meeting of the Committee to be endorsed.

Finance

5. (a) All working accounts shall be vested in one account in the name of the Committee by the Treasurer.

   (b) All cheques and documents (including all bank withdrawals) shall be signed by any two of the following Committee members: Convener, Treasurer, Secretary or Deputy Convener.

   (c) The Committee cannot exceed expenditure beyond its accumulated capital and any capital expenditure, for any one item or project beyond
the sum of five thousand dollars ($5000), must be approved by Outreach and Nurture.

(d) The proposed annual budget must be in the hands of Outreach and Nurture by the end of October each year for approval by Outreach and Nurture at its November meeting.

(e) The Committee must abide by their adopted annual budget and any variation greater than 10% must have the approval of Outreach and Nurture.

(f) Adopted monthly profit and loss statements shall be forwarded to Outreach and Nurture, not less than seven (7) days after their adoption.

ELECTIONS

6. (a) All officers and positions are elected at the Annual Meeting by the members and are reported to and confirmed by Outreach and Nurture which shall have the power of veto.

(b) Casual vacancies may be filled by the Committee nominating its recommendation to Outreach and Nurture. If satisfied, Outreach and Nurture may then appoint the nominee.

MEETINGS

7. (a) The Annual General Meeting shall be held on the same day as the Committee’s General Meeting in December. An annual report and financial statements shall be presented by the Executive at the Annual Meeting. Officers, as set out in 3(b) shall be elected and the auditor appointed.

(b) The Committee shall meet as follows:

(i) General meetings: Bi-monthly February to December.

(ii) Annual Meeting: General Meeting day in December

(iii) Special Meeting: May be called by the Convener on his/her own initiative or on the written request of any two members

(c) A quorum shall consist of 4 members representing at least two Congregations.

ALTERATION TO CONSTITUTION

8. Outreach and Nurture may alter this constitution in any respect subject to the approval of the Assembly of the Presbyterian Church of Queensland.
CAMPSITE SUB-COMMITTEE - TINAROO

303

1. The Tinaroo Campsite Committee (hereinafter referred to as “the Committee”) is a Sub-Committee of the Committee on Outreach and Nurture of the Presbyterian Church of Queensland (hereinafter referred to as “Outreach and Nurture”).

OBJECTS

2. To manage and administer the campsite known as Tinaroo Camp A and B on behalf of Outreach and Nurture.

MEMBERSHIP

3. (a) The membership of the Committee shall consist of Communicant members or Adherents appointed annually by Outreach and Nurture, five (5) of whom shall be nominated by the Cairns Presbyterian Church and one (1) by each of the remaining Presbyterian Congregations in the Presbytery of North Queensland.

(b) Officers will be elected annually from among the appointed members at the Annual General Meeting of the Committee and shall be:
   (i) Convener;
   (ii) Deputy Convener;
   (iii) Secretary;
   (iv) Treasurer.

EXECUTIVE

4. The Convener, Secretary, and Treasurer of the Committee shall comprise the Executive to make urgent decisions which must be reported to the next meeting of the Committee to be endorsed.

FINANCE

5. (a) All working accounts shall be vested in one account in the name of the Committee by the Treasurer.

(b) All cheques and documents (including all bank withdrawals) shall be signed by any two of the following Committee members: Convener, Treasurer, Secretary or Deputy Convener.

(c) The Committee cannot exceed expenditure beyond its accumulated capital and any capital expenditure, for any one item or project beyond the sum of five thousand dollars ($5000), must be approved by Outreach and Nurture.
(d) The proposed annual budget must be in the hands of Outreach and Nurture by the end of October each year for approval by Outreach and Nurture at its November meeting.

(e) The Committee must abide by their adopted annual budget and any variation greater than 10% must have the approval of Outreach and Nurture.

(f) Adopted monthly profit and loss statements shall be forwarded to Outreach and Nurture, not less than seven (7) days after their adoption.

ELECTIONS
6. (a) All officers and positions are elected at the Annual Meeting by the members and are reported to and confirmed by Outreach and Nurture which shall have the power of veto.

(b) Casual vacancies may be filled by the Committee nominating its recommendation to Outreach and Nurture. If satisfied, Outreach and Nurture may then appoint the nominee.

MEETINGS
7. (a) The Annual General Meeting shall be held on the same day as the Committee's General Meeting in December. An annual report and financial statements shall be presented by the Executive at the Annual Meeting. Officers, as set out in 3(b) shall be elected and the auditor appointed.

(b) The Committee shall meet as follows:
(i) General meetings: Monthly February to December.
(ii) Annual Meeting: General Meeting day in December
(iii) Special Meeting: May be called by the Convener on his/her own initiative or on the written request of any two members

(c) A quorum shall consist of 4 members representing at least two Congregations.

ALTERATION TO CONSTITUTION
8. Outreach and Nurture may alter this Constitution in any respect subject to the approval of the Assembly of the Presbyterian Church of Queensland.
PRESBYTERIAN WOMEN’S ASSOCIATION OF AUSTRALIA
IN THE STATE OF QUEENSLAND
304

NAME
1. The name of the Association shall be the Presbyterian Women’s Association of Australia in the State of Queensland and it shall be the State Unit of the Presbyterian Women’s Association of Australia.

AIM
2. The aim of the Association shall be:
   (a) To link all Women's Associations within the Presbyterian Church of Queensland in the worship and service of God as revealed to us by Jesus Christ in the power of the Holy Spirit.
   (b) To share in the witness of the Church by encouraging and supporting missionary, educational and social activities approved of and/or conducted by the State Assembly.
   (c) To extend the range and influence of Presbyterian women by providing opportunity for worship and Bible study; and for service to individuals and groups, and to be a channel of Christian information and expression of Christian opinion.
   (d) To co-operate with other women's organisations within the community and beyond, which in the opinion of the State Conference are in harmony with the aims of the Presbyterian Church, subject to the approval of the General Assembly.

MEMBERSHIP
3. (a) The members of the Association shall be women who are members of a local Branch of the Association within a Charge as hereinafter provided.
   (b) Women who are unable to attend local Branch meetings may become Associate Members of the State Unit by paying an affiliation fee as set by the State Council meeting.
   (c) Only Communicants and/or Adherents of the Presbyterian Church shall be eligible to hold office.

ORGANISATION
4. The Association shall be comprised of local Branches within parishes, Presbyterial Associations, a State Conference, together with the State Council and such Standing Committees and Special Groups as are hereinafter provided.
LOCAL BRANCHES

5. A local Branch or Branches may be formed in each Congregation within a parish with the approval of the Kirk Session. Local Branches shall make whatever arrangements seem best for them in so far as days, times, regularity of meetings, finance, life membership, etc. are concerned in accordance with the Constitution and Rules of the Presbyterian Church.

There may be more than one Branch within a parish and there may be both day and evening Branches in a Congregation, but where there is more than one Branch in a Congregation, it is desirable that they meet together at least once a year.

PRESBYTERIAL ASSOCIATIONS

6. Presbyterial Associations shall be established by the State Council on the authority of the State Conference. A Presbyterial Association shall consist of all Branches in a Presbytery except when it shall be competent for a Presbyterial Association to be formed within a defined part of a Presbytery. Each Presbyterial Association shall elect annually from those nominated by constituent local Branches two representatives who shall represent the Presbyterial Association on the State Council. No person shall hold office of Representative for more than three consecutive years but shall be eligible for re-election after the lapse of at least one year.

STATE CONFERENCE

7. There shall be a State Conference held annually and on such dates and at such time and place as the State Council shall determine. The State Conference shall be the ruling body of the Association and it shall deal with all matters of general policy and its decisions shall govern all organisations within the Association.

The State Conference shall consist of the State Council and one voting delegate from each Branch.

Any members of the Association may attend the State Conference, but only duly elected delegates and members of the State Council may vote on any question.

The State Conference shall declare the result of the ballot for a State President, three State Vice-Presidents (two from Brisbane Metropolitan and one from a country area), State Secretaries and State Treasurers of PWA.
The State President, Secretary and Treasurer shall all act in these capacities on the Executive of the State Council.

The State Conference shall receive the PWA Annual Report and submit same to the State Assembly.

**STATE COUNCIL**

8. (i) There shall be a State Council which shall consist of the President, three Vice-Presidents, Secretaries, Treasurer, Immediate Past-President, President or Convener and two other representatives of each Standing Committee and each Special Group.

(ii) Two representatives from each Presbyterial Association, and each Branch.

The State Council shall:

(a) Appoint its own Executive Committee.
(b) Appoint Special Representatives as required to deal with matters not already covered by the work of the Standing Committees.
(c) Appoint representatives to the Federal Conference of the Presbyterian Women's Association of Australia.
(d) Arrange the business of the State Conference.
(e) Have power to fill any vacant office which appointment shall stand until the next meeting of the State Conference.
(f') Compile an Annual Report - for presentation to the State Conference - from reports and audited financial statements received from the Secretaries and Treasurers of State Council, Standing Committees, Special Groups and Presbyterial Associations; such reports and statements to be in the hands of the Secretary of the State Council, at a date to be determined by the State Council, but not less than two (2) months prior to the first day of the State Conference.

**STANDING COMMITTEES**

9. Standing Committees of the Association shall be:

1. PWMU;
2. Children's Homes;
3. Aged Peoples’ Homes;
4. Committee on Ministry Resourcing;
5. Presbyterian Inland Mission;
6. St Andrew's War Memorial Hospital;
7. Christian Education.
and Special Groups of the Association are:
1. Manse Club;
2. Presbyterian Ladies' Choir;

Each Standing Committee and each Special Group shall:
(a) Be autonomous, working under its own Constitution as approved by the State Assembly of Queensland. The Constitution shall be sent to the PWA State Council for reference.
(b) Present reports to the State Conference and to Council.
(c) Appoint two representatives to the State Council.

FINANCES
10. Each local Branch shall pay an annual affiliation fee fixed by the State Conference, to the State Council for the general costs of administration of the Association.

AMENDMENTS TO CONSTITUTION
11. This Constitution shall be amended by a two-thirds majority to those voting at an Annual State Conference provided that written notice of the proposed amendment has been forwarded to the State Secretary in time to be circulated to all Branches two calendar months before the first day of the State Conference.

All amendments shall be deemed to be provisional only until confirmed by the State Assembly.

BY-LAWS
12. The State Conference may make By-Laws not inconsistent with this Constitution providing for matters or order of business and procedure at meetings, the conduct and method of elections and voting, quorums at meetings, finance and affiliation fees, the giving of notice of motion, and generally giving effect to this Constitution. Unless otherwise expressly provided for in the By-Laws, the conduct of the business and of meetings shall be in accordance with the practice and procedure of the General Assembly. By-Laws may be disallowed by the State Assembly.

BY-LAWS - LOCAL
1. After the Annual Meeting of the Branch, and whenever changes occur, each Branch shall notify the State Secretary of the name and address of the Branch President, Secretary and Treasurer and Council Representatives. Council
Representatives may appoint a proxy from their own Branch who shall have written authority.

Each Branch shall elect annually one voting delegate to the State Conference as well as make a nomination to the Presbyterial Association for the representative from the Presbyterial Associations to the State Council.

**PRESBYTERIAL ASSOCIATIONS**

2. The Presbyterial Association shall meet in conference at least annually. At the Annual Conference the Presbyterial Association shall elect as its Office Bearers, a President, one or more Vice-Presidents, a Secretary and a Treasurer, two representatives to the State Council, and other officers as determined by the particular PA, these to form the Executive. The Executive, with one representative from each Guild and each Group, shall form the Committee of the Presbyterial Association. All members of Guilds and Women's Groups affiliated with the regional Presbyterial Association are members of that Association. Executive has the power to make urgent decisions when necessary. These decisions to be endorsed later by the PA.

**FINANCE:** A collection shall be made during each Annual Conference which shall, after deducting reasonable expenses, be sent to the State Treasurer of PWA for deputation purposes. Each Guild or Group within the PA shall pay an affiliation fee to the PA as fixed by the State Conference. This is in addition to the Guild's or Group's affiliation to the State Council of PWA. The work of the Presbyterial Association shall be in line with that of the PWA and the Secretary shall send a report and a copy of the audited Financial Statement to the State Council by the 31st December each year.

**STATE**

3. The business of the State Conference shall be:
   (a) To receive the Annual Report from the State Council on the work of the past year, including the Balance Sheet and other Financial Statements and Auditor's report thereon.
   (b) To declare result of Ballot for office on the State Council under Clause 7 of the Constitution.
   (c) To appoint an Auditor for the ensuing year.
   (d) To consider any other business which may be brought forward to the Conference in accordance with the Constitution, provided that the State Council is given notice in writing not later than three months before the first day of the Annual Conference in each year.
(e) To deal with any special matters arising as determined by the State Council.

(f) No member of Conference shall have more than one vote.

4. The State Office Bearers shall not hold any one office for more than three consecutive years and shall not be eligible for re-election to the same office until after the lapse of at least one year.

5. Nominations from Branches for State Office Bearers shall be made three months prior to the State Conference.

A postal vote shall be registered by Branches at least one month prior to the Conference. No office shall otherwise be filled at Conference except in the case of positions for which no nomination has been received by the prescribed date.

6. A country Branch may appoint as a delegate to represent them at the State Conference, any member from any affiliated Branch who is not already a voting delegate.

7. Representatives from one-tenth of the Branches shall form a quorum.

COUNCIL

8. (a) The State Council shall meet monthly at such time and place as the President and the State Secretary shall direct or at the instruction of the State Conference. At such meeting the President shall have a casting vote but no deliberative vote.

(b) Immediate Past President remains a member of the Executive Committee.

9. At any such meeting, until State Conference shall otherwise provide, ten shall form a quorum.

10. Annual Membership Fees for the current year (calculated on number of members as at 31st December of the preceding year) shall be paid to the State Treasurer not later than 31st March in each year. Each Branch shall be responsible for the fees of its Life Members.

AMENDMENT TO BY-LAWS

11. By-Laws shall be amended by a two-thirds majority of those voting at an Annual State Conference, provided that written notice of the proposed
amendment has been forwarded to the State Secretary in time to be circulated to all Branches two calendar months before the first day of the State Conference.

**DEFINITION OF TERMS**

"General Assembly" means "The General Assembly of the Presbyterian Church of Australia".

"State Assembly" means "The General Assembly of The Presbyterian Church of Queensland".

"State Conference" means "The State Conference of the PWA of A - in the State of Queensland".

"State Council" means "The State Council of the PWA of A - in the State of Queensland".

"Branch" means "A group of Presbyterian women meeting within a local charge with the approval of the Kirk Session, namely: PWAs, Guilds, Study Groups, Fellowships, etc".
PRESBYTERIAN WOMEN'S MISSIONARY UNION
305

NAME
1. Queensland Presbyterian Women's Missionary Union (PWMU), being a
   Standing Committee of the Presbyterian Women's Association of Australia
   (Queensland Unit).

OBJECTS
2. (a) To support in effort and by financial assistance the mission of the
   Church as expressed through the APWM (Queensland) of the General
   Assembly of the Presbyterian Church of Queensland;
   (b) To encourage the women of the Church to have a zeal for this mission
       outreach as revealed to us in the Word of God through our Lord and
       Saviour Jesus Christ and in obedience to His Commission to preach the
       Gospel to the whole world;
   (c) To maintain direct and constant correspondence, support, prayer and
       generally encourage our Missionaries in their calling;
   (d) To faithfully continue to maintain such other areas of mission concern
       and support as may be delegated to it by the Presbyterian Women's
       Association of Australia (Queensland Unit).

MEMBERSHIP
3. (a) Attendance at meetings is open to all Communicant Members and
   Adherents of the Presbyterian Church of Australia and Queensland;
   (b) Only duly affiliated members of the Presbyterian Women's Association
       of Australia (Queensland Unit) are eligible to vote and hold office;
   (c) An Associate Member shall have all rights and privileges of Members,
       except that they shall not move or second a motion or an amendment,
       vote on any question or occupy office; (see SO 10).

4. (l) Officers will be elected annually at the Annual General Meeting of the
     Committee and shall be:
     (a) Convener
     (b) Two Deputy Conveners
     (c) Secretary
     (d) Treasurer
     (e) Minute Secretary
     (2) and such other Officers:
     (f) APWM (Queensland) Correspondent
(g) WMU Cookery Book Secretary
(h) Used Stamps Sales Secretary
(i) Birthday Fund Secretary

(3) Representatives:
(j) Presbyterian Women's Association of Australia (Queensland Unit) State Council.

EXECUTIVE
5. (a) The Convener, Secretary and Treasurer shall comprise the Executive to make urgent decisions which must be reported to the next meeting of the Committee to be endorsed;
(b) The Executive Committee will comprise the Convener, two Deputy Conveners, Secretary, Treasurer, Minute Secretary, and Immediate Past Convener.

FINANCE
6. (a) All working accounts will be vested in one account in the name of the Standing Committee by the Treasurer;
(b) All cheques and documents shall be signed by any two of the following: Convener, Secretary, Treasurer or a Deputy Convener.

ELECTIONS
7. (a) Only duly affiliated members of PWA of A (Queensland Unit) are eligible to nominate or be nominated for any office or position;
(b) (i) No Convener, Secretary or Treasurer is eligible for re-election to the same office after serving in the same office for three consecutive years;
(ii) nor for any such office after a cumulative service of six years in any of these offices.
(c) A Deputy Convener may hold a second office provided the holding of such would be consistent with 7b (ii);
(d) All offices and positions are elected at the Annual Meeting; casual vacancies may be filled by the General Committee on a recommendation of the Executive Committee.

MEETINGS
8. The Annual General Meeting will be held on the first Friday of February at which the Annual Report and Financial Statements will be presented; officers, appointees as set out in 4 above will be elected and the Auditor appointed.
(1) The Committee shall meet as follows:
(a) General Meetings: Monthly, February to November;
(b) Annual Meeting: First Friday in February;
(c) Special Meetings:
   (i) may be called by the Convener on her own initiative;
   (ii) a Deputy Convener on written request by two members.
(d) Quorum: Nine (9) members.

ALTERATIONS TO REGULATIONS
9. (a) These Regulations may be altered and/or amended by a two-thirds majority of those voting at a General Meeting after two months' notice given at a General Meeting and published in at least one issue of "Notes and News".
(b) All such alterations/amendments are provisional only until approved by the Presbyterian Women's Association of Australia (Queensland Unit).
NAME
1. Youth work within the Presbyterian Church of Queensland shall be referred to as "Presbyterian Youth" which will be seen as the continuation of the "Presbyterian Fellowship of Australia in the State of Queensland, normally referred to as the PFA".

2. Within the framework of Presbyterian Youth, local churches may continue to operate PFA units as part of Presbyterian Youth.

AIMS AND OBJECTIVES
3. The broad aim of Presbyterian Youth through any local unit is to encourage and enable young people to participate fully in the life of the Church which is to be achieved specifically in the following ways:
   (a) To present to youth the Gospel of Jesus Christ as the foundation upon which their lives are to be built thus enabling them to accept Him as Saviour and Lord and to live for Him in the world.
   (b) To enable Christian youth to grow in their understanding of the Lord Jesus Christ through their study of the Scriptures.
   (c) To help young people to an awareness of the love of God and how they may love and serve others in his Name.
   (d) To encourage commitment and devotion of young people to their Lord through worship and a devotional life.
   (e) To assist Christian youth to achieve spiritual and intellectual maturity in social and moral decisions through ministry of worship, study, recreation, service, and evangelistic outreach into the community.
   (f) To provide young people with the opportunity of Christian fellowship within the body of Christ free from any racial or social prejudice.

GOVERNMENT
4. Presbyterian Youth shall function on the following levels:
   (a) Local Congregational Group.
       This group which may be termed Presbyterian Youth, PFA or any other title, shall operate under the oversight of the Kirk Session.
   (b) Regional Activities of Presbyterian Youth.
       Either on a regular basis or an ad hoc basis shall operate under the oversight of the relevant Presbytery. Presbyteries may establish a task force made up of youth leaders from the region and Ministers and Elders
of the Presbytery to oversee regional activities of Presbyterian Youth within the bounds of the total Presbytery or part thereof.

(c) State activities of Presbyterian Youth shall operate under the oversight of the State Assembly through the Committee on Outreach and Nurture and its Department of Christian Education.

SUPPORT
5. Wherever practicable, Presbyteries shall appoint a small group of its Ministers and Elders to meet periodically in an informal way with key leadership people working with young people within the region to enable Presbyteries to be more informed in areas of youth ministry.

6. The need for leadership training in all forms for youth leaders is acknowledged and this should be undertaken at a regional level through Presbyteries and beyond that through the resources of the Department of Christian Education recognising that local Sessions and Presbyteries are free to call upon the resources of the Department of Christian Education, where appropriate.

BADGE, LOGOS, ETC.
7. Presbyterian Youth may use the badge of the PFA, their own local logo or other form of identification, or a logo prepared by the Department of Christian Education and approved by the Committee on Outreach and Nurture from time to time.

AMENDMENTS TO THE CONSTITUTION
8. All proposed amendments to this Constitution must be submitted to the Assembly through the Committee on Outreach and Nurture.
1. NAME
The Name of the College shall be Queensland Theological College (QTC) and all references in other places to the Reformed College of Ministries shall be taken as referring to Queensland Theological College.

2. DOCTRINAL BASIS
The doctrinal basis of the Presbyterian Church of Australia shall be the doctrinal basis of the Queensland Theological College.

3. AIMS AND OBJECTIVES
The Queensland Theological College, from its position within the evangelical, biblical and reformed Christian tradition, exists to encourage and stimulate theological thinking and application, and to educate, disciple and train people for Christian life and service in a variety of situations both formal and informal; which is to be achieved by:
(1) Training students to examine and evaluate contemporary challenges in the light of the gospel;
(2) Giving strong emphasis to evangelism;
(3) Giving specific and practical training for a variety of ministries;
(4) Giving particular attention to the essential training of men for the ministry of Word and Sacrament of the Presbyterian Church of Australia;
(5) Developing flexible delivery systems which shall be operated where necessary in conjunction with Presbyteries.

4. GOVERNMENT
The Queensland Theological College is a College of the Assembly of the Presbyterian Church of Queensland, which shall,
(1) Appoint a Committee called the Committee on Ministries Training (CMT) which shall formulate policy and ensure the aims of the Assembly are carried out.
(2) Appoint the Faculty which shall develop and deliver the learning programme of the Queensland Theological College.
(3) Appoint the Principal who shall convene the meetings of the Faculty and manage the implementation of Faculty decisions, CMT decisions related
to QTC, and day-to-day operations of the Queensland Theological College.
In the appointment of members of the Committee on Ministries Training, the Assembly shall seek to appoint persons who have qualifications, experience and ability in such fields as theological education, general education, administration, missions, promotions or other related fields related to the conduct of such a college.

5. **AMENDMENTS**
The Constitution may be changed by a majority vote of the Assembly.
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CONSTITUTION OF FAIRHOLME COLLEGE (TOOWOOMBA) PTY LTD
ACN 096 814 130
A COMPANY LIMITED BY SHARES

1. Interpretation

1.1 In this Constitution, unless the context requires otherwise:
“Assembly” means the General Assembly of the Church;
“Finance and Administration Board” means the Finance and Administration Board of the Church as constituted from time to time by the Rules and Forms of Procedure of the Church;
“Chairman” means the Chairman of Directors appointed pursuant to Rule 59.1;
“Church” means the body corporate incorporated in Queensland as The Presbyterian Church of Queensland;
“Company” means the Company whose members have adopted this Constitution;
“Constitution” means those rules for the operation of the Company set forth in this Constitution agreement and as amended, modified or supplemented from time to time;
“Directors” means the Directors of the company duly appointed from time to time;
“Fairholme College” means the school currently owned by the Church at Wirra Wirra Street, Toowoomba in the State of Queensland;
“Law” means the Corporations Law;
“Principal” means the Principal appointed by the Directors pursuant to Rule 71.7;
“Rules” means the provisions of this Constitution as amended, modified or supplemented;
“Seal” means the common seal of the company and includes any official seal of the company; and
“Secretary” means any person appointed to perform the duties of a secretary of the company.

1.2 Division 10 of Part 1.2 of the Law applies in relation to this Constitution as if it were an instrument made under that Law as in force on the day when this Constitution becomes binding on the company.

1.3 Except so far as a contrary intention appears, in a provision of this Constitution that deals with a matter dealt with in a particular provision of the Law, the provision of this Constitution has the same meaning as in that provision of the Law.
1.4 In this Constitution, unless there be something in the subject or context inconsistent herewith:

(a) Paragraph headings are for convenience only and shall not affect the interpretation of the provisions of this Constitution.

(b) Words importing only singular include the plural and vice versa.

(c) Words importing any gender include the other gender.

(d) Words importing only natural persons include corporations, partnerships, joint ventures, associations or other body corporate and any governmental or semi-governmental agency and vice versa.

(e) A reference to any statute or regulation includes all statutes and regulations amending, consolidating or replacing them and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute.

(f) A reference to a document includes an amendment or supplement to, or replacement or notation of that document.

(g) A reference to a party to a document includes that party’s successors and permitted assigns.

(h) A reference to a “Rule” means a clause number or sub-clause of this Constitution.

2. Name of the Company
   2.1 The name of the company is Fairholme College (Toowoomba) Pty Ltd.

3. Liability of Members
   3.1 The liability of the members is limited.

4. Registered Office
   4.1 The registered office of the Company will be situated at any place in Australia as the Directors may from time to time determine.

   4.2 It is not necessary that the Company keep its registered office open to the public.

   4.3 It is not necessary that the Company display the words “Registered Office” outside its registered office, but the Company must display its name prominently, either outside or inside, at every place at which the Company carries on business and that is open to the public.

5. Effect of Constitution
   5.1 This Constitution has effect as a contract:
(a) between the Company and each member; and
(b) between the Company and each Director and Company Secretary; and
(c) between a member and each other member;
under which each person agrees to observe and perform the terms of the Constitution so far as they apply to that person.

5.2 Unless a member of the Company agrees in writing to be bound, they are not bound by a modification of the Constitution made after the date on which they become a member so far as the said modification:
(a) requires the member to take up additional shares; or
(b) increases the member’s liability to contribute to the share capital of, or otherwise pay money to, the Company; or
(c) imposes or increases restrictions on the right to transfer the shares already held by the member, unless the modification is made to insert takeover approval provisions or a kind referred to in section 648D of the Law.

5.3 The Constitution may only be amended, except as may be required by law, on the recommendation of a resolution of at least 75% percent of the members of the Assembly, present and voting on such resolution.

6. Rights and Powers of the Company

6.1 Subject to the provisions of the Law, the Company has the legal capacity and powers of an individual both in and outside this jurisdiction. The Company also has all the powers of a body corporate including, without limiting the generality of the foregoing, the power to:
(a) issue and cancel shares in the Company;
(b) issue debentures;
(c) grant options over unissued shares in the Company;
(d) give security by charging uncalled capital;
(e) grant a fixed and/or floating charge over the Company’s property;
(f) arrange for the Company to be registered or recognised as a body corporate in any place outside this jurisdiction; and
(g) do anything that it is authorised to do by any other law (including a law of a foreign country).

7. Proprietary Company

7.1 The Company shall be a proprietary company and accordingly:
(a) restricts the right to transfer its shares as hereinafter provided; and
(b) limits to not more than 50 the number of its members (counting joint holders of shares as one person and not counting a person who is employed by the Company or any of its subsidiaries or a person who was a member of the Company while so employed and who has thereafter continued to be a member); and

(c) prohibits engaging in any activity that would require the lodgement of a prospectus under the Law or a corresponding law, except for an offer of shares to:

(i) existing members of the Company; or

(ii) employees of the Company or a subsidiary of the Company.

8. Brokerage or Commission Payments

8.1 The Company may exercise the power to make payments by way of brokerage or commission conferred by the Law in the manner provided by the Law.

8.2 Payments by way of brokerage or commission may be satisfied by the payment of cash, by the allotment of fully or partly paid shares or partly by the payment of cash and partly by the allotment of fully or partly paid shares.

9. Issuing Shares

9.1 Without prejudice to any special rights previously conferred on the holders of any existing shares or class of shares but subject to the Law, shares in the Company may, subject always to the approval of the Assembly, be issued by the Directors and this power to issue shares includes the power to issue:

(a) bonus shares (shares for whose issue no consideration is payable to the issuing Company); and

(b) preference shares (including redeemable preference shares issued on terms that they are, or at the option of the Company are liable, to be redeemed); and

(c) partly-paid shares (whether or not on the same terms for the amount of calls to be paid or the time for paying calls); and

(d) shares with such deferred or other special rights or such restrictions, whether with regard to dividend, voting, return of capital or otherwise as the Directors, subject to any resolution, determine.

9.2 The number of shares in the Company that may be issued by the Directors must not exceed one million (1,000,000).
10. **Classes of Shares**

10.1 The unissued shares in the company are to be classified into the classes and numbers below:

- 1,000,000 Subscriber Shares

10.2 Subscriber Shares shall not carry any right to a dividend, bonus or distribution of any income or property of the Company.

11. **Share Certificates**

11.1 A person whose name is entered as a member in the register of members may receive a certificate in respect of the share if the Directors of the Company approve the issuing of the said certificate but, in respect of a share or shares held jointly by several persons, the Company is not bound to issue more than one certificate.

11.2 Delivery of a certificate for a share to one of several joint holders is sufficient delivery to all such holders.

11.3 If a certificate specifying shares held by a member of the Company is issued by the Company (there being no obligation to do so), the certificate must state:

   (a) the name of the Company and its jurisdiction or registration; and
   (b) the class of the shares; and
   (c) the extent to which the shares are paid up.

12. **Variation of Rights**

12.1 If at any time the share capital is divided into different classes of shares, the rights attached to any class (unless otherwise provided by the terms of issue of the shares of that class) may be varied with the consent in writing of the holders of three-quarters of the issued shares of that class, or by special resolution passed at a separate meeting of the holders of the shares of that class.

12.2 The provisions of this Constitution relating to meetings apply *mutatis mutandis* to every such separate meeting except that any holder of shares of the class may demand a poll.

12.3 The rights conferred upon the holders of the shares of any class issued with preferred or other rights shall, unless otherwise expressly provided by the terms of issue of the shares of that class, be deemed to be varied by
the creation or issue of further shares ranking equally with the first-mentioned shares.

13. **Equitable and Other Interests in Shares**
   13.1 Except as required by law, the Company shall not recognise a person as holding a share upon any trust.

   13.2 The Company is not bound by or compelled in any way to recognise (whether or not it has notice of the interest or rights concerned) any equitable, contingent, future or partial interest in any share or unit of a share or any other right in respect of a share except in absolute right of ownership in the registered holder and except as otherwise provided by this Constitution or by law.

14. **Company’s Lien on Shares**
   14.1 The Company has a first and paramount lien on every share not being a fully paid share for all money called (whether presently payable or not) or payable at a fixed time in respect of that share.

   14.2 The Company also has a first and paramount lien on every share not being a fully paid share registered in the name of a sole holder for all money presently payable by him or his estate to the Company.

   14.3 The Directors may at any time exempt a share wholly or in part from the provisions of this section.

15. **Sale of Shares with a Lien**
   15.1 Subject to Rule 15.2, the Company may sell in such manner as the Directors think fit, any shares over which the Company has a lien.

   15.2 A share on which the Company has a lien shall not be sold unless:
   (a) a sum in respect of which the lien exists is presently payable; and
   (b) the Company has, not less than 14 days before the date of the sale, given to the registered holder for the time being of the share or the person entitled to the share, a notice in writing setting out and demanding payment of such part of the amount in respect of which the lien exists and that is presently payable.

   15.3 For the purpose of giving effect to such sale, the Directors may authorise a person to transfer the shares sold to the purchaser of the shares.
15.4 The Company shall register the purchaser as the holder of the shares comprised in any such transfer and the purchaser is not bound to see to the application of the purchase money.

15.5 The title of the purchaser to the shares is not affected by any irregularity or invalidity in connection with the sale.

15.6 The proceeds of such sale shall be applied by the Company in payment of such part of the amount in respect of which the lien exists and that is presently payable, and the residue (if any) shall be paid to the person entitled to the shares at the date of the sale, subject to any like lien for sums not presently payable that existed upon the shares before the sale.

16. Calls on Partly-Paid Shares

16.1 The Directors may make calls upon the members in respect of any money unpaid on the shares held by the members in accordance with the terms on which the shares are on issue, except that no call shall be payable earlier than one month from the date fixed for the payment of the last preceding call. The Directors may require that the call be paid in instalments.

16.2 Each member shall, upon receiving at least 14 days’ notice specifying the time and place of payment, pay to the Company at the time and place so specified the amount called on his or her shares.

16.3 The Directors may revoke or postpone a call.

16.4 A call shall be deemed to have been made at the time when the resolution of the Directors authorising the call was passed.

16.5 The joint holders of a share are jointly and severally liable to pay all calls in respect of the share.

16.6 Any sum that, by the terms of issue of a share, becomes payable on allotment or at a fixed date shall for the purposes of this Constitution be deemed to be a call duly made and payable on the date on which by the terms of the issue the sum becomes payable. In the case of non-payment, all the relevant provisions of this Constitution as to payment of interest and expenses, forfeiture or otherwise apply as if the sum had become payable by virtue of a call duly made and notified.
16.7 The Directors may, on the issue of shares, differentiate between the holders as to the amount of calls to be paid and the times of payment.

16.8 The Directors may accept from a member the whole or a part of the amount unpaid on a share although no part of that amount has been called up, and the Directors may authorise the payment by the Company of interest upon the whole or any part of an amount so accepted until the amount becomes payable at such rate, not exceeding the prescribed rate, as is agreed between the Directors and the member paying the sum.

16.9 For the purposes of Rule 16.8, the prescribed rate of interest is:
   (a) if the Company has fixed a rate by resolution - the rate so fixed; or
   (b) in any other case - 8% per annum.

17. **Failure to Pay Call**

17.1 If the sum called in respect of a share is not paid before or on the day appointed for payment of the sum, the person from whom the sum is due shall pay interest on the sum from the day appointed for payment to the time of actual payment at such rate not exceeding 8% per annum as the Directors determine, but the Directors may waive payment of that interest wholly or in part.

17.2 If a member fails to pay a call or instalment of a call on the day appointed for payment of the call or instalment, the Directors may at any time thereafter when any part of the call or instalment remains unpaid, serve a notice on the member requiring payment of so much of the call that is unpaid together with any interest that has accrued.

17.3 The said notice shall name a further day, not earlier than the expiration of 14 days from the date of service of the notice, on or before which the payment required by the notice is to be made and shall state that, in the event of non-payment on or before the time appointed, the shares in respect of which the call was made are liable to be forfeited.

18. **Forfeiture of Share**

18.1 If the requirements of a notice served under Rules 17.2 are not complied with, any share in respect of which the notice has been given may at any time thereafter be forfeited by a resolution of the Directors to that effect.

18.2 Such a forfeiture shall include all dividends declared in respect of the forfeited shares and not actually paid before the forfeiture.
18.3 A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the Directors think fit and, at any time before a sale or disposition, the forfeiture may be cancelled on such terms as the Directors think fit.

18.4 A person whose shares have been forfeited ceases to be a member in respect of the forfeited shares, but remains liable to pay to the Company all money that was payable by the member to the Company in respect of the shares at the date of the forfeiture. This liability includes a liability to pay interest at a rate of 8% per annum (unless the Company, prior to the allotment of the forfeited shares, has by resolution determined that another prescribed rate of interest shall apply, in which case the prescribed rate so fixed shall apply) from the date of forfeiture on the unpaid money if the Directors think fit to enforce payment of the interest. The member’s liability ceases if and when the Company receives payment in full of all moneys (including interest) so payable in respect of the shares.

18.5 A statement in writing declaring that the person making the statement is a Director or secretary of the Company and that a specific share in the Company has been duly forfeited on a date stated, is prima facie evidence of the facts stated in the statement as against all persons claiming to be entitled to the specific share.

18.6 The Company may receive the consideration (if any) given for a forfeited share on any sale or disposition of the share and may execute a transfer of the share in favour of the person to whom the share is sold or disposed. Upon the execution of the transfer, the transferee shall be registered as the holder of the share and is not bound to see to the application of any money paid as consideration. The title of the transferee is not affected by any irregularity or invalidity in connection with the forfeiture, sale or disposal of the share.

19. Transfer of Shares

19.1 Subject to this Constitution, a member may transfer all or any of his or her shares by instrument in writing in any usual or common form or in any other form that the Directors approve.

19.2 An instrument of transfer referred to in Rule 19.1 shall be executed by or on behalf of both the transferor and the transferee.
19.3 The sale, transfer or other disposal of any interest in any shares to any
person(s) not already a member of the Company shall not be effective
unless and until the person(s) acquiring the interest in the said shares
enters into an agreement by which he, she or they agree to be bound by
the terms of this Constitution as if the person(s) were an original party to
the Constitution.

20. Pre-Emption
20.1 Before issuing shares of a particular class, the Directors of the Company
must offer them to the existing holders of shares of that class. As far as
practicable, the number of shares offered to each member must be in
proportion to the number of shares of that class that they already hold.

20.2 To make the offer, the Directors must give the members a statement
setting out the terms of the offer, including:
(a) the number of shares offered; and
(b) the period for which the offer will remain open.

20.3 The Directors may issue any shares not taken up under the offer under
Rule 20.1 as they see fit.

20.4 The Company may by resolution passed at a general meeting authorise
the Directors to make a particular issue of shares without complying with
Rule 20.1.

20.5 Subject to Rules 19.3 and 20.6, before a member sells, transfers, assigns,
grants an option with respect to or otherwise disposes of any interest in
any shares of a particular class, the following rights of pre-emption must
be exhausted, that is to say:
(a) the member who desires to sell, transfer or otherwise dispose of any
interest in any shares (the “Vendor”) must give notice in writing to
the Directors of the Company of such desire and such notice shall
constitute the Company his or her agent for the sale of such shares
to other members at a price to be agreed upon between the Vendor
and the Directors or in default of agreement to be determined by an
independent person nominated by the Directors; and
(b) upon the price for such shares being agreed upon or fixed as
aforesaid, the Directors of the Company must offer the shares of a
particular class to the existing holders of shares of that class. As far
as practicable, the number of shares offered to each member must
be in proportion to the number of shares of that class that they
already have; and
(c) to make the offer, the Directors must give the members a statement
setting out the terms of the offer, including:
(i) the number of shares offered; and
(ii) the period for which the offer will remain open.
(d) The Vendor may sell, transfer or otherwise dispose of any interest in
any shares not taken up under the offer under Rule 20.5(b) as he or
she sees fit.

20.6 The provisions of Rule 20.5 do not apply to any transfer or other disposal
of any interest in any share in the Company held by a member to any
related body corporate of the said member, provided that the said member
shall first give an understanding in a form and substance approved by the
Directors that the member will not dispose of any interest in the shares of
the related body corporate without first complying with the provisions of
Rule 20.5 and that Rule shall apply mutatis mutandis as if the shares in
the related body corporate were shares in the Company.

20.7 The powers of the Directors pursuant to Rule 20.5 shall not be exercised
without the prior approval of the Assembly.

21. **Registration of Transfers**

21.1 A person transferring shares remains the holder of the shares until the
transfer is registered and the name of the person to whom they are being
transferred is entered in the register of members with respect to the
shares.

21.2 The Directors are not required to register a transfer of shares in the
Company unless:
(a) the transfer and any share certificate have been lodged at the
Company's registered office; and
(b) any fee payable on registration of the transfer has been paid; and
(c) the Directors have been given any further information they
reasonably require to establish the right of the person transferring
the shares to make the transfer.

21.3 The Directors may refuse to register a transfer of shares in the Company:
(a) if the shares are not fully paid; or
(b) if the Company has a lien on the shares; or
(c) for any other reason.
21.4 The Directors may suspend registration of transfers of shares in the Company at the times and for the periods they determine. The period of suspension must not exceed 30 days in any one calendar year.

22. Financial Assistance

22.1 The Company may financially assist a person to acquire shares in the Company or a holding Company of the Company only if:
(a) giving the assistance does not materially prejudice:
   (i) the interests of the Company or its members; or
   (ii) the Company’s ability to pay its creditors; or
(b) the assistance is approved by the members under Rule 22.4; or
(c) the assistance is exempted under section 260B of the Law.

22.2 Without limiting Rule 22.1, financial assistance may be given before or after the acquisition of shares.

22.3 Rule 22.1 extends to the acquisition of shares by:
(a) issue; or
(b) transfer; or
(c) any other means.

22.4 Member approval for financial assistance by the Company must be given by:
(a) a special resolution passed at a general meeting of the Company, with no votes being cast in favour of the resolution by the person acquiring the shares or by their associates; or
(b) a resolution agreed to, at a general meeting, by all ordinary members.

22.5 If the Company calls a meeting for the purpose of Rule 22.4 it must include with the notice of the meeting a statement setting out all the information known to the Company that is material to the decision on how to vote on the resolution. However, the Company does not have to disclose information if it would be unreasonable to require the Company to do so because the Company had previously disclosed the information to its members.

22.6 Before the notice of meeting for the purpose of Rule 22.4 is sent to members of the Company, the Company must lodge with the Australian Securities and Investments Commission a copy of:
(a) the notice of the meeting; and
(b) any document relating to the financial assistance that will accompany the notice of the meeting sent to the members.

22.7 The Company must lodge with the Australian Securities and Investments Commission, at least 14 days before giving the financial assistance, a notice in the prescribed form stating that the assistance has been approved under this section.

22.8 A special resolution passed for the purpose of Rule 22.4 must be lodged with the Australian Securities and Investments Commission by the Company within 14 days after it is passed.

23. Transmission of Shares on Death

23.1 If a member (who does not own shares jointly) dies, the Company will recognise only the personal representative of the deceased member as being entitled to the deceased member’s interest in the shares.

23.2 If the personal representative gives the Directors the information they reasonably require to establish the representative’s entitlement to be registered as holder of the shares:
   (a) the personal representative may:
       (i) by giving a written and signed notice to the Company, elect to be registered as the holder of the shares; or
       (ii) by giving a completed transfer form to the Company, transfer the shares to another person; and
   (b) the personal representative is entitled, whether or not registered as the holder of the shares, to the same rights as the deceased member.

23.3 On receiving an election under Rule 23.2(a)(i), the Company must register the person as the holder of the shares.

23.4 A transfer under Rule 23.2(a)(ii) is subject to the same rules (for example, about entitlement to transfer and registration of transfers) as apply to transfers generally.

23.5 If a member (who owns shares jointly) dies, the Company will recognise only the survivor as being entitled to the deceased member’s interest in the shares. The estate of the deceased member is not released from any liability in respect of the shares.
24. **Transmission of Shares on Bankruptcy**

24.1 If a person entitled to shares because of the bankruptcy of a member gives the Directors the information they reasonably require to establish the person's entitlement to be registered as holder of the shares, the person may:

(a) by giving a written and signed notice to the Company, elect to be registered as the holder of the shares; or

(b) by giving a completed transfer form to the Company, transfer the shares to another person.

24.2 On receiving an election under Rule 24.1(a), the Company must register the person as the holder of the shares.

24.3 A transfer under Rule 24.1(b) is subject to the same rules (for example, about entitlement to transfer and registration of transfers) as apply to transfers generally.

24.4 This section has effect subject to the *Bankruptcy Act 1966*.

25. **Transmission of Shares on Mental Incapacity**

25.1 If a person entitled to shares because of the mental incapacity of a member gives the Directors the information they reasonably require to establish the person's entitlement to be registered as the holder of the shares:

(a) the person may:

(i) by giving a written and signed notice to the Company, elect to be registered as the holder of the shares; or

(ii) by giving a completed transfer form to the Company, transfer the shares to another person; and

(b) the person is entitled, whether or not registered as the holder of the shares, to the same rights as the member.

25.2 On receiving an election under Rule 25.1(a)(i), the Company must register the person as the holder of the shares.

25.3 A transfer under Rule 25.1(a)(ii) is subject to the same rules (for example, about entitlement to transfer and registration of transfers) as apply to transfers generally.
26. **Alteration of Capital**

26.1 The Company may convert all or any of its shares into a larger or smaller number of shares by resolution passed at a meeting of its members.

26.2 The conversion takes effect on the day after the resolution is passed or a later day specified in the resolution.

26.3 Any amount unpaid on shares being converted is to be divided equally among the replacement shares.

26.4 The Company must lodge a copy of the resolution with the Australian Securities and Investments Commission within one month after it is passed.

27. **Reduction of Share Capital**

27.1 The Company may reduce its share capital in a way that is not otherwise authorised by law if the reduction:

(a) is fair and reasonable to the Company’s members as a whole; and
(b) does not materially prejudice the Company’s ability to pay its creditors; and
(c) is approved by the members in accordance with the provisions of Rules 27.5 and 27.6.

27.2 The Company may, by resolution passed at a general meeting, cancel shares that have been forfeited under the terms on which the shares are on issue. Rule 27.1(b) does not apply to a reduction of share capital of this kind.

27.3 The Company may by a special resolution cancel shares that, at the date of the passing of the resolution, have not been taken up or agreed to be taken up by any person. Rule 27.1(b) does not apply to a reduction of share capital of this kind.

27.4 The Company may reduce its share capital by cancelling any paid-up share capital that is lost or is not represented by available assets. This power does not apply if the company also cancels shares.

27.5 If the reduction in share capital is an equal reduction because:

(a) it relates only to ordinary shares; and
(b) it applies to each holder of ordinary shares in proportion to the number of ordinary shares they hold; and
(c) the terms of the reduction are the same for each holder of ordinary shares,
then the reduction must be approved by a resolution passed at a meeting of the Company’s members.

27.6 If the reduction in share capital is a selective reduction because it does not comply with the provisions of Rule 27.5, then the reduction must be approved by either:
(a) a special resolution passed at a meeting of the Company’s members, with no votes being cast in favour of the resolution by any person who is to receive consideration as part of the reduction or whose liability to pay amounts unpaid on shares is to be reduced, or by their associates; or
(b) a resolution agreed to, at a meeting of the Company’s members, by all ordinary members.

27.7 For the purpose of applying Rule 27.5, ignore differences in the terms of the reduction that are:
(a) attributable to the fact that shares have different accrued dividend entitlements; or
(b) attributable to the fact that shares have different amounts unpaid on them; or
(c) introduced solely to ensure that each member is left with a whole number of shares.

28. Share Buy-Backs
28.1 The Company may buy back its own shares if:
(a) the buy-back does not materially prejudice the Company’s ability to pay its creditors; and
(b) the Company follows the procedures laid down in Chapter 2J of the Law.

29. Meetings of Members
29.1 The Chairman, with the prior approval of the Finance and Administration Board, may call a meeting of the Company’s members whenever the Chairman thinks fit provided that the meeting is held at a reasonable time and place and is held for a proper purpose.

29.2 The Company may hold a meeting of its members at two or more venues using any technology that gives the members as a whole a reasonable opportunity to participate.
30. **Calling of Meetings When Requested by Members**

30.1 The Directors of the Company must call and arrange to hold a general meeting on the request of members with at least 5% of the votes that may be cast at the general meeting.

30.2 The request must:
   (a) be in writing; and
   (b) state any resolutions to be proposed at the meeting; and
   (c) be signed by the members making the request; and
   (d) be given to the Company.

30.3 Separate copies of the document setting out the request may be used for signing by members if the wording of the request is identical in each copy.

30.4 The percentage of votes that members have is to be worked out as at the midnight before the request is given to the Company.

30.5 The Directors must call the meeting within 21 days after the request is given to the Company. The meeting is to be held not later than two months after the request is given to the Company.

30.6 Members with more than 50% of the votes of all of the members who make a request under this section may call and arrange to hold a general meeting if the Directors do not do so within 21 days after the request is given to the Company.

30.7 The meeting must be called in the same way (so far as possible) in which general meetings of the Company may be called. The meeting must be held not later than three months after the request is given to the Company.

30.8 To call the meeting the members requesting the meeting may ask the Company for a copy of the register of members and the Company must give the members the copy of the register without charge.

30.9 The Company must pay the reasonable expenses the members incurred because the Directors failed to call and arrange to hold the meeting.

30.10 The Company may recover the amount of the expenses from the Directors. However, a Director is not liable for the amount if they prove they took all reasonable steps to cause the Directors to comply with Rule
30.1. The Directors who are liable are jointly and individually liable for the amount. If a Director who is liable does not reimburse the Company, the Company must deduct the amount from any sum payable as fees to or the remuneration of the Director.

31. **Calling of General Meetings by Members**

31.1 Members with at least 5% of the votes that may be cast at a general meeting of the Company may call and arrange to hold a general meeting. The members calling the meeting must pay the expenses of calling and holding the meeting.

31.2 The meeting must be called in the same way (as far as is possible) in which general meetings of the Company may be called.

31.3 The percentage of votes that members have is to be worked out as at the midnight before the meeting is called.

32. **Notice of Meetings**

32.1 At least 21 days notice must be given of a meeting of the Company’s members.

32.2 Written notice of a meeting of the Company’s members must be given individually to each member entitled to vote at the meeting and to each Director and to the auditor for the time being of the Company. If a share is held jointly, notice need only be given to one of the members.

32.3 No other person is entitled to receive notices of a meeting of the Company’s members.

32.4 Notice to joint members must be given to the joint member named first in the register of members.

32.5 When a meeting is adjourned, new notice of the resumed meeting must be given if the meeting is adjourned for one month or more.

32.6 A notice of a meeting of the Company’s members shall specify:

(a) the place, date and time for the meeting and, if the meeting is to be held in two or more places, the technology that will be used to facilitate this; and

(b) the general nature of the business of the meeting; and
(c) if a special or extraordinary resolution is to be proposed at the meeting - set out an intention to propose the special or extraordinary resolution and state the resolution; and
(d) contain a statement setting out the following information:
(i) that the member has a right to appoint a proxy; and
(ii) that the proxy does not need to be a member of the Company; and
(iii) that if the member appoints two proxies, the member may specify the proportion or number of votes the proxy is appointed to exercise.

32.7 It is not necessary for a notice of an annual general meeting to state that the business to be transacted at the meeting includes the declaring of a dividend, the consideration of accounts and the reports of the Directors and auditors, the election of Directors in place of those retiring, or the appointment of and fixing the remuneration of auditors.

33. Members’ Right to Put Resolutions at Meetings
33.1 Members with at least 5% of the votes that may be cast on a resolution may give the Company notice of a resolution that they propose to move at a general meeting.

33.2 The notice must:
(a) be in writing; and
(b) set out the wording of the proposed resolution; and
(c) be signed by the members proposing to move the resolution.

33.3 Separate copies of a document setting out the notice may be used for signing by members if the wording of the notice is identical in each copy.

33.4 The percentage of votes that members have is to be worked out as at the midnight before the members give the notice.

34. Quorum
34.1 No business shall be transacted at any meeting of the Company’s members unless a quorum of members is present within 30 minutes after the time for the meeting set out in the notice of meeting.

34.2 The quorum for a meeting of the Company’s members is two members or in the case of a Company with a single member, that member and the quorum must be present at all times during the meeting.
34.3 In determining whether a quorum is present, individuals attending as proxies or body corporate representatives are to be counted but only once per person and irrespective of how many members, including themselves, that they represent. However, if a member has appointed more than one proxy or representative, only one of them is to be counted.

34.4 A meeting of the Company’s members that is convened upon the requisition of members that does not have a quorum present within 30 minutes after the time for the meeting set out in the notice of meeting shall be dissolved.

34.5 In any other case, a meeting of the Company’s members that does not have a quorum present within 30 minutes after the time for the meeting set out in the notice of meeting is adjourned to the same place and time 7 days after the due date and time of the meeting.

34.6 If no quorum is present at the resumed meeting within 30 minutes after the time for the meeting, the members present at that adjourned meeting shall comprise a sufficient number for the holding of the meeting.

**35. Chairing Meetings of Members**

35.1 The chairman of any meeting of the members of the Company shall be elected by the members (or their representatives) present at the meeting.

35.2 The chairman must adjourn a meeting of the Company’s members if the members present with a majority of votes at the meeting agree or direct that the chairman must do so, but only unfinished business shall be transacted at a meeting resumed after an adjournment.

35.3 At the annual general meeting, the chairman must provide the members as a whole with a reasonable opportunity to ask questions about or comment on the management of the Company and the audit report put before the meeting by the auditor.

**36. How Many Votes a Member Has**

36.1 Subject to any rights or restrictions attached to any class of shares, at a meeting of members of the Company the holder or holders of the said Ordinary Shares, shall be entitled to:
(a) on a show of hands, 1 vote each; and
(b) on a poll, 1 vote for each share they hold.
36.2 If a share is jointly held and more than one member votes in respect of that share, only the vote of the member whose name appears first in the register of members counts.

36.3 A member is not entitled to vote at a meeting of the Company’s members unless all calls and other sums presently payable by the member in respect of shares in the Company have been paid.

37. How Voting is Carried Out

37.1 A resolution put to the vote of a meeting of the Company’s members must be decided on a show of hands unless a poll is demanded before a vote is taken, or before the declaration of the result of the show of hands or immediately after the voting results of a show of hands are declared. The demand for a poll may be withdrawn.

37.2 Before a vote is taken the chairman must inform the meeting whether any proxy votes have been received and how the proxy votes are to be cast.

37.3 On a show of hands, a declaration by the chairman is conclusive evidence of the result, provided that the declaration reflects the show of hands and the votes of the proxies received. Neither the chairman nor the minutes need state the number or proportion of the votes recorded in favour or against.

37.4 The chairman has a casting vote if necessary in addition to any vote the chairman has in the chairman’s capacity as a member, proxy or representative of a member but may not exercise that casting vote unless the chairman has exercised the chairman’s deliberative vote.

37.5 If a share is held jointly and more than one member votes in respect of that share, only the vote of the member whose name appears first in the register of members counts.

37.6 If a member is of unsound mind or is a person whose person or estate is liable to be dealt with in any way under the law relating to mental health, his or her committee or trustee or such other person as properly has the management of his or her estate may exercise any rights of the member in relation to a general meeting as if the committee, trustee or other person were the member.
38. **When and How Polls Must be Taken**

38.1 At a meeting of the Company’s members, a poll may be demanded by:
(a) at least 2 members entitled to vote on the resolution; or
(b) members with at least 5% of the vote that may be cast on the resolution on a poll; or
(c) the chairman.

38.2 A poll may be demanded on any resolution.

38.3 A poll demanded on a matter other than the election of a chairman or the question of an adjournment must be taken when and in the manner the chairman directs.

38.4 A poll on the election of a chairman or on the question of an adjournment must be taken immediately.

39. **Circulating Members’ Resolutions**

39.1 The Company may pass an ordinary or special resolution without a meeting of its members being held if all the members entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document. If a share is held jointly, each of the joint members must sign.

39.2 Separate copies of a document may be used for signing by members if the wording of the resolution and statement is identical in each copy.

39.3 The resolution is passed when the last member signs.

40. **Appointment of Body Corporate Representative**

40.1 A body corporate may appoint an individual as a representative to exercise all or any of the powers the body corporate may exercise:
(a) at meetings of the Company’s members; or
(b) at meetings of creditors or debenture holders; or
(c) relating to resolutions to be passed without meetings. The appointment may be a standing one.

40.2 The appointment may set out restrictions on the representative’s powers. If the appointment is to be by reference to a position held, the appointment must identify the position.
40.3 A body corporate may appoint more than one representative but only one representative may exercise the body’s powers at any one time.

40.4 Unless otherwise specified in the appointment, the representative may exercise, on the body corporate’s behalf, all of the powers that the body could exercise at a meeting or in voting on a resolution.

41. Appointment of Proxies
41.1 A member of a Company who is entitled to attend and cast a vote at a meeting of the Company’s members may appoint a person as the member’s proxy to attend and vote for the member at the meeting, subject to any rights or restrictions for the time being attached to any class or classes of shares. This appointment may be a standing one.

41.2 If the member is entitled to cast two or more votes at the meeting, the member may appoint two proxies.

41.3 The appointment may specify the proportion or number of votes that the proxy may exercise.

41.4 An appointment of a proxy is valid if it is in writing and signed by the member of the Company making the appointment, or if the member is a body corporate, either under seal or under the hand of an officer or attorney duly authorised and contains the following information:
(a) the member’s name and address;
(b) the Company’s name;
(c) the proxy’s name or the name of the office held by the proxy;
(d) the meetings at which the appointment may be used.

41.5 Without limiting the generality of the foregoing, an instrument appointing a proxy may be in the following form or such similar form as the circumstances permit:

[Name of Company]

I/We, of , being a member/members of the abovenamed Company, hereby appoint of 
or, in his/her absence, of as my/our proxy to vote for me/us on my/our behalf at the meeting of the Company to be held on the day of and
at any adjournment of that meeting.

# This form is to be used *for/against the resolution.

Signed this day of

*Strike out whichever is not desired.
#To be inserted if desired.

41.6 A later appointment revokes an earlier one if both appointments could not be validly exercised at the meeting.

41.7 For an appointment of a proxy for a meeting of the Company's members to be effective, the following documents must be received by the Company at least 48 hours before the meeting or, in the case of a poll, at least 24 hours before the meeting:
(a) the proxy's appointment; and
(b) if the appointment is signed by the appointor's attorney - the authority under which the appointment was signed or a certified copy of the authority.

41.8 If a meeting of a Company's members has been adjourned, an appointment and any authority received by the Company at least 48 hours before the resumption of the meeting are effective for the resumed part of the meeting.

42. Rights of Proxies
42.1 A proxy appointed to attend and vote for a member has the right to:
(a) speak at the meeting; and
(b) vote (but only to the extent allowed by the appointment); and
(c) join in a demand for a poll.

42.2 An appointment may specify the way the proxy is to vote on a particular resolution and if it does, the proxy is not entitled to vote in the resolution except as specified in the instrument of appointment.

42.3 If a member appoints two proxies and the appointment does not specify the proportion or number of the member's votes each proxy may exercise, each proxy may exercise half of the votes.
42.4 A proxy’s authority to speak and vote for a member at a meeting is suspended while the member is present at the meeting.

42.5 If a proxy is also a member, this section does not affect the way that the person can cast any votes they hold as a member.

42.6 A proxy who is not entitled to vote on a resolution as a member may vote as a proxy for another member who can vote if their appointment specifies the way they are to vote on the resolution and they vote that way.

43. **Validity of Proxy Vote**

43.1 Unless the Company receives written notice of the matter before the start or resumption of the meeting at which a proxy votes, a vote cast by a proxy will be valid if given in accordance with the terms of the instrument of proxy even if, before the proxy votes:

(a) the appointing member dies; or
(b) the member is mentally incapacitated; or
(c) the member revokes the proxy’s appointment; or
(d) the member revokes the authority under which the proxy was appointed by a third party; or
(e) the member transfers the share in respect of which the proxy was given.

44. **Objections to Right to Vote**

44.1 A challenge to a right to vote at a meeting of a Company’s members:

(a) may only be made at the meeting or adjourned meeting at which the vote objected to is given; and
(b) must be determined by the chair, whose decision is final.

44.2 A vote not disallowed pursuant to such objection is valid for all purposes.

45. **Minutes**

45.1 The Company must keep minute books in which it records within one month:

(a) proceedings and resolutions of meetings of the Company’s members; and
(b) proceedings and resolutions of Directors’ meetings (including meetings of a committee of Directors); and
(c) resolutions passed by members without a meeting; and
(d) resolutions passed by Directors without a meeting; and
(e) if the Company has only one Director - the making of declarations by the Director.

45.2 The Company must ensure that minutes of a meeting are signed within a reasonable time after the meeting by one of the following:
(a) the chairman of the meeting; or
(b) the chairman of the next meeting.

45.3 The Company must ensure that minutes of the passing of a resolution without a meeting are signed by a Director within a reasonable time after the resolution is passed.

45.4 The Company must keep its minute books at:
(a) its registered office; or
(b) its principal place of business in Australia; or
(c) another place approved by the Australian Securities and Investments Commission.

45.5 A minute that is so recorded and signed is evidence of the proceeding, resolution or declaration to which it relates unless the contrary is proved.

46. Financial Records
46.1 The Company must keep written financial records that:
(a) correctly record and explain its transactions and financial position and performance; and
(b) would enable true and fair financial statements to be prepared and audited, but nothing in this section shall require an audit to be conducted.

46.2 The financial records may be kept in any language, but an English translation of financial records not kept in English must be made available within a reasonable time to a person who is entitled to inspect the records and who asks for the English translation.

46.3 If financial records are kept in electronic form, they must be convertible into hard copy. Hard copy must be made available within a reasonable time to a person who is entitled to inspect the records.

46.4 The Company may decide where to keep the financial records.
46.5 If financial records about particular matters are kept outside Australia, sufficient written information about those matters must be kept in Australia to enable true and fair financial statements to be prepared. The Company must give the Australian Securities and Investments Commission written notice in prescribed form of the place where the information is kept.

47. Appointment of Directors

47.1 The number of the Directors following incorporation shall be 4. On or before 1 July, 2001, the members shall appoint Directors as set out in Rules 47.4 to 47.9 inclusive and, from that time and until otherwise directed by the Assembly, the number of Directors shall be 15. The initial 4 Directors shall be the holders at the date of appointment of the positions of Chairman of the Council of Fairholme College, the Principal of Fairholme College, and the Clerk and General Manager of the Assembly and shall hold office until reappointed. [BB 2004 Min 59.6]

47.2 Written consent is required for each person who agrees to become a Director of the Company.

47.3 There shall be no share qualification for a Director.

47.4 Seven Directors shall be appointed annually by the Assembly of whom at least 4 members shall be members of the Church. [BB 2004 Min 59.6]

47.5 Two Directors shall be appointed annually by the Assembly on nomination by the Church’s Presbytery of Darling Downs.

47.6 deleted [BB 2004 Min 59.6]

47.7 Two Directors shall be appointed annually by the Assembly on nomination by the Parents’ and Friends’ Association of Fairholme College (or its successor, should that Association become incorporated).

47.8 The Principal for the time being of Fairholme College by virtue of that person holding that position shall be appointed annually by the Assembly to be a Director of the Company.

47.9 The holders for the time being of each of the positions of Moderator, Clerk and Treasurer of the Assembly shall be appointed annually by the Assembly to each be a Director of the Company.
47.10 To be eligible for appointment as a Director, all Directors, other than those referred to in Rule 47.7 shall be active members, or adherents of a branch of the Christian Church as defined by Rule 1.8 (Communicants) and Rule 1.10 (Adherents) of the Rules and Forms of Procedure of the Church and all Directors shall, prior to their appointment be required to subscribe in writing to the Educational Aims of the Church in its Schools as declared from time to time by the Assembly.

47.11 No employee of the Company (except for the Principal referred to in Rule 47.8) is eligible to be appointed as a Director.

47.12 The Directors appointed pursuant to Rules 47.4, 47.5, 47.6 and 47.7 shall hold office from the 1st July in each year or the date of their appointment (whichever shall be the later) until the 30th June next following such appointment, provided that if at the 30th June in any year the Directors for the ensuing year have not been appointed, the then current Directors shall continue in office until their successors have been appointed.

47.13 The parties and bodies responsible for the appointment of Directors in accordance with this Rule 47 shall endeavour to appoint persons who have qualifications, experience and ability in such fields as theology, education, finance, management, law, administration, communication, planning and design, public relations, social science or other fields related to the conduct of a school.

47.14 A person nominated to be a Director of the Company as a nominee of a body or association referred to shall, once nominated, be appointed as such Director by the Assembly unless disqualified by these Rules or the Law from being a Director.

47.15 A person's appointment by the Assembly as a Director of the Company as a nominee of a body or association referred to shall be sufficient evidence of the validity of such appointment notwithstanding any invalidity or irregularity in any proceeding or meeting procedure of the body or association making such nomination.

47.16 Any Director being otherwise qualified is eligible for re-appointment either in the same or a different capacity.
48. Directors may Appoint other Directors

48.1 The Directors of the Company may appoint a person as a Director to fill a casual vacancy. If a Director is to fill the casual vacancy of a Director from a particular class as provided in Rule 47, then the replacement Director shall be from the same class and shall hold office for the same period.

48.2 The total number of Directors appointed under this section shall not at any time exceed the number fixed in accordance with this Constitution.

49. Removal or Resignation of Directors

49.1 Subject to Rule 47.12 a Director shall hold office until the Director is removed or until the Director’s office shall become vacant and in either case pursuant to this Constitution or pursuant to the Law.

49.2 A Director is removed from office upon a resolution being passed by at least 75% of the members present and voting at a meeting of the Assembly resolving to remove such Director from office.

49.3 The office of Director becomes vacant if the Director:

(a) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or
(b) is absent without the prior consent of the Directors from more than three (3) consecutive meetings of the Directors; or
(c) without the consent of a meeting of the members of the Company, holds any other office of profit under the Company except that of Principal Manager Director, Principal Executive Officer, Manager or Secretary; or
(d) is directly or indirectly interested in any contract or proposed contract with the Company and fails to declare the nature of his or her interest in manner required by the Law and this Constitution; or
(e) becomes an employee of Fairholme College unless such employment is as Principal; or
(f) ceases to be Principal of Fairholme College (in the case of the Director appointed pursuant to Rule 47.8) and is not otherwise appointed to be a Director; or
(g) ceases to be Moderator, Clerk or Treasurer as the case may be (in the case of the respective persons appointed as Directors pursuant to Rule 47.9) and is not otherwise appointed to be a Director.
49.4 A Director of the Company may resign as a Director of the Company by giving written notice of resignation to the Company at its registered office. The notice may specify a date upon which the resignation becomes effective otherwise the resignation is effective from and inclusive of the time it is received by the Company. A notice of resignation is not revocable.

50. Remuneration of Directors

50.1 The Directors of the Company are not to be paid any remuneration for acting as directors. This Rule does not prevent the Principal from being paid whatever remuneration that is agreed upon by the Principal and the Company in the course of the Principal’s Contract of Employment.

50.2 The Company may pay the Directors’ travelling and other expenses that they properly incur:
(a) in attending Directors’ meetings or any meetings of committees of Directors; and
(b) in attending any general meetings of the Company; and
(c) in connection with the Company’s business.

50.3 The Company must disclose the remuneration paid to each Director of the Company by the Company or by an entity controlled by the Company if the Company is directed to disclose the information by members with at least 5% of the votes that may be cast at a general meeting of the Company. The Company must disclose all remuneration paid to the Director, regardless of whether it is paid to the Director in relation to the Director’s capacity as Director or another capacity.

50.4 The Company must comply with the direction to disclose the remuneration paid to each Director as soon as practicable by:
(a) preparing a statement of the remuneration of each Director of the Company or subsidiary for the last financial year before the direction was given; and
(b) having the statement audited; and
(c) sending a copy of the audited statement to each person entitled to receive notice of general meetings of the Company.

51. Powers of Directors

51.1 The business of the Company is to be managed by or under the Directors who shall generally conduct Fairholme College in accordance with the Supreme and Subordinate Standards of the Presbyterian Church of
Australia and in accordance with the Educational Aims of the Church in its schools as determined from time to time by the Assembly.

51.2 The Directors may exercise all the powers of the Company except any powers that the Law or this Constitution requires the Company to exercise in a meeting of the Company’s members.

51.3 The Directors may pay all expenses incurred in promoting and forming the Company and, without limiting the generality of Rules 51.1 and 51.2, may exercise all the powers of the Company including, but not limited to, the powers to borrow money, to charge any property or business of the Company or all or any of its uncalled capital, to issue debentures or give any other security for a debt, liability or obligation of the Company or of any other person.

51.4 The Directors may, by power of attorney and whether by way of security or otherwise, appoint any person or persons to be the attorney or attorneys of the Company for such purposes with such powers, authorities and discretions (being powers, authorities and discretions vested in or exercisable by the Directors) for such period and subject to such conditions as the Directors think fit.

51.5 Any such power of attorney may contain such provisions for the protection and convenience of the persons dealing with the attorney as the Directors think fit and may also authorise the attorney to delegate all or any of the powers, authorities and discretions vested in the attorney.

51.6 All acts done by any meeting of the Directors or of a committee of Directors or by any person acting as a Director are valid and effective, notwithstanding that it is afterwards discovered that there was some defect in the appointment of the person to be a Director or a member of a committee or to act or to continue to act as a Director, or that a person so appointed was disqualified.

52. **Negotiable Instruments**

52.1 Any two Directors of the Company may sign, draw, accept, endorse or otherwise execute a negotiable instrument.

52.2 The Directors may determine that a negotiable instrument may be signed, drawn, accepted, endorsed or otherwise executed in a different way.
53. Seal
53.1 The Company shall have a common seal and the Directors shall provide for the safe custody of the seal.
53.2 The seal shall be used to execute a document only by the authority of the Directors.

53.3 Every document to which the seal is affixed shall be witnessed by:
(a) 2 Directors of the Company; or
(b) a Director and a Company secretary.

53.4 The Company may execute a document without using the seal if the document is signed by:
(a) 2 Directors of the Company; or
(b) a Director and a Company secretary of the Company.

54. Dividends
54.1 The Directors may not authorise the payment by the Company to the members of any dividends.

55. Capitalisation of Profits
55.1 The Company may capitalise profits. The capitalisation need not be accompanied by the issue of shares.

56. Directors’ Meetings
56.1 A Directors’ meeting may be called by the Chairman or the secretary on the requisition of five (5) Directors giving reasonable notice individually to every other Director and this notice may be given by telephone or other electronic means of communication.

56.2 The Directors may meet together for the dispatch of business and adjourn and otherwise regulate their meetings as they think fit.

56.3 A resolution of the Directors must be passed by a majority of the votes cast by Directors entitled to vote on the resolution and any such decision shall for all purposes be deemed a decision of the Directors.

56.4 The Chairman has a casting vote, if necessary, in addition to any vote the chairman has in the Chairman’s capacity as a Director but may not exercise that casting vote unless the chairman has exercised the Chairman’s deliberative vote.
57. **Quorum at Directors’ Meeting**

57.1 Unless the Directors determine otherwise, the quorum for a Directors’ meeting is 7 Directors and, unless otherwise stipulated in these Rules, the quorum must be present at all times during the meeting.

57.2 A Director may not leave a Directors’ meeting without the consent of the chairman of the meeting but, if a Director does leave the meeting without consent, the Director shall continue to be counted for the purposes of establishing a quorum.

57.3 If the number of Directors present at a meeting of which adequate notice has been given is not sufficient to constitute a quorum at a meeting of Directors, the meeting shall stand adjourned to the same place and time 7 days after the due date and time of the meeting. If there is still not a quorum present at the adjourned meeting, the Directors present at that adjourned meeting shall comprise a sufficient number for the holding of the meeting.

58. **Use of Technology**

58.1 The linking together of the Directors by any type or kind of technology by direction of the Chairman with the prior consent of the Directors shall be deemed to constitute a meeting of the Directors and all the provisions in this Constitution as to meetings of the Directors shall apply to such meetings as long as the following conditions are met:

(a) consent by the Directors to the use of the technology may be a standing one and a Director may only withdraw the Director’s consent within a reasonable period before a meeting;

(b) all the Directors for the time being entitled to receive notice of a meeting of the Directors (including any alternate for any Director) shall be entitled to notice of a meeting to be held by the specific technology and this notice may be given by telephone or other means of communication;

(c) each of the Directors and the secretary taking part in the meeting by any of the abovementioned means of communication must be able to hear each of the other participants taking part at the commencement of the hearing; and

(d) at the commencement of the meeting each Director must acknowledge his or her presence for the purpose of a meeting of the Directors of the Company to all the other participants taking part in the meeting.
58.2 A Director may not leave the meeting by disconnecting the technology in use for the meeting unless he or she has previously obtained the express consent of the chairman of the meeting. A failure to obtain that consent will not invalidate any or all of the proceedings of the meeting or any decision which is made, even if there does not remain a quorum present.

58.3 A Director shall be conclusively presumed to have been present and to have formed part of the quorum at all times during the meeting held through the use of technology unless the Director has previously obtained the express consent of the chairman of the meeting to leave the meeting as aforesaid.

59. **Chairing Directors’ Meetings**

59.1 The Directors shall, in each year subsequent to the 30th June and following the appointment of Directors, elect one of their number to be the Chairman of Directors and another to be the Deputy Chairman.

59.2 The Chairman shall chair all meetings of the Directors or, in the Chairman’s absence for all or part of any meeting, the Deputy Chairman shall chair the meeting.

59.3 In the absence of both the Chairman and the Deputy Chairman for all or part of any meeting, the Directors present shall elect one of their number to be the chairman of that meeting.

60. **Circulating Directors’ Resolutions**

60.1 The Directors of the Company may pass a resolution without a Directors’ meeting being held if all the Directors entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document.

60.2 Separate copies of a document may be used for signing by Directors if the wording of the resolution and statement is identical in each copy.

60.3 The resolution is passed when the last Director signs.

60.4 The reference to a signed document shall include an electronically transmitted facsimile.

61. **Material Personal Interest in the Affairs of the Company**

61.1 If a Director of the Company has a material personal interest in a matter that relates to the affairs of the Company and:

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(a) the Director discloses the nature and extent of the interest and its relation to the affairs of the Company at a meeting of the Directors; or
(b) the interest is one that does not need to be disclosed under section 191 of the Law,
then:
(c) the Director may vote on the matters that relate to that interest; and
(d) any transactions that relate to the interest may proceed; and
(e) the Director may retain benefits under the transaction even though the Director has the interest; and
(f) the Company cannot avoid the transaction merely because of the existence of the interest.

62. Director Interested in Contract with the Company

62.1 If a Director of the Company has an interest in a contract or a proposed contract with the Company (other than as a member) and the Director discloses the nature and extent of the interest at a meeting of Directors:
(a) the Director may vote on whether the Company enters into the contract; and
(b) the contract may be entered into; and
(c) the Director may vote on matters involving the contract; and
(d) if the disclosure is made before the contract is entered into:
   (i) the Director may retain benefits under the contract even though the Director has an interest in the contract; and
   (ii) the Company cannot avoid the contract merely because of the existence of the interest; and
(e) the Director shall not be disqualified from his or her office merely because of the existence of the interest.

62.2 The Principal is not required to make any separate disclosure to a Directors’ meeting of the terms or provisions of the Principal’s Contract of Employment with the Company.

62.3 The Principal shall not participate in any meeting of the Directors concerning the Principal’s appointment and any conditions or issues pertaining to it and shall, at the request of the balance of the Directors present, absent himself from that portion of the meeting.

63. Delegation to Committees

63.1 The Directors may delegate any of their powers to a committee of Directors consisting of such of their number as they think fit. The Directors
may appoint other persons who are not Directors to be members of the committee.

63.2 A committee must exercise the powers delegated to it in accordance with any regulations or directions of the Directors. The effect of the committee exercising a power in this way is the same as if the Directors exercised it.

63.3 The Directors must elect one of their number to be the chairman of the committee.

63.4 A committee may meet and adjourn as it thinks proper.

63.5 Questions arising at a meeting of a committee shall be determined by a majority of votes of the members present and voting. The chairman has a casting vote if necessary in addition to any vote the chairman has in the chairman’s capacity as a member of the Committee but may not exercise that casting vote unless the chairman has exercised the chairman’s deliberative vote.

64. No Alternate Directors
64.1 No alternate Directors can be appointed.

65. No Associate Directors
65.1 No associate Directors can be appointed.

66. Secretary
66.1 The secretary is to be appointed by the Directors.

66.2 The secretary of the Company holds office on the terms and conditions that the Directors determine.

66.3 A Director or employee of the Company may be appointed as secretary of the Company.

66.4 An act done by the secretary is effective even if the secretary’s appointment, or the continuance of the secretary’s appointment, is invalid because the Company or secretary did not comply with this Constitution or any provision of the Law.

66.5 Rule 66.4 shall not operate to:
(a) bind the Company in its dealings with other people; or
(b) make the Company liable to another person.
67. **Inspection of Records**

67.1 The Directors of the Company, or the Company by a resolution passed at a general meeting of its members, may authorise a member to inspect books of the Company and a member does not have the right to inspect any books of the Company, unless authorised in accordance with this section or by Law.

67.2 The Company will ensure that the minute books for the meetings of its members and for resolutions of members passed without meeting are open for inspection by members free of charge.

67.3 A Director of the Company has a right of access to the financial records of the Company at all reasonable times.

67.4 A Director of the Company may inspect the books of the Company (other than financial records) at all reasonable times for the purpose of a legal proceeding:
   (a) to which the person is a party; or
   (b) that the person proposes in good faith to bring; or
   (c) that the person has reason to believe will be brought against them.

67.5 A person who ceases to be a Director of the Company may inspect the books of the Company (including its financial records) at all reasonable times for the purposes of a legal proceeding:
   (a) to which the person is a party; or
   (b) that the person proposes in good faith to bring; or
   (c) that the person has reason to believe will be brought against them.

   This right continues for 7 years after the person ceases to be a Director of the Company.

67.6 If a person asks the Company in writing to inspect a particular book of the Company that the person has a right to inspect, the Company will make the book available within 7 days for inspection by the person at the place where it is required to be kept and at the time and under such conditions as the Directors shall determine.

67.7 The Company must send a copy of its Constitution to a member of the Company if the member asks the Company, in writing, for the copy and pays any fee required by the Company.
67.8 The Company may send, as determined by the Directors, either a short form annual report or a long form annual report to its members.

67.9 The Company must send a copy of the following documents or resolutions to a member of the Company if the member asks the Company in writing for a copy of such document or resolution:
(a) any minutes of a meeting of the Company’s members or an extract of the minutes; or
(b) any minutes of a resolution passed by members without a meeting; or
(c) a notice lodged with the Australian Securities and Investments Commission setting out the particulars of:
   (i) a division of shares in the Company into classes if the shares were not previously so divided;
   (ii) a conversion of shares in a class of shares in the Company into shares in another class.

67.10 The Company must send a copy of any of the documents or resolutions specified in this section within 14 days after the Company receives the payment if the Company requires the member to pay for the copy, or if the Company does not require payment for the copy, the Company must send the copy within 14 days after the member asks for it in writing.

67.11 The amount of any payment the Company requires for a copy of any of the documents or resolutions specified in this section must not exceed any prescribed amount as set forth in the Corporations Regulations.

68. Serving of Notices
68.1 The Company may give a notice or other document to a member:
(a) personally; or
(b) by sending it by post to the address for the member in the register of members or the alternative address (if any) nominated by the member; or
(c) by sending it to the fax number or electronic address (if any) nominated by the member.

68.2 The Company may give a notice to a person entitled to a share in consequence of the death or bankruptcy of a member:
(a) personally; or
(b) by sending it by post addressed to him or her by name or by the title of representative of the deceased or assignee of the bankrupt or by
any like description, at the address (if any) supplied for the purpose of sending notices by that person; or
(c) if such address has not been supplied - by sending it by post at the address to which the notice might have been sent if the death or bankruptcy had not occurred; or
(d) by sending it to the fax number or electronic address (if any) nominated by that person.

68.3 The Company may give a notice to the joint holders of a share by giving the notice to the joint holder first named in the register of members.

68.4 The Company receives a notice, document or an appointment authority when it is first received at any of the following:
(a) the Company’s registered office; or
(b) a fax number at the Company’s registered office; or
(c) a place, fax number or electronic address specified for the purpose in the notice of meeting; or
(d) it is delivered personally to one of the Directors of the Company.

68.5 A notice or other document given by the Company to its members or a notice or other document given to the Company by its members is taken to be given on the day that the notice is sent, unless the notice is given after 5.00 pm on any business day and before 9.00 am on the next following business day and its receipt is not acknowledged by the person(s) to whom the notice is sent during that period, in which case the notice shall be deemed to have been given at 9.00 am on that next following business day.

68.6 Any notice or other document that is given by the Company to its members, or a notice or other document given by the members to the Company, through the transmission of a facsimile copy thereof via the telephone network to the number nominated (if any) for that purpose shall be deemed to have been given (unless the contrary is shown) upon the date and at the time contained in any transmission confirmation report which contains the identification code of the person to whom it was intended to be transmitted and which indicates that the transmission was received without error.
69. **Indemnity**

69.1 Every officer, auditor or agent of the Company shall be indemnified out of the property of the Company against any liability incurred by him in his or her capacity as officer, auditor or agent in:

(a) defending any proceedings, whether civil or criminal, in which judgement is given in his or her favour or in which he or she is acquitted or in connection with any application in relation to any such proceeding in which relief under the Law is granted to him by the court; and

(b) any case involving liability to a third party except where the liability arises out of conduct involving a lack of good faith.

70. **Winding Up**

70.1 If the Company is wound up, the liquidator may not divide among the members in kind the whole or any part of the property of the Company.

70.2 The liquidator shall, with the sanction of a special resolution, vest the whole or any part of any such property to an institution having similar objects to the Company.

71. **Special Provisions**

71.1 The Finance and Administration Board may from time to time prescribe a maximum amount of capital expenditure or type of capital expenditure to be incurred in any one year by the Company without the prior approval of the Finance and Administration Board and in the event of the Finance and Administration Board so doing the Directors shall not be at liberty to incur any such expenditure without the prior written approval of the Finance and Administration Board.

71.2 In the event that the Directors wish to proceed to incur any expense of a capital nature in excess of the amount prescribed by Rule 72.1, the Directors shall on behalf of the Company, make application to the Finance and Administration Board, stating the purpose for which such expenditure is required and the proposed source of funds to meet such expenditure including, where applicable, the type of loan funds and all terms and conditions applicable to such loan.

71.3 The Directors shall submit its calendar yearly budget to the Finance and Administration Board prior to the 1st March in each year.
71.4 The Directors shall provide an annual report of the activities of the Company including the operations of Fairholme College to the Assembly. The report shall be provided prior to the 1st March in each year and shall include, inter alia, a true copy of the audited profit and Loss Statement and Balance Sheet for the Company for the previous year and such other additional information relating to the company's activities as the Finance and Administration Board may require or direct.

71.5 The Assembly may by resolution of not less than three-quarters of the members present and voting appoint an auditor to investigate and report upon the affairs of the Company and the Directors shall provide all reasonable assistance with the conduct of that audit and shall comply with any directives or recommendations of the Assembly arising out of such audit.

71.6 The Moderator of the Assembly shall have the right to visit the Company's premises at any time and to examine the manner in which any of the Company's activities are being conducted.

71.7 The Directors shall appoint a Principal and, until otherwise authorised by a resolution of the Assembly, must include in the Principal's Contract of Employment requirements that the Principal shall:
(a) be and remain a member of a Protestant Christian Church; and
(b) subscribe, in writing, to the Education Aims of the Church in its schools as declared from time to time by the Assembly.

71.8 (a) The Directors shall appoint a School Chaplain to carry out activities at Fairholme College who shall preferably be an ordained minister of the Presbyterian Church of Australia but who shall be a member of a Christian denomination and shall:
(i) be approved by the Church's Presbytery of Darling Downs who shall induct or set him apart for the office;
(ii) have an understanding and acceptance of the Confessional position of the Presbyterian Church of Australia, and the Church's educational aims as to Schools, as declared from time to time by the Assembly;
(iii) conform to any additional specific requirements the Board may approve.
(b) The Directors may appoint one or more Assistant Chaplains, who shall be a member of a Christian denomination and shall:
(i) be approved by the Church’s Presbytery of Darling Downs who shall induct or set him/her apart for the office;
(ii) have an understanding and acceptance of the Confessional position of the Presbyterian Church of Australia, and the Church’s educational aims as to Schools, as declared from time to time by the Assembly;
(iii) conform to any additional specific requirements the Board may approve.
1. Name
There shall be constituted an organization to be known as "PresCare".

2. Interpretation
In the interpretation of this Constitution, the following words and expressions shall have the following meanings:

"The Board" means the Board of Management of PresCare.

"The Church" means The Presbyterian Church of Queensland.

"The Assembly" means the General Assembly of The Presbyterian Church of Queensland or a Commission of that Assembly.

3. Objects
The objects of PresCare are:

3.1 To acquire and conduct the business of the six aged person complexes and other health and family related activities owned and operated by the Church through its Department of Social Mission.

3.2 To carry out all necessary functions directed towards the establishment and conduct of homes for the aged and/or disabled, respite day care centre or centres and the provision of community health services.

3.3 To provide aged and/or health care and community services to the public irrespective of religious beliefs in a manner which best serves the needs of the community.

3.4 To conduct a ministry of care and compassion administered in the name and spirit of Christ.

3.5 To provide education and training for persons involved in aged, health, religious or charitable activities.

3.6 To engage in any other activity of a charitable or religious nature which the Board considers necessary or desirable.
3.7 To enter into arrangements or joint ventures with other associations or bodies to benefit the charitable or religious objects of PresCare or which, in the opinion of the Board, will enhance or promote the future viability of the business of PresCare.

3.8 To act as Trustee of or to merge with any other association to benefit the charitable or religious objects of PresCare.

3.9 To initiate processes that will enable PresCare to conform to the standards for accreditation determined from time to time by the Aged Care Standards Agency.

3.10 To conduct research by all such means as the Board may think advisable into all or any matters that may relate to the above objects whether or not in collaboration with any other authority.

3.11 To engage in all such activities and to do make perform and execute all such further acts matters and things incidental or conducive to the attainment of the above objects.

4. Management

4.1 The management of PresCare shall be vested in a Board as provided in this Constitution.

4.2 The Board shall consist of:
   a. Eight (8) persons all of whom are Communicant Members or Ministers of the Church appointed by the Assembly, one of whom preferably shall have an accounting qualification and one of whom preferably shall have a legal qualification. Any vacancy caused by any resignation or termination of the membership of any of the eight persons so appointed, shall be filled by the Assembly.
   b. Ex officio: The Moderator, the Clerk of the Assembly and Treasurer of the Church.

4.3 The Board may from time to time, form and disband Subcommittees and determine their terms of reference. The Board may delegate to any Subcommittee such power or powers as it may think fit and may at any time revoke such delegation.

4.4 The Board may appoint a person to serve on a Subcommittee whether or not that person is a member of the Board.
4.5 (i) The Assembly shall from time to time appoint an Officer to manage PresCare known as the CEO.

(ii) The Board shall submit a nomination of the person to fill this position, together with such terms and conditions as approved by the Board, to go before the State Assembly or its Commission.

(iii) In making any decision, the Assembly shall act in terms of the processes outlined in the Rules and Forms of Procedure of the Church.

4.6 The Assembly shall ensure that the Directors will include in any Contract of Employment for the Officer to manage PresCare, irrespective of his title, a requirement that the Officer shall be and remain a member of a Protestant Christian Church. (BB 2014 Minute 46.4)

5. **Term of Office**

5.1 Subject to other provisions of this Rule 5 each member of the Board holds office for a period from the date of appointment until the end of the General Assembly which is at least three years after that date but no longer than four years in total unless the Assembly designates the time of such appointment for some other period of time.

5.2 (Rescinded BB 2011 Minute 63.10.)

5.3 A person appointed to fill a casual vacancy shall be appointed for the balance of the term of office of the member of the Board being replaced. The Commission of Assembly may approve the appointment of such a casual vacancy. (BB 2014 Minute 46.4)

5.4 The Assembly may, from time to time, remove the Board members appointed by it or any of them, from membership of the Board and may also remove any person appointed pursuant to clause 4.5 hereof.

6. **Termination of Membership**

A member shall automatically and forthwith cease to be a member of the Board in any of the following circumstances:

6.1 On retirement or resignation of membership by notice in writing to the Chairman in that behalf;

6.2 On failure to attend three consecutive meetings of the Board without the approval of the Board;
6.3 When adjudicated bankrupt or has entered into a Deed of Arrangement or assigned his/her estate for the benefit of his/her creditors or otherwise takes advantage of laws in force for the time being relating to bankruptcy;

6.4 On incapacity to continue to act as a member or incapacity as determined by the Assembly on the basis of evidence submitted by the Board;

6.5 Failure to subscribe to the objects of this Constitution and/or failure to observe any of the provisions of this Constitution or acts in breach of the terms of this Constitution;

6.6 Is convicted of an indictable offence;

6.7 Conducts himself or herself in a manner considered to be injurious or prejudicial to the Constitution or interests of PresCare or the Church.

6.8 The Assembly determines whether any of clauses 6.3, 6.4 or 6.7 applies on the basis of evidence submitted to it.

7. **Chairman**

7.1 The Chairman and Vice Chairman shall be elected by the Board at the first meeting after each Annual General Assembly in each calendar year.

7.2 Where the position of Chairman or Vice Chairman falls vacant during the year a new Chairman or Vice Chairman as the case may be shall be elected by the Board at the first meeting after the vacancy occurs.

7.3 The Chairman, or in the absence of the Chairman, the Vice-Chairman, shall preside at all meetings of the Board and if neither are present by a member elected by those present.

7.4 The Chairman of a meeting shall have a deliberative vote and, if there is an equality of votes, the motion shall be deemed to be lost.

8. **Visitor**

There shall be two visitors appointed by the Assembly:

(a) The Chairman of the Finance and Administration Board of the Church or a representative appointed by that Board;

(b) The Convener of the Committee on Ministry Resourcing or a representative appointed by that Committee.
Each of these visitors of PresCare shall have the right to visit PresCare at any time to examine the procedures of the Board and the manner in which PresCare is being conducted and to see that the Assembly’s laws, rules and regulations are being duly observed and executed. Each visitor shall have the right to examine ancillary factors relating to PresCare to enable them to undertake their function. (BB 2014 Minute 46.4)

9. Meetings

9.1 The Board shall meet monthly or such times as it may determine. Additional or special meetings may be called by any three members of the Board as they shall deem necessary.

9.2 Four members, of whom two are appointed members, shall constitute a quorum at any duly convened meeting of the Board.

9.3 The Board may hold any meeting by electronic means whereby participants can be heard and can hear, but are not necessarily in the same place.

9.4 Decision may be made by the Board without a meeting if a consent in writing setting out such a decision is signed by all members of the Board other than those on leave of absence with the permission of the Board.

9.5 At least 48 hours’ notice shall be given to members of the Board specifying the place, date and the hour of meeting of the Board or Subcommittee and the general nature of the business to be transacted. Such notice may be given to or served upon a member either personally, or by telephone, facsimile machine, electronic mail or by sending it through the post in a prepaid letter addressed to such member’s usual or last known place of business or abode but the non-receipt of such notice by any member shall not invalidate the proceedings at any meeting. The members present (or participating in accordance with the provisions of clause 9.3 of this Constitution) and constituting a quorum at any meeting of the Board may, by unanimous decision, agree to abridge the period of notice required to be given for the holding of that meeting.

9.6 A special meeting of the Board must be held within 14 days after the Chairman receives a requisition in writing signed by the visitor or by not less than 1/3 of the members of the Board. The requisition must clearly state the reason the special meeting is being convened and the nature of the business to be transacted at the special meeting.
10. **Report**

10.1 The Board shall arrange for the yearly audit of PresCare's Profit and Loss Accounts and Balance Sheet. The audit shall be carried out by a person registered as an auditor with the Australian Securities Commission and approved by the Assembly.

10.2A The Board shall present a Report annually to the Assembly and shall on a quarterly basis, submit a written report of its activities to the Commission of Assembly together with a financial report which will not be required to be audited which will in the first instance be provided to the Finance and Administration Board. It shall however present its audited annual financial statement to the Assembly immediately it is available.

10.2B Before carrying out any activity or action in relation to clauses 3.7 and 3.8 (other than preliminary research for the purpose of formulating a report for the Board of PresCare and/or the Assembly), the Board shall:

1. Decide whether the proposed action expands the scope of the business of PresCare into new initiatives beyond its existing activities;

2. If so, it shall obtain the concurrence of the Assembly or, if urgent and emergent, the Commission of Assembly, before undertaking the activity. (BB 2011 Min 63.12)

11. **Special Audit**

The Assembly may by resolution appoint an auditor to investigate the financial affairs of PresCare. Any auditor so appointed shall have full authority to inspect all accounts books and records of PresCare.

12. **Powers**

12.1 Subject always to any direction or decision of the Assembly and to the provisions of this Constitution and in accordance with the Rules and Forms of Procedure of the Church, the Board shall be responsible for the whole management of PresCare and shall have the following powers:

(a) To conduct appeals for funds and accept donations, gifts and bequests of money and any real or personal property provided however that any real property, securities or other property shall be held in the name of the Church;

(b) To make from time to time other regulations for the internal management, organization, administration and procedures of
PresCare, provided that such regulations are not inconsistent with this Constitution;

(c) To provide the Manager of PresCare with policies and guidelines that will enable him/her to proceed with the day to day management of PresCare;

(d) To invest in the Manager of PresCare the authority to employ, supervise and discipline staff as appropriate and in keeping with the policies and guidelines laid down.

Subject to the rules and forms of procedure of the Church

(e) To purchase, take on lease, exchange, hire or otherwise acquire an interest in any real or personal property;

(f) To borrow or raise money whether on mortgage or other security or otherwise as the Board may think fit;

(g) To erect buildings and maintain, alter and improve existing buildings and to provide the same with such facilities at it deems necessary and, for these purposes, to employ persons on such terms as the Board may determine;

(h) To make investments in any one or more of the forms of investment and to operate banking accounts whether trading, savings or investment accounts with such bank or banks as the Board may determine;

(i) In furtherance of the objects of PresCare to sell, improve, develop, dispose of, or otherwise deal with all or any part of the property and rights of PresCare.

13. **Chaplains**

(a) The Director of Chaplaincy for PresCare shall be appointed by the Assembly in consultation with the Board of PresCare and the Committee on Ministry Resourcing of the Church;

(b) Serving or retired Ministers, Accredited Ministry Workers and Deaconesses of the Presbyterian Church of Queensland, on recommendation by the Director of Chaplaincy, following consultation with the Committee on Ministry Resourcing, may be appointed by the Board of PresCare as full or part-time Chaplains to carry out chaplaincy in support of any PresCare Service and the Board of PresCare may designate any Chaplain as a Senior Chaplain to perform duties as required by the Board; (COA Minute 14/19)

(c) Paid part-time Pastoral Carers may be appointed by the Board of PresCare in support of a PresCare Service for up to a period of 20 hours per week for any one worker, on the recommendation of the
Director of Chaplaincy, after consultation with the Committee on Ministry Resourcing;

(d) Appointees covered by clauses 13 (a), (b) and (c) shall be remunerated on the basis of the stipends package of the Presbyterian Church of Queensland;

(e) Inducted or retired Ministers and Accredited Missionary Workers and Deaconesses of the Presbyterian Church of Queensland, on recommendation by the Director of Chaplaincy, may be appointed by the Board of PresCare as Honorary Chaplains to carry out chaplaincy work in support of any PresCare Service;

(f) Pastoral Carers may be appointed by the Director of Chaplaincy as Honorary Pastoral Carers in accordance with the Service Agreement in effect from time to time, with the concurrence of the Board of PresCare, to carry out pastoral visitation as part of any PresCare Service;

(g) Visiting Chaplains from other Christian denominations shall be monitored by the Director of Chaplaincy through the local PresCare Chaplain or Pastoral Carer in accordance with the Service Agreement in effect from time to time. (COA Min. 12/47.5)

14. Alteration to the Constitution
This Constitution may be amended from time to time by the Assembly or by a special meeting of the Board called for the purpose provided that:

(a) Notice in writing of the proposed amendment has been given to all members of the Board not less than fourteen (14) days before the date of the special meeting;

(b) The motion to amend is supported by a majority of the members present and voting at the meeting;

(c) The amendment to become effective shall require the approval of the Assembly.

15. Use of Income and Property
15.1 The income and property of PresCare shall be applied solely towards the promotion of the objects of PresCare as set forth in this Constitution.

15.2 No portion thereof shall be paid or transferred directly or indirectly by way of bonus dividend or otherwise to any member or members of PresCare or any member or members of the Board or any member or members of The Presbyterian Church of Queensland.

15.3 Nothing herein contained shall prevent the payment in good faith:
(a) to any officers, servants or contractors of PresCare in return for any services actually rendered or for goods supplied in the ordinary and usual course of business;
(b) to any officers or servants or contractors of out-of-pocket expenses, money lent, reasonable and proper charges for goods hired by PresCare or reasonable and proper rent for premises demised or let to PresCare.

15.4 No member of the Board of PresCare shall be employed either directly or in a contractual relationship with PresCare save that the Chairman of the Board of PresCare may be remunerated for governance work done on terms and conditions recommended by the Board of PresCare and as approved by the Assembly or its Commission. (BB 2014 Minute 46.4)

16. Dissolution
16.1 PresCare may be dissolved and its affairs wound up by:
(a) a resolution of the Assembly, provided written advice from the Board and Finance and Administration Board is first obtained.
(b) subject to the approval of the Assembly, a resolution of the Board supported by at least three-fourths of the members of the Board provided that notice of the proposal to put such a resolution is given to all members of the Board at least twenty-one (21) days prior to the meeting at which such proposal is to be considered.

16.2 Upon dissolution the assets of PresCare after payment of all expenses and liabilities shall be transferred, handed over or paid by resolution of the Assembly after consideration of any recommendation from the Board to one or more authority, organization, fund or institution, having similar objects or in part similar objects to that of PresCare and which prohibits the distribution of its or their income and property among its or their members and which is an organization to which gifts are allowable deductions under the provisions of the *Income Tax Assessment Act* as amended.
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CONSTITUTION OF SURECOM PTY LTD
A COMPANY LIMITED BY SHARES

1. General
1.1 Name of company
The name of the Company is SURECOM Pty Ltd.

1.2 Proprietary company
The Company is a proprietary limited company.

1.3 Liability of Members
The liability of Members is limited.

1.4 Replaceable Rules not to apply
The Replaceable Rules do not apply to the Company but instead the rules contained in this Constitution apply to the Company.

2. Definitions and interpretation
2.1 Definitions
In this document:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>ASIC</td>
<td>means the Australian Securities and Investments Commission.</td>
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<td>Business Day</td>
<td>means a day that is not a Saturday, Sunday or public holiday in the place where the contract or act is being performed.</td>
</tr>
<tr>
<td>Church</td>
<td>means The Presbyterian Church of Queensland.</td>
</tr>
<tr>
<td>Company</td>
<td>means SURECOM Pty Ltd.</td>
</tr>
<tr>
<td>Directors</td>
<td>means the directors of the Company.</td>
</tr>
<tr>
<td>Executive Officer</td>
<td>for the purposes of rule 21, has the meaning set out in rule 21.</td>
</tr>
<tr>
<td>Liability</td>
<td>has the meaning set out in rule 21.</td>
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<tr>
<td>Member</td>
<td>means a shareholder of the Company in accordance with the Corporations Act.</td>
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<tr>
<td>Officer</td>
<td>for the purposes of rule 21, has the meaning set out in rule 21.</td>
</tr>
<tr>
<td>PresCare</td>
<td>means PresCare ABN 85 338 603 114, being the sole Member of the Company.</td>
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<td>Relevant Corporation</td>
<td>has the meaning set out in rule 13.4(e).</td>
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<td>Term</td>
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<td>----------------</td>
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<td>Replaceable Rules</td>
<td>means all or any of the replaceable rules contained in the Corporations Act from time to time and includes any replaceable rule that was or may become, a provision of the Corporations Act.</td>
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<tr>
<td>Reserve Powers</td>
<td>means the reserve powers in respect of the Company place from time to time.</td>
</tr>
<tr>
<td>Seal</td>
<td>means the common seal of the Company, if any, and includes any certificate seal of the Company.</td>
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<td>Secretary</td>
<td>means any person appointed to perform the duties of a Secretary of the Company.</td>
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2.2 Interpretation

In this document:
(a) a reference to a clause, schedule, annexure or party is a reference to a clause of, and a schedule, annexure or party to, this document and references to this document include any schedules or annexures;
(b) a reference to a party to this document or any other document or agreement includes the party’s successors, permitted substitutes and permitted assigns;
(c) if a word or phrase is defined, its other grammatical forms have a corresponding meaning;
(d) a reference to a document or agreement (including a reference to this document) is to that document or agreement as amended, supplemented, varied or replaced;
(e) a reference to this document includes the agreement recorded by this document;
(f) a reference to legislation or to a provision of legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;
(g) if any day on or by which a person must do something under this document is not a Business Day, then the person must do it on or by the next Business Day;
(h) a reference to a person includes a corporation, trust, partnership, unincorporated body, government and local authority or agency, or other entity whether or not it comprises a separate legal entity; and
(i) a reference to ‘month’ means calendar month.
3. Share capital and variation of rights

3.1 Holders of ordinary shares
The holder of an ordinary share has the right:
(a) to receive notice of and to attend general meetings of the Company;
(b) to vote at a general meeting of the Company, on the basis of one vote for each share held;
(c) in a winding up or reduction of capital of the Company to repayment of the capital paid up on that share and to participate in the distribution of the surplus assets of the Company; and
(d) to receive dividends as determined from time to time by the Directors to be payable to the holders of ordinary shares.

3.2 Directors power to issue shares
(a) Without prejudice to any special rights previously conferred on the holders of any existing share or class of shares but subject to the Corporations Act, shares in the Company may be issued by the Directors with such preferred, deferred or other special rights or such restrictions, whether with regard to dividend, voting, return of capital or otherwise, as the Directors determine.
(b) Subject to the Corporations Act, any preference shares may be issued on the terms that they are, or at the option of the Company are, liable to be redeemed.

3.3 Variation of rights
(a) The rights attached to any class of shares (unless otherwise provided by the terms of issue of the shares of that class) may, whether or not the Company is being wound up be varied with the consent in writing of Members with at least 75% of the votes in the class, or with the sanction of a special resolution passed at a separate meeting of the holders of the shares of that class.
(b) The rights conferred upon the holders of the shares of any class issued with preferred or other rights are, unless otherwise expressly provided by the terms of issue of the shares of that class, deemed not to be varied by the creation or issue of further shares ranking equally with the first mentioned shares.

3.4 Commission and brokerage
(a) The Company may exercise the power to make payments by way of brokerage or commission conferred by the Corporations Act in the manner provided by the Corporations Act.
(b) Payments by way of brokerage or commission may be satisfied by
the payment of cash, by the allotment of fully or partly paid shares or
partly by the payment of cash and partly by the allotment of fully or
partly paid shares.

3.5 Recognition and disclosure of interests
(a) Except as required by law, the Company does not recognise a
person as holding a share upon any trust.
(b) The Company is not bound by or compelled in any way to recognise
(whether or not it has notice of the interest or right concerned) any
equitable, contingent, future or partial interest in any share or unit of
a share or (except as otherwise provided by these rules or by law)
any other right in respect of a share except an absolute right of
ownership in the registered holder.

4 Right to share certificate
4.1 Availability of certificates
It is a condition of issue of any shares that the Company need not have
ready for delivery any certificate relating to those shares unless the person
who is registered as the current holder of the shares makes a request in
writing for the Company to complete and deliver the share certificates in
which case the Company must do so within one calendar month of receipt
by the Company of such a request. Where the Company is required to
issue certificates for shares, every Member is entitled, without payment, to
one certificate for the shares registered in that Member’s name or to
several certificates in reasonable denominations, each for a part of the
shares.

4.2 Delivery of certificates
Delivery of a certificate for a share to one of several joint holders is
sufficient delivery to all such holders.

5. Lien
5.1 Lien on a share
(a) The Company has a first and paramount lien on every share (not
being a fully paid share) for all money (whether presently payable or
not) called or payable at a fixed time in respect of that share.
(b) The Company also has a first and paramount lien on all shares
(other than fully paid shares) registered in the name of a sole holder
for all money presently payable by the holder or their estate to the
Company.
(c) The Directors may at any time exempt a share wholly or in part from the provisions of this rule.

(d) The Company’s lien (if any) on a share extends to all dividends payable in respect of the share.

5.2 Sale under lien
(a) Subject to rule 0, the Company may sell, in such manner as the Directors think fit, any shares over which the Company has a lien.
(b) A share on which the Company has a lien may not be sold unless:
   (i) a sum in respect of which the lien exists is presently payable; and
   (ii) not less than 14 days before the date of the sale, the Company has given to the registered holder for the time being of the share or the person entitled to the share by reason of the death or bankruptcy of the registered holder, a notice in writing setting out and demanding payment of such part of the amount in respect of which the lien exists as is presently payable.

5.3 Transfer on sale under lien
(a) For the purpose of giving effect to a sale mentioned in rule 0, the Directors may authorise a person to transfer the shares sold to the purchaser of the shares.
(b) The Company must register the purchaser as the holder of the shares comprised in any such transfer and the purchaser is not bound to see to the application of the purchase money.
(c) The title of the purchaser to the shares is not affected by any irregularity or invalidity in connection with the sale.

5.4 Proceeds of sale
The proceeds of a sale mentioned in rule 4.2 are to be applied by the Company in payment of such part of the amount in respect of which the lien exists as is presently payable, and the residue (if any) is (subject to any like lien for sums not presently payable that existed upon the shares before the sale) to be paid to the person entitled to the share at the date of the sale.

6. Calls on shares
6.1 Directors to make calls
(a) The Directors may make calls upon the Members in respect of any money unpaid on the shares of the Members and not by the terms of
issue of those shares made payable at fixed times, except that no call may exceed one quarter of the sum of issue price of the shares or be payable earlier than one month from the date fixed for the payment of the last preceding call.

(b) Each Member must, upon receiving at least 14 days’ notice specifying the time and place of payment, pay to the Company at the time and place so specified the amount called on their shares.

(c) The Directors may revoke or postpone a call.

6.2 **Time of call**
A call is deemed to have been made at the time when the resolution of the Directors authorising the call is passed and may be required to be paid by instalments.

6.3 **Members’ liability**
The joint holders of a share are jointly and severally liable to pay all calls in respect of the share.

6.4 **Interest upon default**
If a sum called in respect of a share is not paid before or on the day appointed for payment of the sum, the person from whom the sum is due must pay interest on the sum from the day appointed for payment of the sum to the time of actual payment at such rate not exceeding 8% per annum as the Directors determine, but the Directors may waive payment of that interest wholly or in part.

6.5 **Fixed instalments deemed calls**
Any sum that, by the terms of issue of a share, becomes payable on allotment or at a fixed date is for the purposes of these rules deemed to be a call duly made and payable on the date on which by the terms of issue the sum becomes payable, and, in case of non-payment, all the relevant provisions of these rules as to the payment of interest and expenses, forfeiture or otherwise apply as if the sum had become payable by virtue of a call duly made and notified.

6.6 **Differentiation between Members as to calls**
The Directors may, on the issue of shares, differentiate between holders as to the amount of calls to be paid and the times of payment.
6.7 Prepayment of calls
(a) The Directors may accept from a Member the whole or a part of the amount unpaid on a share although no part of that amount has been called up.
(b) The Directors may authorise payment by the Company of interest upon the whole or part of an amount so accepted, until the amount becomes payable, at such rate, not exceeding the prescribed rate, as is agreed upon between the Directors and the Member paying for the sum.
(c) For the purposes of rule 5.7(b), the prescribed rate of interest is:
   (i) if the Company has, by resolution, fixed a rate – the rate so fixed; and
   (ii) in any other case – 8% per annum.

7. Transfer of shares
7.1 Forms of instrument of transfer
(a) Subject to these rules, and in particular rule 6.2, a Member may transfer all or any of their shares by instrument in writing in any usual or common form or in any other form that the Directors approve.
(b) An instrument of transfer referred to in rule 6.2(b) is to be executed by or on behalf of both the transferor and the transferee.

7.2 Registration procedure
(a) A transferor of shares remains the holder of the shares transferred until the transfer is registered and the name of the transferee is entered in the register of Members in respect of the shares.
(b) The instrument of transfer must be left for registration at the registered office of the Company or such other place nominated by the Directors, together with such fee (if any) not exceeding $10 as the Directors require, accompanied by the certificate of the shares to which it relates and such other information as the Directors properly require to show the right of the transferor to make the transfer, and thereupon the Company must, subject to the powers vested in the Directors by these rules, register the transferee as a Member.

7.3 Directors may decline to register or suspend
(a) The Directors may in their absolute discretion and without assigning any reason therefore decline to register any transfer of shares.
(b) The registration of transfers may be suspended at such times and for such periods as the Directors from time to time determine not exceeding in the whole 30 days in any year.

8. Transmission of shares

8.1 Transmission of shares on death of holder
In the case of the death of a Member, the survivor or survivors, where the deceased was a joint holder (unless the shares are held as tenants in common), and the legal personal representatives of the deceased, where the deceased was a sole holder or the shares are held as tenants in common, are the only persons recognised by the Company as having any title to the deceased’s interest in the shares, but this rule does not release the estate of a deceased joint holder from any liability in respect of a share that had been jointly held by the deceased with other persons.

8.2 Right to registration on death or bankruptcy
(a) Subject to the Bankruptcy Act 1966 (Cth), a person becoming entitled to a share in consequence of the death or bankruptcy of a Member may, upon such information being produced as is properly required by the Directors, elect either to be registered themselves as holder of the share or to have some other person nominated by them registered as the transferee of the share.
(b) If the person becoming entitled elects to be registered themselves, they must deliver or send to the Company a notice in writing signed by them stating that they so elect.
(c) If they elect to have another person registered, they must execute a transfer of the share to that other person.
(d) All the limitations, restrictions and provisions of these rules relating to the right to transfer, and the registration of a transfer, of shares are applicable to any such notice or transfer as if the death or bankruptcy of the Member had not occurred and the notice or transfer were a transfer signed by that Member.

8.3 Effect of transmission
(a) Where the registered holder of a share dies or becomes bankrupt, their personal representative or the trustee of their estate, as the case may be, is, upon the production of such information as is properly required by the Directors, entitled to the same dividends and other advantages, and to the same rights (whether in relation to meetings of the Company or to voting or otherwise) as the registered
holder would have been entitled to if the registered holder had not
died or become bankrupt.

(b) Where two or more persons are jointly entitled to any share in
consequence of the death of the registered holder, they are, for the
purpose of these rules, deemed to be joint holders of the share.

9. Forfeiture of shares

9.1 Notice requiring payment of call
(a) If a Member fails to pay a call or instalment of a call on the day
appointed for payment of the call or instalment, the Directors may, at
any time thereafter during such time as any part of the call or
instalment remains unpaid, serve a notice on the Member requiring
payment of so much of the call or instalment as is unpaid, together
with any interest that has accrued.

(b) The notice is to name a further day (not earlier than the expiration of
14 days from the date of service of the notice) on or before which
the payment required by the notice is to be made and state that, in
the event of non-payment on or before the time appointed, the
shares in respect of which the call was made are liable to be
forfeited.

9.2 Forfeiture for failure to comply with notice
(a) If the requirements of a notice served under rule 8.1 are not
complied with, any share in respect of which the notice has been
given may at any time thereafter, before the payment required by the
notice has been made, be forfeited by a resolution of the Directors to
that effect.

(b) Such a forfeiture includes all dividends to be paid in respect of the
forfeited shares and not actually paid before the forfeiture.

(c) A forfeited share may be sold or otherwise disposed of on such
terms and in such manner as the Directors think fit and, at any time
before a sale or disposition, the forfeiture may be cancelled on such
terms as the Directors think fit.

9.3 Effect of forfeiture on former holder’s liability
A person whose shares have been forfeited ceases to be a Member in
respect of the forfeited shares but remains liable to pay to the Company all
money that, at the date of forfeiture, was payable by them to the Company
in respect of the shares (including interest at the rate of 8% per annum
from the date of forfeiture on the money for the time being unpaid if the
Directors think fit to enforce payment of the interest), but the Member’s
liability ceases if and when the Company receives payment in full of all moneys (including interest) payable in respect of the shares.

9.4 Evidence of forfeiture
A statement in writing declaring that the person making the statement is a Director or a Secretary of the Company, and that a share in the Company has been duly forfeited on a date stated in the statement, is prima facie evidence of the facts stated in the statement as against all persons claiming to be entitled to the share.

9.5 Transfer of forfeited share
(a) The Company may receive the consideration (if any) given for a forfeited share on any sale or disposition of the share and may execute a transfer of the share in favour of the person to whom the share is sold or disposed of.
(b) Upon the execution of the transfer, the transferee will be registered as the holder of the share and is not bound to see to the application of any money paid as consideration.
(c) The title of the transferee to the share is not affected by any irregularity or invalidity in connection with the forfeiture, sale or disposal of the share.

9.6 Forfeiture applies to non-payment of instalments
The provisions of these rules as to forfeiture apply in the case of non-payment of any sum that, by the terms of issue of a share, becomes payable at a fixed time as if that sum had been payable by virtue of a call duly made and notified.

10. General meetings
10.1 General meeting
(a) A Director may whenever the Director thinks fit call a general meeting.
(b) Except as permitted by the Corporations Act, the Members may not call a general meeting of the Company. By resolution of the Directors, any general meeting (other than a general meeting which has been requisitioned or otherwise called by Members in accordance with the Corporations Act) may be cancelled or postponed prior to the date on which it is to be held.
10.2 Notice of general meeting
(a) A notice of a general meeting is to specify the place, the day and the hour of meeting and the general nature of the business to be transacted at the meeting as well as any other matters required to be specified by the Corporations Act.
(b) If the meeting is to be held at two or more places the notice is to set out details of the technology that will be used to facilitate such a meeting and any other matters required to be stated by the Corporations Act in relation to the use of such technology.

11. Proceedings at general meetings
11.1 Quorum
(a) No business may be transacted at any general meeting unless a quorum of Members is present at the time when the meeting proceeds to business.
(b) Where the Company has only one Member that Member shall constitute a valid quorum.
(c) For the purpose of determining whether a quorum is present, a person attending as a proxy, or an attorney or as a representative of a corporation that is a Member, is deemed to be a Member.

11.2 Appointment and powers of chairman of general meeting
(a) The chairman of PresCare is to preside as chairman at every general meeting.
(b) Where a general meeting is held and the chairman is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Directors present must elect one of their number to be chairman of the meeting.
(c) Where the Directors present fail to elect one of their number as chairman of the meeting as provided by rule 10.2(b) or such chairman is unwilling or unable to act then the Members present may elect one of their number to be chairman of the meeting.

11.3 Adjournment of general meeting
(a) The chairman may, with the consent of any meeting at which a quorum is present, and must, if so directed by the Members present who may cast a majority of votes able to be cast at the meeting, adjourn the meeting from time to time and from place to place, but no business may be transacted at any adjourned meeting other than
the business left unfinished at the meeting from which the adjournment took place.

(b) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

(c) Except as provided by rule 0, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

11.4 Voting at general meeting
At any general meeting a resolution put to the vote of the meeting is decided on a show of hands.

11.5 Equality of votes
In the case of equality of votes, the chairman of the meeting at which a show of hands takes place or at which a poll is demanded, has no casting vote in addition to the Chairman's deliberative vote (if any).

11.6 Entitlement to vote
Subject to any rights or restrictions for the time being attached to any class or classes of shares:

(a) at meetings of Members or classes of Members each Member entitled to vote may vote in person or by proxy or attorney;

(b) on a show of hands every person present who is a Member or a representative of a Member has one vote except where a proxy has two or more appointments that specify different ways to vote on a resolution, in which case the proxy cannot vote; and

(c) on a poll every person present in person or by proxy or attorney has one vote for each share they hold.

11.7 Joint Member's vote
In the case of joint holders the vote of the senior who tenders a vote, whether in person or by proxy or by attorney, is to be accepted to the exclusion of the votes of the other joint holders and, for this purpose, seniority is determined by the order in which the names stand in the register of Members.

11.8 Effect of unpaid call
A Member is not entitled to vote at a general meeting unless all calls and other sums presently payable by them in respect of shares in the Company have been paid.
11.9 Objection to voting qualification
(a) An objection may be raised to the qualification of a vote only at the meeting or adjourned meeting at which the vote objected to is given or tendered.
(b) Any such objection is to be referred to the chairman of the meeting, whose decision is final.
(c) A vote not disallowed pursuant to such an objection is valid for all purposes.

11.10 Appointment of proxy
(a) An instrument appointing a proxy is to be signed by the appointor or their attorney duly authorised in writing or, if the appointor is a corporation, either under Seal or under the hand of an officer or attorney duly authorised.
(b) An instrument appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument of proxy so provides, the proxy is not entitled to vote on the resolution except as specified in the instrument.
(c) An instrument appointing a proxy is deemed to confer authority to speak on behalf of the appointor to the extent permitted by law and demand, or join in demanding, a poll.
(d) A Member who is entitled to cast two or more votes at the meeting may appoint two proxies. If the Member does so, and the appointment does not specify the proportion or number of the Member’s votes each proxy may exercise, then each proxy may exercise half of the votes.
(e) The Directors may determine from time to time the form of an instrument appointing a proxy.

11.11 Deposit of proxy and other instruments
An instrument appointing a proxy is not effective unless the instrument, and the power of attorney or other authority (if any) under which the instrument is signed or a notarially certified copy of that power or authority, is or are deposited, at least 48 hours before the meeting or adjourned meeting at which the person named in the instrument proposes to vote, or, in the case of a poll, not less than 24 hours before the time appointed for the taking of the poll, at the registered office of the Company or faxed to the registered office of the Company or at such other place within the State, fax number or electronic address as may be specified for that purpose in the notice calling the meeting.
11.12 **Validity of vote in certain circumstances**
A vote given in accordance with the terms of an instrument or proxy or a power of attorney is valid notwithstanding the previous death or unsoundness of mind of the principal, the revocation of the instrument (or of the authority under which the instrument was executed) or of the power, or the transfer of the share in respect of which the instrument or power is given, if no intimation in writing of the death, unsoundness of mind, revocation or transfer has been received by the Company at the registered office before the commencement of the meeting or adjourned meeting at which the instrument is used or the power is exercised.

11.13 **Special meetings**
All the provisions of these rules as to general meetings apply to any special meeting of any class of Members which may be held pursuant to the operation of these rules or the Corporations Act.

11.14 **Resolutions passed without meetings**
(a) Where the Company has:
   (i) one Member; or
   (ii) a class of shares with only one holder of the shares in that class,
   the Company may pass a resolution by written resolution without holding a general meeting as permitted by the Corporations Act.
(b) A circular resolution signed by all Members eligible to vote in respect of the subject matter of the resolution, may be used to pass a resolution of Members in lieu of holding a general meeting, as permitted by the Corporations Act.

12. **Appointment, removal and remuneration of Directors**
12.1 **Number and appointment of Directors**
(a) The names of the Directors are those persons listed as consenting to act as Directors at the date of adoption of these rules.
(b) The Board may comprise such number of Directors as the Board of PresCare shall determine from time to time but must comprise:
   (i) a majority of Directors who are members of the Church;
   (ii) one Director who is the chief executive officer of PresCare from time to time, who will also act as chief executive officer of the Company;
   (iii) one Director who is the executive manager of information technology of PresCare from time to time, who will also act as
the executive manager of information technology of SURECOM;

(iv) one Director who is the chairman of PresCare from time to time;

(v) one Director who is a trustee of the Church, as nominated by the Church from time to time; and

(vi) one independent director, as determined by the Directors.

(c) In addition to the Directors, the Church may, by written notice to the Company, nominate one trustee of the Church (in addition to the person appointed as a Director under Rule 12:1(b)(v)) to receive notice and minutes of all board meetings of the Company and any circular resolutions, and attend any board meetings of the Company as an observer (Observer).

12.2 Casual vacancy
The Directors have the power at any time to appoint any person to be a Director to fill a casual vacancy in accordance with Clause 12:1.

12.3 Removal of Directors
(a) The Directors may appoint or remove the independent Director under rule 12.1(b)(vi) by a majority vote of Directors in favour of such appointment or removal.

(b) The Members may not remove or appoint Directors.

12.4 Remuneration of Directors
(a) A Director is to be paid such remuneration as the Directors, subject to the Reserve Powers, determine from time to time or if the Company has a sole Director who is also the sole Member, then the Company is to determine the Director’s remuneration.

(b) Remuneration is deemed to accrue from day to day.

(c) The Directors may also be paid all travelling and other expenses properly incurred by them in attending and returning from meetings of the Directors or any committees of the Directors or general meetings of the Company or otherwise in connection with the business of the Company.

12.5 Share qualification of Directors
The shareholding qualification for Directors may be fixed by the Company in general meeting, and unless and until so fixed, there is no qualification.
12.6 Vacation of office of Director
The office of a Director is vacated:
(a) upon the death of the Director;
(b) upon the Director becoming an insolvent under administration, suspending payment generally to creditors or compounding with or assigning the Director’s estate for the benefit of creditors;
(c) upon the Director becoming a person of unsound mind or a person who is a patient under laws relating to mental health or whose estate is administered under laws relating to mental health;
(d) upon the Director being absent from meetings of Directors during a period of three consecutive calendar months without leave of absence from the Directors where the Directors have not, within 14 days of having been served by the Secretary with a notice giving particulars of the absence, resolved that leave of absence be granted;
(e) upon the Director resigning office by notice in writing to the Company;
(f) upon the Director being lawfully removed from office; or
(g) upon the Director being prohibited from being a Director by reason of the operation of law.

13. Powers and duties of Directors
13.1 Directors to manage Company
Subject to the Corporations Act, the Reserve Powers, and to any other provision of these rules, the business of the Company is to be managed by the Directors, who may pay all expenses incurred in promoting and forming the Company and be reimbursed for all such expenses by the Company, and may exercise all such powers of the Company as are not, by the Corporations Act or by these rules, required to be exercised by the Company in general meeting.

13.2 Appointment of attorney
(a) The Directors may, by power of attorney, appoint any person or persons to be the attorney or attorneys of the Company for such purposes, with such powers, authorities and discretions (being powers, authorities and discretions vested in or exercisable by the Directors) for such period and subject to such conditions as they think fit.
(b) Any such power of attorney may contain such provisions for the protection and convenience of a person dealing with the attorney as the Directors think fit and may also authorise the attorney to
delegate all or any of the powers, authorities and discretions vested in him.

13.3 Execution of Company cheques, etc.
All cheques, promissory notes, bankers drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to the Company, are to be signed, drawn, accepted, endorsed or otherwise executed, as the case maybe, by a Director or in such other manner as the Directors determine.

14. Proceedings of Directors
14.1 Directors’ meetings
(a) The Directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. Each Director, and the Observer, is entitled to reasonable notice of any meetings of the Directors of the Company.
(b) Notice is deemed to have been given to a Director and the Observer, and all Directors are hereby deemed to have consented to the method of giving notice, if notice is sent by mail, personally delivered, sent by facsimile transmission or electronically to the usual place of residence, fax number or electronic address of the Director or at any other address given to the Secretary by the Director from time to time subject to the right of a Director to withdraw such consent within a reasonable period before a meeting.
(c) The Directors may meet either in person or by any technology consented to by all Directors subject to the right of a Director to withdraw such consent within a reasonable period before a meeting. All persons participating in the meeting must be able to hear and be heard by all other participants. A meeting conducted by telephone or other technology is deemed to be held at the place agreed upon by the Directors attending the meeting, provided that at least one of the Directors present at the meeting was at that place for the duration of the meeting.

14.2 Questions decided by majority
(a) Subject to these rules, and in particular rule 0, questions arising at a meeting of Directors are decided by a majority of votes of Directors present and entitled to vote and any such decision is for all purposes deemed to be a decision of the Directors. The Observer shall not be entitled to vote.
(b) In the case of an equality of votes, the chairman of the meeting has no casting vote, in addition to his deliberative vote.

14.3 Reserve Powers
The Directors must operate the Company in accordance with the Reserve Powers.

14.4 Directors’ interests
(a) Subject to the Corporations Act and subject to satisfying the requirements of rule 0, neither the holding of office as a Director (nor the fact that a Director was a promoter of the Company) nor the fiduciary relationship resulting therefrom:

(i) disqualifies any Director from holding any office or place of profit (other than that of auditor) in the Company or in any Relevant Corporation;

(ii) disqualifies any Director from entering into any arrangement, contract or dealing with the Company or any Relevant Corporation or any other person in any capacity;

(iii) avoids or vitiates any arrangement, contract or dealing entered into by or on behalf of the Company or any Relevant Corporation in which a Director is in any way interested; or

(iv) renders any Director or any corporation of which a Director is an officer or Member or in any way interested or any partnership of which a Director is a Member or in any way interested liable to account for any profit arising out of the holding of any such office or place of profit or any such arrangement contract or dealing.

(b) The nature and extent of a Director’s interest is to be disclosed at the meeting of Directors at which the arrangement, contract or dealing is determined by the Directors, if the Director’s interest then exists, or, in any other case, at the meeting of Directors next following the acquisition of their interest.

(c) Subject to the Corporations Act, a Director who is any way interested in any arrangement, contract or dealing as referred to in rule 0 (whether existing or proposed) may vote in respect thereof at a meeting of the Directors and be counted in a quorum present at such meeting.

(d) A Director may affix or attest the affixation of the Seal to any instrument or otherwise execute any document notwithstanding any interest which such Director has in the subject matter of that instrument or any other office or place of profit held by such Director.
(e) In this rule, **Relevant Corporation** means any corporation in which the Company owns shares or is in any way interested or which owns shares in the Company or with which the Company has or may have dealings or any corporation which would be deemed under the Corporations Act and for the purposes of the Corporations Act to be related to the Company.

14.5 **Alternate Directors**
A Director may not appoint a person (whether a Member or not) to be an alternate Director in their place.

14.6 **Quorum for Directors meetings**
(a) At a meeting of Directors, the number of Directors whose presence is necessary to constitute a quorum is such number as is determined by the Directors and, unless so determined, is two Directors.
(b) Rule 13.6 does not apply where the Company has been formed with one Director or where only one Director holds office in accordance with the Corporations Act (subject to rule 13.7), in which case a sole Director may pass a resolution by written resolution in accordance with the Corporations Act.

14.7 **Remaining Directors may act**
Where the Company has more than one Director, and a vacancy or vacancies in the office of a Director or offices of Directors occurs, the remaining Directors may act but, if the number of remaining Directors is not sufficient to constitute a quorum at a meeting of Directors, they may act only for the purpose of increasing the number of Directors to a number sufficient to constitute such a quorum or of convening a general meeting of the Company.

14.8 **Chairman of Directors**
(a) The chairman of PresCare shall also be the chairman of the Company.
(b) Where a meeting of Directors is held and the chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unwilling to act, the Directors present must elect one of their number to be chairman of the meeting.

14.9 **Directors’ committees**
(a) The Directors may delegate any of their powers to a committee or committees consisting of such of their number as they think fit.
(b) A committee to which any powers have been so delegated may exercise the powers delegated in accordance with any directions of the Directors and a power so exercised is deemed to have been exercised by the Directors.

(c) The Members of such a committee may elect one of their number as chairman of their meetings.

(d) Where such a meeting is held and:
   (i) a chairman has not been elected as provided by rule 13.90; or
   (ii) the chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unwilling to act, the Members present may elect one of their number to be chairman of the meeting.

(e) A committee may meet and adjourn as it thinks proper.

(f) Questions arising at the meeting of a committee are determined by a majority of votes of the Members present and voting.

(g) In the case of an equality of votes, the chairman has no casting vote in addition to their deliberative vote.

14.10 Resolution in writing
(a) A resolution in writing of which notice has been given to all Directors and which is signed by all of Directors entitled to vote on the resolution is as valid and effective as if it had been passed at a meeting of the Directors duly called and constituted and may consist of several documents in the same form each signed by one or more of the Directors.

(b) For the purposes of this rule the references to Directors include any alternate Director for the time being present in Australia who is appointed by a Director not for the time being present in Australia but does not include any other alternate Director.

(c) A facsimile transmission or other document produced by mechanical or electronic means under the name of a Director with the Director’s authority is deemed to be a document in writing signed by the Director.

14.11 Validity of acts of Directors
All acts done by any meeting of the Directors or of a committee of Directors or by any person acting as a Director are as valid as if the person had been duly appointed and was qualified to be a Director or to be a Member of the committee notwithstanding that it is afterwards discovered that there was some defect in the appointment of a person to
be a Director or a Member of the committee, or to act as a Director, or that person so appointed was disqualified from acting as a Director.

14.12 Appointment of managing Director
(a) The Directors may from time to time appoint one or more of their number to the office of managing Director for such period and on such terms as they think fit, and, subject to the terms of any agreement entered into in a particular case, may revoke any such appointment.
(b) A Director’s appointment pursuant to rule 0 is automatically determined if they cease from any cause to be a Director.

14.13 Remuneration of managing Director
A managing Director, subject to the terms of any agreement entered into in a particular case and the Reserve Powers, is to receive such remuneration (whether by way of salary, commission or participation in profits, or partly in one way and partly in another) as the Directors determine.

14.14 Powers of managing Director
(a) The Directors may, upon such terms and conditions and with such restrictions as they think fit, confer upon a managing Director any of the powers exercisable by them.
(b) Any powers so conferred may be concurrent with, or be to the exclusion of, the powers of the Directors.
(c) The Directors may at any time withdraw or vary any of the powers so conferred on a managing Director.

14.15 Nominee Directors
If at any time the Company is or becomes a wholly owned subsidiary of a corporation then the Directors appointed by that corporation to the board of the Company are hereby authorised and permitted to take into account the interests of the appointor corporation when exercising their powers or performing their duties as Directors of the Company, acting together or individually.

15. Secretary
A Secretary of the Company holds office on such terms and conditions, as to remuneration and otherwise, as the Directors determine.
16. Execution of documents

16.1 Company Seal is optional
The Company may have a Seal.

16.2 If the Company has a Seal
(a) If the Company has a Seal then the Directors must provide for the safe custody of the Seal.
(b) Subject to rule 15.2(c), the Seal is to be used only by the authority of the Directors, or of a committee of the Directors authorised by the Directors to authorise the use of the Seal, and every document to which the Seal is affixed is to be signed by a Director and countersigned by another Director, a Secretary or another person appointed by the Directors to countersign that document or a class of documents in which that document is included.
(c) If one person is the sole Director and the sole Secretary of the Company, then that person may affix the Company Seal and near the Seal, sign the document to which the Seal is affixed.

16.3 Execution of documents without a Seal
The Company may execute a document, including a deed, by having the document signed by:
(a) two Directors;
(b) a Director and the company Secretary; or
(c) if the Company has a sole Director who is also the company Secretary, that Director,
and if the Company executes a deed, the document is to be expressed to be executed as a deed and be executed in accordance with the appropriate procedures set out in rule 15.2 or this rule.

16.4 Other ways of executing documents
Notwithstanding the provisions of rules 15.2 and 15.3, any document including a deed, may also be executed by the Company in any other manner permitted by law.

17. Inspection of records
The Directors may determine whether and to what extent, and at what time and place and under what conditions, the financial records and other books of the Company or any of them are to be open to the inspection of Members other than Directors, and a Member other than a Director does not have the right to inspect any book or record of the Company except as provided by law or as authorised by the Directors.
18. Dividends and reserves

18.1 Payment of dividends
The Directors may:
(a) subject to clause 17.2, pay any interim and final dividends that, in their judgment, the financial position of the Company justifies;
(b) rescind a decision to pay a dividend if they decide, before the payment date, that the Company’s financial position no longer justifies the payment; and
(c) pay any dividend required to be paid under the terms of issue of a share.

18.2 Conditions
A dividend may only be paid if permitted by law.

18.3 Reserves and profits carried forward
(a) The Directors may:
(i) set aside out of the Company’s profits, the sums they think proper as reserves, to be applied at the discretion of the Directors, for any purpose for which the Company’s profits may be properly applied;
(ii) appropriate to the Company’s profits any amount previously set aside as a reserve or provision; or
(iii) carry forward any profits remaining that they consider appropriate, without transferring those profits to a reserve or provision.

(b) Setting aside an amount as a reserve or provision does not require the Directors to keep the amount separate from the Company’s other assets or prevent the amount being used in the Company’s business or being invested as the Directors decide.

18.4 Calculation and apportionment of dividends
(a) Subject to the rights of Members owning shares with special rights as to dividend (if any), all dividends are to be paid according to the amounts paid or credited as paid on the shares for which the dividend is paid.

(b) All dividends are to be apportioned and paid proportionately to the amounts paid or credited as paid on the shares during any portion or portions of the period for which the dividend is paid. If any share is issued on terms providing that it will rank for dividend as from a particular date, that share ranks accordingly.
An amount paid or credited as paid on a share in advance of a call is not to be taken for the purposes of this rule to be paid or credited as paid on the share.

18.5 Record date
(a) The Directors may fix a record date for a dividend, with or without suspending the registration of transfers from that date under rule 6.3.
(b) A dividend must be paid to the person who is registered, as the holder of the share:
   (i) where the Directors have fixed a record date for the dividend, on that date; or
   (ii) where the Directors have not fixed a record date for that dividend, on the date fixed for payment of the dividend, and a transfer of a share that is not registered, on or before that date is not effective, as against the Company, to pass any right to the dividend.

18.6 No interest
Interest is not payable by the Company in respect of any dividend.

18.7 Method of payment
(a) The Directors may pay dividends by:
   (i) cheque sent to the address of the Member shown in the register of Members, or for joint holders, the first listed name and address;
   (ii) by any electronic or other means approved by the Directors directly to an account (of a type approved by the Directors) nominated in writing by the Member or the joint holders; or
   (iii) any other method the Directors may decide.
(b) Different methods of payment may apply to different Members or groups of Members.
(c) A cheque sent under rule 17.7(a)(i):
   (i) may be made payable to bearer or to the order of the Member to whom it is sent or any other person the Member directs; and
   (ii) is sent at the Member’s risk.
(d) If the Directors decide to pay dividends by electronic means under rule 17.7(a)(ii), but:
   (i) no account is nominated by the Member; or
   (ii) an electronic transfer into a nominated account is rejected or refunded,
the Company may credit the amount payable to an account of the Company to be held until the Member nominates a valid account.

(e) Where a Member does not have a registered address or the Company believes that a Member is not known at the Member’s registered address, the Company may credit an amount payable to the Member to an account of the Company to be held until the Member claims the amount or nominates an account into which payment may be made.

(f) An amount credited to an account under rules 0 or 0 is to be treated as having been paid to the Member at the time it is credited to that account. The Company is not a trustee of the money and no interest accrues on the money.

18.8 Deductions from dividends
The Directors may deduct from any dividend payable to a Member all sums of money (if any) presently payable by the Member to the Company on account of calls or otherwise in relation to shares in the Company.

18.9 Retention of dividends
The Directors may retain the dividend payable on a share:

(a) where a person is entitled to a share because of an event under rule 0, until that person becomes registered as the holder of that share or transfers it; and

(b) apply it to any amount presently payable by the holder of that share to the Company.

18.10 Distribution of specific assets
(a) The Directors may distribute specific assets, including paid-up shares or other securities of the Company or of another body corporate, either generally or specifically to Members as direct payment of the dividend in whole or in part and, if they do so they may:

(i) fix the value of any asset distributed;

(ii) make cash payments to Members on the basis of the value fixed or for any other reason so as to adjust the rights of Members between themselves; and

(iii) vest an asset in trustees.

(b) Where the Company satisfies a dividend by way of distribution of securities of another body corporate, each Member is taken to have agreed to become a Member of that corporation and to have agreed
to be bound by the constitution of that corporation. Each Member also appoints each Director their agent and attorney to:

(i) agree to the Member becoming a Member of that corporation;
(ii) agree to the Member being bound by the constitution of that corporation; and
(iii) sign any transfer of shares or securities, or other document required to give effect to the distribution of shares or other securities to that Member.

18.11 Source of dividends
The Directors may pay a dividend to particular Members wholly or partly out of any particular fund or reserve or out of profits derived from any particular source, and to the other Members wholly or partly out of any other particular fund or reserve or out of profits derived from any other particular source.

18.12 Reinvestment of dividends
The Directors may permit the Members or any class of Members to:

(a) reinvest cash dividends by subscribing for shares or other securities in the Company or a related body corporate; and
(b) forgo the right to receive cash dividends and receive instead some other form of distribution of entitlement (including securities), on any terms the Directors think fit.

18.13 Unclaimed dividends
Unclaimed dividends may be invested by the Directors as they think fit for the benefit of the Company until claimed or until required to be dealt with under the law.

19. Capitalisation of profits
19.1 Power of Directors
(a) Subject to the Reserve Powers, the Directors may resolve that it is desirable to capitalise any sum, being the whole or a part of the amount for the time being standing to the credit of any reserve account or the profit and loss account or otherwise available for distribution to Members, and that that sum be applied, in any of the ways mentioned in rule 18.1(b), for the benefit of Members in the proportions to which those Members would have been entitled in a distribution of that sum by way of dividend.
(b) The ways in which a sum may be applied for the benefit of Members under rule 18.1(a) are:
(i) in paying up any amounts unpaid on shares held by Members;
(ii) in paying up in full unissued shares or debentures to be issued to Members fully paid; or
(iii) partly as mentioned in rule 18.1(b)(i) and partly as mentioned in rule 18.1(b)(ii).

19.2 Further powers of Directors
(a) The Directors may do all things necessary to give effect to their resolution to capitalise described in this rule and, in particular, to the extent necessary to adjust the rights of the Members among themselves, may:
(i) issue fractional certificates or make cash payments in cases where shares or debentures become issuable in fractions; and
(ii) authorise any person to make, on behalf of all the Members entitled to any further shares or debentures upon the capitalisation, an agreement with the Company providing for the issue to them, credited as fully paid up, of any such further shares or debentures or for the payment up by the Company on their behalf of the amounts or any part of the amounts remaining unpaid on their existing shares by the application of their respective proportions of the sum resolved to be capitalised.
(b) Any agreement made under an authority referred to in rule 0 is effective and binding on all the Members concerned.

20. Notices
20.1 Service of notices
(a) A notice may be given by the Company to any Member either by serving it on them personally or by sending it by post to them at their address as shown in the register of Members or the address supplied by them to the Company for the giving of notices to them or by sending it to the facsimile number or electronic address (if any) nominated by the Member.
(b) Any notice served on a Member personally is deemed to have been served when delivered. Any notice served on a Member by post is deemed to have been served 48 hours after posting. Any notice served on a Member by facsimile transmission or other electronic means is deemed to have been served when the transmission or electronic message is sent.
(c) A notice may be given by the Company to the joint holders of a share by giving the notice to either or any of the joint holders.
(d) A notice may be given by the Company to a person entitled to a share in consequence of the death or bankruptcy of a Member by serving it on them personally or by sending it to them by post addressed to them by name, or by the title of representative of the deceased or assignee of the bankrupt, or by any like description, at the address (if any) within the State supplied for the purpose by the person or, if such an address has not been supplied at the address to which the notice might have been sent if the death or bankruptcy had not occurred.

20.2 Persons entitled to notice of general meeting
(a) Notice of every general meeting is to be given in the manner authorised by rule 0 to:
   (i) each Member individually who is entitled to vote at general meetings of the Company;
   (ii) each Director;
   (iii) each person entitled to a share in consequence of the death or bankruptcy of a Member who, but for their death or bankruptcy, would be entitled to receive notice of the meeting; and
   (iv) the auditor, if any, for the time being of the Company.
(b) No other person is entitled to receive notices of general meetings.

21. Winding up
21.1 Power of liquidator
If the Company is wound up, the liquidator may, with the sanction of a special resolution, divide among the Members in kind the whole or any part of the property of the Company and may for that purpose set such value as he considers fair upon any property to be so divided and may determine how the division is to be carried out as between the Members or different classes of Members.

21.2 Vesting of property
The liquidator may, with the sanction of a special resolution, vest the whole or any part of any such property in trustees upon such trusts for the benefit of the contributories as the liquidator thinks fit, but so that no Member is compelled to accept any shares or other securities in respect of which there is any liability.
22. **Indemnity and insurance**

22.1 **Indemnity in favour of Directors, Secretaries and Executive Officers**
Subject to the Corporations Act and rule 0, the Company shall indemnify each Director, Secretary and Executive Officer to the maximum extent permitted by law, against any Liability incurred by them by virtue of their holding office as, and acting in the capacity of, Director, Secretary or Executive Officer of the Company, other than:

(a) a Liability owed to the Company or a related body corporate of the Company;
(b) a Liability for a pecuniary penalty order under section 1317G Corporations Act or a compensation order under section 1317H Corporations Act; or
(c) a Liability owed to a person other than the Company that did not arise out of conduct in good faith.

22.2 **Indemnity for legal costs**
The Company shall indemnify each Director, Secretary and Executive Officer to the maximum extent permitted by law, against any Liability for legal costs incurred by them in respect of a Liability incurred by them by virtue of their holding office as, and acting in the capacity of, Director, Secretary or Executive Officer of the Company other than for legal costs incurred:

(a) in defending or resisting proceedings, in which the Director, Secretary or Executive Officer is found to have a Liability for which they could not be indemnified under rule 21.1;
(b) in defending or resisting criminal proceedings in which the Director, Secretary or Executive Officer is found guilty;
(c) in defending or resisting proceedings brought by the ASIC or a liquidator for a court order if the grounds for making the order are found by the court to have been established (but this rule 21.2(c) does not apply to costs incurred in responding to actions taken by the ASIC or a liquidator as part of an investigation before commencing proceedings for the court order); or
(d) in connection with proceedings for relief to the Director, Secretary or Executive Officer under the Corporations Act in which the court denies the relief.

22.3 **Indemnity for other Officers**
Subject to the Corporations Act and rule 21.4, the Company may indemnify an employee, who is not a Director, Secretary or Executive Officer of the Company, to the maximum extent permitted by law, against
any Liability incurred by them by virtue of their holding office as, and acting in the capacity of, an Officer of the Company, other than:
(a) a Liability owed to the Company or a related body corporate of the Company;
(b) a Liability for a pecuniary penalty order under section 1317G Corporations Act or a compensation order under section 1317H Corporations Act; or
(c) a Liability owed to a person other than the Company that did not arise out of conduct in good faith.

22.4 Indemnity for legal costs of other Officers
The Company may indemnify an employee other than a Director, Secretary or Executive Officer to the maximum extent permitted by law, against any Liability for legal costs incurred in respect of a Liability as, or by virtue of their holding office as, and acting in the capacity of, an Officer of the Company other than for legal costs incurred:
(a) in defending or resisting proceedings, in which the Officer is found to have a Liability for which they could not be indemnified under rule 21.3;
(b) in defending or resisting criminal proceedings in which the Officer is found guilty;
(c) in defending or resisting proceedings brought by the ASIC or a liquidator for a court order if the grounds for making the order are found by the court to have been established (but this rule 21.4(c) does not apply to costs incurred in responding to actions taken by the ASIC or a liquidator as part of an investigation before commencing proceedings for the court order); or
(d) in connection with proceedings for relief to the Officer under the Corporations Act in which the court denies the relief.

22.5 Proceedings
For the purposes of rules 21.2 and 21.4, proceedings includes the outcomes of the proceedings and any appeal in relation to the proceedings.

22.6 Insurance for the benefit of Directors, Secretaries and Executive Officers
Subject to the Corporations Act, the Company may pay a premium for a contract insuring a person who is or has been a Director, Secretary or Executive Officer of the Company acting in that capacity against:
(a) costs and expenses in defending any proceedings, whether civil or criminal, whatever their outcome; or
(b) a Liability arising from negligence or other conduct.

22.7 Insurance for other Officers
Subject to the Corporations Act, the Company may pay a premium for a contract insuring a person who is or has been an employee and also an Officer of the Company, acting in that capacity, but who is not a Director, Secretary or Executive Officer of the Company against:
(a) costs and expenses in defending any proceedings, whether civil or criminal, whatever their outcome; or
(b) a Liability arising from negligence or other conduct.

22.8 When insurance may not be provided by the Company
The Company shall not pay, nor agree to pay, a premium for a contract insuring a person who is or has been a Director, Secretary or Executive Officer or an employee who is also an Officer of the Company, against a Liability (other than one for legal costs) arising out of:
(a) conduct involving a wilful breach of duty in relation to the Company; or
(b) a contravention of section 182 or section 183 Corporations Act.

22.9 Definitions for the purposes of rule 22
In this rule, except to the extent the context otherwise requires:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
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<tbody>
<tr>
<td>Executive Officer</td>
<td>means a person who is concerned in, or takes part in, the management of the Company (regardless of the person’s designation and whether or not the person is a Director of the Company).</td>
</tr>
<tr>
<td>Liability</td>
<td>includes any claim, action, suit, proceeding, investigation, inquiry, damage, loss, cost or expense.</td>
</tr>
</tbody>
</table>
| Officer         | means:
|                 | (a) a Director or Secretary of the Company; or
<p>|                 | (b) a person:                                                                                                                                |
|                 | (i) who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the Company; |</p>
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<td>(ii)</td>
<td>who has the capacity to affect significantly the Company’s financial standing; or</td>
</tr>
<tr>
<td>(iii)</td>
<td>in accordance with whose instructions or wishes the Directors are accustomed to act (excluding advice given by the person in the proper performance of functions attaching to the person’s professional capacity or their business relationship with the Directors or the Company).</td>
</tr>
</tbody>
</table>
Tier 1 – PresCare only

Despite the rules set out in SURECOM’s constitution, the following matters may only be undertaken by SURECOM with the prior written approval of the board of PresCare:

(a) **(allotment of securities)** the allotment of shares, convertible notes, options or other securities in SURECOM;

(b) **(share option schemes)** the approval of any employee share or option scheme for the issue of securities to employees, directors or consultants of SURECOM;

(c) **(transfer of assets)** the transfer by SURECOM of an asset or assets of SURECOM having an aggregate book or market value (whichever is the greater) of more than 10% of the aggregate book or market value of it’s net assets;

(d) **(loans)** the making of a loan or giving of credit or other financial accommodation to a person which is not specifically provided for in the Annual Program;

(e) **(encumbrances)** the grant of any encumbrance over any assets of SURECOM save for in favour of trade creditors the ordinary course of business;

(f) **(guarantees)** the giving or entry into any guarantee, letter of comfort or performance bond which has a liability (whether actual or contingent) of more than $25,000 and which is not specifically provided for in the Annual Program;

(g) **(new business)** SURECOM entering into or agreeing to any commitment, indemnity or liability (whether actual or contingent) of more than $25,000 which is not specifically provided for in the Annual Program or otherwise in the ordinary and usual course of the Business;

(h) **(operational expenditure)** any operational expenditure above that specifically provided for in the Annual Program or otherwise in the ordinary and usual course of the Business which:
   (i) is in excess of $100,000; or
   (ii) would otherwise cause total operational expenditure of SURECOM to exceed that specifically provided for in the Annual Program by $100,000 or more;

(i) **(remuneration and bonuses)** except as approved under the Annual Program, the agreement to set or increase the remuneration per annum or any bonus payable to any senior employee of SURECOM (excluding the Directors but including the managing Director if appointed);
(j) **(insurance)** the amendment or variation of the insurance cover over SURECOM or the business activities of SURECOM except as provided in the Annual Program;

(k) **(unusual agreements)** the entry into or variation of agreements which are:
   (i) other than in the ordinary and usual course of the Business;
   (ii) not on arm’s length terms;
   (iii) unusual or abnormal;
   (iv) with a related party;
   (v) likely to involve performance at a loss; or
   (vi) of a term of more than three years;

(l) **(material agreements)** the termination, variation, assignment, novation or enforcement of, or waiver of a right under, or decision not to comply with, any material agreement;

(m) **(material litigation)** the instigation or settlement of, or implementation of any strategy about, any dispute, claim, litigation or arbitration proceedings by SURECOM when the amount claimed is more than $50,000 or, in the case of trading debts, is more than $20,000;

(n) **(transactions concerning Directors)** the entry into, termination, variation, assignment, novation or enforcement of, or waiver of a right under, or decision not to comply with, any contract or arrangement with or for the benefit of a Director;

(o) **(change in nature of business and winding up)** stopping carrying on, or materially altering, the scale or nature of operations of SURECOM or commencing any material business or operational activities other than the current business operations of SURECOM, including any proposal to wind up the Company;

(p) **(branding)** changing the business names, trademarks, service marks, trade names, domain names, logos or branding of SURECOM or the Business;

(q) **(Annual Programs)** the adoption of an Annual Program and any material variation to any approved Annual Program;

(r) **(dividends)** the declaration of any dividends or decision to pay any dividends, including by way of distribution of specific assets;

(s) **(reserves)** the decision to set aside out of the Company’s profits, any sums as reserves;

(t) **(delegation of powers)** the delegation of any powers from the Board; and

(u) **(agreement to do things)** the agreement to do any of the things listed above.
Tier 2 – PresCare and the Assembly or the Commission of the Assembly

Despite the rules set out in SURECOM’s constitution, the following matters may only be undertaken by SURECOM with the prior written approval of the board of PresCare and the prior written approval of the Assembly or the Commission of the Assembly of the Church:

(a) **(constitution)** any amendment to the constitution of SURECOM;
(b) **(indebtedness)** the incurring of external financial indebtedness in excess of the amount that is determined by the Assembly or the Commission in respect of PresCare from time to time;
(c) **(acquisition of businesses)** the acquisition by SURECOM of an interest in any other business or any other company;
(d) **(remuneration and bonuses of Directors)** except as approved under the Annual Program, the agreement to set or increase the remuneration per annum or any bonus payable to any Director of SURECOM;
(e) **(capital expenditure)** any capital expenditure above that specifically provided for in the Annual Program which:
   (i) is in excess of $100,000; or
   (ii) would otherwise cause total capital expenditure of SURECOM to exceed that specifically provided for in the Annual Program by $100,000 or more; and
(f) **(agreement to do things)** the agreement to do any of the things listed above.
Reports

Company to keep records
The Company and the Directors must ensure that its records and accounting books:
(a) are kept in accordance with the Corporations Act;
(b) contain full, true and correct entries of all dealings and transactions of the Business and the Company’s affairs; and
(c) are sufficient to enable PresCare to comply with its reporting requirements, as set out in the constitution of PresCare.

Member access to records and employees
The Company must permit, after receiving reasonable notice, its Member or any accountant, agent, consultant or employee of its Member to, at the Member’s own cost, at reasonable times and as often as is reasonable:
(a) visit and inspect any property of the Company;
(b) inspect and take copies of documents relating to the Business and the Company’s affairs, including its financial records; and
(c) discuss the affairs, finances and financial records of the Company with the officers, employees and auditors of the Company, for any purpose.

Definitions
For the purposes of this document, the capitalised terms have the meanings given to them in the constitution of SURECOM and the following terms have the meanings given to them below:
Annual Program means a program for carrying on the Business during a financial year consisting of:
(a) a business plan setting out proposed marketing plans, finance arrangements, capital expenditures, operational expenditures and activities for carrying on the Business during that financial year; and
(b) a budget setting out an estimate of the income to be received and the expenses to be incurred in carrying out that business plan.
Board means the board of directors of SURECOM.
Business means the business as carried on by SURECOM from time to time.
Company or SURECOM means SURECOM Pty Ltd ACN 104 442 828.
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</table>
CONSTITUTION OF CREDERE SERVICES GROUP PTY LTD
A COMPANY LIMITED BY SHARES

1. General
1.1 Name of company
The name of the Company is Credere Services Group Pty Ltd.

1.2 Proprietary company
The Company is a proprietary limited company.

1.3 Liability of Members
The liability of Members is limited.

1.4 Replaceable Rules not to apply
The Replaceable Rules do not apply to the Company but instead the rules contained in this Constitution apply to the Company.

2. Definitions and interpretation
2.1 Definitions
In this document:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASIC</td>
<td>means the Australian Securities and Investments Commission.</td>
</tr>
<tr>
<td>Business Day</td>
<td>means a day that is not a Saturday, Sunday or public holiday in the place where the contract or act is being performed.</td>
</tr>
<tr>
<td>Church</td>
<td>means The Presbyterian Church of Queensland.</td>
</tr>
<tr>
<td>Company</td>
<td>means Credere Services Group Pty Ltd.</td>
</tr>
<tr>
<td>Directors</td>
<td>means the directors of the Company.</td>
</tr>
<tr>
<td>Executive Officer</td>
<td>for the purposes of rule 22, has the meaning set out in rule 22.</td>
</tr>
<tr>
<td>Liability</td>
<td>has the meaning set out in rule 22.</td>
</tr>
<tr>
<td>Member</td>
<td>means a shareholder of the Company in accordance with the Corporations Act.</td>
</tr>
<tr>
<td>Officer</td>
<td>for the purposes of rule 22, has the meaning set out in rule 22.</td>
</tr>
<tr>
<td>PresCare</td>
<td>means PresCare ABN 85 338 603 114, being</td>
</tr>
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</table>

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<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Corporation</td>
<td>has the meaning set out in rule 14.4(e).</td>
</tr>
<tr>
<td>Replaceable Rules</td>
<td>means all or any of the replaceable rules contained in the Corporations Act from time to time and includes any replaceable rule that was or may become, a provision of the Corporations Act.</td>
</tr>
<tr>
<td>Reserve Powers</td>
<td>means the reserve powers in respect of the Company place from time to time.</td>
</tr>
<tr>
<td>Seal</td>
<td>means the common seal of the Company, if any, and includes any certificate seal of the Company.</td>
</tr>
<tr>
<td>Secretary</td>
<td>means any person appointed to perform the duties of a Secretary of the Company.</td>
</tr>
</tbody>
</table>

2.2 Interpretation

In this document:

(a) a reference to a clause, schedule, annexure or party is a reference to a clause of, and a schedule, annexure or party to, this document and references to this document include any schedules or annexures;

(b) a reference to a party to this document or any other document or agreement includes the party’s successors, permitted substitutes and permitted assigns;

(c) if a word or phrase is defined, its other grammatical forms have a corresponding meaning;

(d) a reference to a document or agreement (including a reference to this document) is to that document or agreement as amended, supplemented, varied or replaced;

(e) a reference to this document includes the agreement recorded by this document;

(f) a reference to legislation or to a provision of legislation (including subordinate legislation) is to that legislation as amended, re-enacted or replaced, and includes any subordinate legislation issued under it;

(g) if any day on or by which a person must do something under this document is not a Business Day, then the person must do it on or by the next Business Day;

(h) a reference to a person includes a corporation, trust, partnership, unincorporated body, government and local authority or agency, or other entity whether or not it comprises a separate legal entity; and
(i) a reference to ‘month’ means calendar month.

3. Share capital and variation of rights

3.1 Holders of ordinary shares
The holder of an ordinary share has the right:
(a) to receive notice of and to attend general meetings of the Company;
(b) to vote at a general meeting of the Company, on the basis of one vote for each share held;
(c) in a winding up or reduction of capital of the Company to repayment of the capital paid up on that share and to participate in the distribution of the surplus assets of the Company; and
(d) to receive dividends as determined from time to time by the Directors to be payable to the holders of ordinary shares.

3.2 Directors power to issue shares
(a) Without prejudice to any special rights previously conferred on the holders of any existing share or class of shares but subject to the Corporations Act, shares in the Company may be issued by the Directors with such preferred, deferred or other special rights or such restrictions, whether with regard to dividend, voting, return of capital or otherwise, as the Directors determine.
(b) Subject to the Corporations Act, any preference shares may be issued on the terms that they are, or at the option of the Company are, liable to be redeemed.

3.3 Variation of rights
(a) The rights attached to any class of shares (unless otherwise provided by the terms of issue of the shares of that class) may, whether or not the Company is being wound up be varied with the consent in writing of Members with at least 75% of the votes in the class, or with the sanction of a special resolution passed at a separate meeting of the holders of the shares of that class.
(b) The rights conferred upon the holders of the shares of any class issued with preferred or other rights are, unless otherwise expressly provided by the terms of issue of the shares of that class, deemed not to be varied by the creation or issue of further shares ranking equally with the first mentioned shares.
3.4 Commission and brokerage
(a) The Company may exercise the power to make payments by way of brokerage or commission conferred by the Corporations Act in the manner provided by the Corporations Act.
(b) Payments by way of brokerage or commission may be satisfied by the payment of cash, by the allotment of fully or partly paid shares or partly by the payment of cash and partly by the allotment of fully or partly paid shares.

3.5 Recognition and disclosure of interests
(a) Except as required by law, the Company does not recognise a person as holding a share upon any trust.
(b) The Company is not bound by or compelled in any way to recognise (whether or not it has notice of the interest or right concerned) any equitable, contingent, future or partial interest in any share or unit of a share or (except as otherwise provided by these rules or by law) any other right in respect of a share except an absolute right of ownership in the registered holder.

4. Right to share certificate
4.1 Availability of certificates
It is a condition of issue of any shares that the Company need not have ready for delivery any certificate relating to those shares unless the person who is registered as the current holder of the shares makes a request in writing for the Company to complete and deliver the share certificates in which case the Company must do so within one calendar month of receipt by the Company of such a request. Where the Company is required to issue certificates for shares, every Member is entitled, without payment, to one certificate for the shares registered in that Member’s name or to several certificates in reasonable denominations, each for a part of the shares.

4.2 Delivery of certificates
Delivery of a certificate for a share to one of several joint holders is sufficient delivery to all such holders.

5. Lien
5.1 Lien on a share
(a) The Company has a first and paramount lien on every share (not being a fully paid share) for all money (whether presently payable or not) called or payable at a fixed time in respect of that share.
(b) The Company also has a first and paramount lien on all shares (other than fully paid shares) registered in the name of a sole holder for all money presently payable by the holder or their estate to the Company.

(c) The Directors may at any time exempt a share wholly or in part from the provisions of this rule.

(d) The Company’s lien (if any) on a share extends to all dividends payable in respect of the share.

5.2 Sale under lien
(a) Subject to rule 5.2(b), the Company may sell, in such manner as the Directors think fit, any shares over which the Company has a lien.

(b) A share on which the Company has a lien may not be sold unless:

   (i) a sum in respect of which the lien exists is presently payable; and

   (ii) not less than 14 days before the date of the sale, the Company has given to the registered holder for the time being of the share or the person entitled to the share by reason of the death or bankruptcy of the registered holder, a notice in writing setting out and demanding payment of such part of the amount in respect of which the lien exists as is presently payable.

5.3 Transfer on sale under lien
(a) For the purpose of giving effect to a sale mentioned in rule 5.2, the Directors may authorise a person to transfer the shares sold to the purchaser of the shares.

(b) The Company must register the purchaser as the holder of the shares comprised in any such transfer and the purchaser is not bound to see to the application of the purchase money.

(c) The title of the purchaser to the shares is not affected by any irregularity or invalidity in connection with the sale.

5.4 Proceeds of sale
The proceeds of a sale mentioned in rule 5.2 are to be applied by the Company in payment of such part of the amount in respect of which the lien exists as is presently payable, and the residue (if any) is (subject to any like lien for sums not presently payable that existed upon the shares before the sale) to be paid to the person entitled to the share at the date of the sale.
6. Calls on shares

6.1 Directors to make calls
(a) The Directors may make calls upon the Members in respect of any money unpaid on the shares of the Members and not by the terms of issue of those shares made payable at fixed times, except that no call may exceed one quarter of the sum of issue price of the shares or be payable earlier than one month from the date fixed for the payment of the last preceding call.
(b) Each Member must, upon receiving at least 14 days notice specifying the time and place of payment, pay to the Company at the time and place so specified the amount called on their shares.
(c) The Directors may revoke or postpone a call.

6.2 Time of call
A call is deemed to have been made at the time when the resolution of the Directors authorising the call is passed and may be required to be paid by instalments.

6.3 Members liability
The joint holders of a share are jointly and severally liable to pay all calls in respect of the share.

6.4 Interest upon default
If a sum called in respect of a share is not paid before or on the day appointed for payment of the sum, the person from whom the sum is due must pay interest on the sum from the day appointed for payment of the sum to the time of actual payment at such rate not exceeding 8% per annum as the Directors determine, but the Directors may waive payment of that interest wholly or in part.

6.5 Fixed instalments deemed calls
Any sum that, by the terms of issue of a share, becomes payable on allotment or at a fixed date is for the purposes of these rules deemed to be a call duly made and payable on the date on which by the terms of issue the sum becomes payable, and, in case of non-payment, all the relevant provisions of these rules as to the payment of interest and expenses, forfeiture or otherwise apply as if the sum had become payable by virtue of a call duly made and notified.
6.6 **Differentiation between Members as to calls**
The Directors may, on the issue of shares, differentiate between holders as to the amount of calls to be paid and the times of payment.

6.7 **Prepayment of calls**
(a) The Directors may accept from a Member the whole or a part of the amount unpaid on a share although no part of that amount has been called up.
(b) The Directors may authorise payment by the Company of interest upon the whole or part of an amount so accepted, until the amount becomes payable, at such rate, not exceeding the prescribed rate, as is agreed upon between the Directors and the Member paying for the sum.
(c) For the purposes of rule 6.7(b), the prescribed rate of interest is:
   (i) if the Company has, by resolution, fixed a rate – the rate so fixed; and
   (ii) in any other case – 8% per annum.

7. **Transfer of shares**
7.1 **Forms of instrument of transfer**
(a) Subject to these rules, and in particular rule 7.2, a Member may transfer all or any of their shares by instrument in writing in any usual or common form or in any other form that the Directors approve.
(b) An instrument of transfer referred to in rule 7.2(b) is to be executed by or on behalf of both the transferor and the transferee.

7.2 **Registration procedure**
(a) A transferor of shares remains the holder of the shares transferred until the transfer is registered and the name of the transferee is entered in the register of Members in respect of the shares.
(b) The instrument of transfer must be left for registration at the registered office of the Company or such other place nominated by the Directors, together with such fee (if any) not exceeding $10 as the Directors require, accompanied by the certificate of the shares to which it relates and such other information as the Directors properly require to show the right of the transferor to make the transfer, and thereupon the Company must, subject to the powers vested in the Directors by these rules, register the transferee as a Member.
7.3 Directors may decline to register or suspend
(a) The Directors may in their absolute discretion and without assigning any reason therefore decline to register any transfer of shares.
(b) The registration of transfers may be suspended at such times and for such periods as the Directors from time to time determine not exceeding in the whole 30 days in any year.

8. Transmission of shares
8.1 Transmission of shares on death of holder
In the case of the death of a Member, the survivor or survivors, where the deceased was a joint holder (unless the shares are held as tenants in common), and the legal personal representatives of the deceased, where the deceased was a sole holder or the shares are held as tenants in common, are the only persons recognised by the Company as having any title to the deceased’s interest in the shares, but this rule does not release the estate of a deceased joint holder from any liability in respect of a share that had been jointly held by the deceased with other persons.

8.2 Right to registration on death or bankruptcy
(a) Subject to the Bankruptcy Act 1966 (Cth), a person becoming entitled to a share in consequence of the death or bankruptcy of a Member may, upon such information being produced as is properly required by the Directors, elect either to be registered themselves as holder of the share or to have some other person nominated by them registered as the transferee of the share.
(b) If the person becoming entitled elects to be registered themselves, they must deliver or send to the Company a notice in writing signed by them stating that they so elect.
(c) If they elect to have another person registered, they must execute a transfer of the share to that other person.
(d) All the limitations, restrictions and provisions of these rules relating to the right to transfer, and the registration of a transfer, of shares are applicable to any such notice or transfer as if the death or bankruptcy of the Member had not occurred and the notice or transfer were a transfer signed by that Member.

8.3 Effect of transmission
(a) Where the registered holder of a share dies or becomes bankrupt, their personal representative or the trustee of their estate, as the case may be, is, upon the production of such information as is
properly required by the Directors, entitled to the same dividends and other advantages, and to the same rights (whether in relation to meetings of the Company or to voting or otherwise) as the registered holder would have been entitled to if the registered holder had not died or become bankrupt.

(b) Where two or more persons are jointly entitled to any share in consequence of the death of the registered holder, they are, for the purpose of these rules, deemed to be joint holders of the share.

9. **Forfeiture of shares**

9.1 **Notice requiring payment of call**

(a) If a Member fails to pay a call or instalment of a call on the day appointed for payment of the call or instalment, the Directors may, at any time thereafter during such time as any part of the call or instalment remains unpaid, serve a notice on the Member requiring payment of so much of the call or instalment as is unpaid, together with any interest that has accrued.

(b) The notice is to name a further day (not earlier than the expiration of 14 days from the date of service of the notice) on or before which the payment required by the notice is to be made and state that, in the event of non-payment on or before the time appointed, the shares in respect of which the call was made are liable to be forfeited.

9.2 **Forfeiture for failure to comply with notice**

(a) If the requirements of a notice served under rule 9.1 are not complied with, any share in respect of which the notice has been given may at any time thereafter, before the payment required by the notice has been made, be forfeited by a resolution of the Directors to that effect.

(b) Such a forfeiture includes all dividends to be paid in respect of the forfeited shares and not actually paid before the forfeiture.

(c) A forfeited share may be sold or otherwise disposed of on such terms and in such manner as the Directors think fit and, at any time before a sale or disposition, the forfeiture may be cancelled on such terms as the Directors think fit.

9.3 **Effect of forfeiture on former holder’s liability**

A person whose shares have been forfeited ceases to be a Member in respect of the forfeited shares but remains liable to pay to the Company all
money that, at the date of forfeiture, was payable by them to the Company in respect of the shares (including interest at the rate of 8% per annum from the date of forfeiture on the money for the time being unpaid if the Directors think fit to enforce payment of the interest), but the Member’s liability ceases if and when the Company receives payment in full of all moneys (including interest) payable in respect of the shares.

9.4 Evidence of forfeiture
A statement in writing declaring that the person making the statement is a Director or a Secretary of the Company, and that a share in the Company has been duly forfeited on a date stated in the statement, is prima facie evidence of the facts stated in the statement as against all persons claiming to be entitled to the share.

9.5 Transfer of forfeited share
(a) The Company may receive the consideration (if any) given for a forfeited share on any sale or disposition of the share and may execute a transfer of the share in favour of the person to whom the share is sold or disposed of.
(b) Upon the execution of the transfer, the transferee will be registered as the holder of the share and is not bound to see to the application of any money paid as consideration.
(c) The title of the transferee to the share is not affected by any irregularity or invalidity in connection with the forfeiture, sale or disposal of the share.

9.6 Forfeiture applies to non-payment of instalments
The provisions of these rules as to forfeiture apply in the case of non-payment of any sum that, by the terms of issue of a share, becomes payable at a fixed time as if that sum had been payable by virtue of a call duly made and notified.

10. General meetings
10.1 General meeting
(a) A Director may whenever the Director thinks fit call a general meeting.
(b) Except as permitted by the Corporations Act, the Members may not call a general meeting of the Company. By resolution of the Directors, any general meeting (other than a general meeting which has been requisitioned or otherwise called by Members in accordance with the Corporations Act) may be cancelled or postponed prior to the date on which it is to be held.
10.2 **Notice of general meeting**

(a) A notice of a general meeting is to specify the place, the day and the hour of meeting and the general nature of the business to be transacted at the meeting as well as any other matters required to be specified by the Corporations Act.

(b) If the meeting is to be held at two or more places the notice is to set out details of the technology that will be used to facilitate such a meeting and any other matters required to be stated by the Corporations Act in relation to the use of such technology.

11. **Proceedings at general meetings**

11.1 **Quorum**

(a) No business may be transacted at any general meeting unless a quorum of Members is present at the time when the meeting proceeds to business.

(b) Where the Company has only one Member that Member shall constitute a valid quorum.

(c) For the purpose of determining whether a quorum is present, a person attending as a proxy, or an attorney or as a representative of a corporation that is a Member, is deemed to be a Member.

11.2 **Appointment and powers of chairman of general meeting**

(a) The chairman of PresCare is to preside as chairman at every general meeting.

(b) Where a general meeting is held and the chairman is not present within 15 minutes after the time appointed for the holding of the meeting or is unwilling to act, the Directors present must elect one of their number to be chairman of the meeting.

(c) Where the Directors present fail to elect one of their number as chairman of the meeting as provided by rule 11.2(b) or such chairman is unwilling or unable to act then the Members present may elect one of their number to be chairman of the meeting.

11.3 **Adjournment of general meeting**

(a) The chairman may, with the consent of any meeting at which a quorum is present, and must, if so directed by the Members present who may cast a majority of votes able to be cast at the meeting, adjourn the meeting from time to time and from place to place, but no business may be transacted at any adjourned
meeting other than the business left unfinished at the meeting from which the adjournment took place.

(b) When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

(c) Except as provided by rule 11.3(b), it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.

11.4 Voting at general meeting
At any general meeting a resolution put to the vote of the meeting is decided on a show of hands.

11.5 Equality of votes
In the case of equality of votes, the chairman of the meeting at which a show of hands takes place or at which a poll is demanded, has no casting vote in addition to the Chairman's deliberative vote (if any).

11.6 Entitlement to vote
Subject to any rights or restrictions for the time being attached to any class or classes of shares:
(a) at meetings of Members or classes of Members each Member entitled to vote may vote in person or by proxy or attorney;
(b) on a show of hands every person present who is a Member or a representative of a Member has one vote except where a proxy has two or more appointments that specify different ways to vote on a resolution, in which case the proxy cannot vote; and
(c) on a poll every person present in person or by proxy or attorney has one vote for each share they hold.

11.7 Joint Member's vote
In the case of joint holders the vote of the senior who tenders a vote, whether in person or by proxy or by attorney, is to be accepted to the exclusion of the votes of the other joint holders and, for this purpose, seniority is determined by the order in which the names stand in the register of Members.

11.8 Effect of unpaid call
A Member is not entitled to vote at a general meeting unless all calls and other sums presently payable by them in respect of shares in the Company have been paid.
11.9 Objection to voting qualification
(a) An objection may be raised to the qualification of a vote only at the meeting or adjourned meeting at which the vote objected to is given or tendered.
(b) Any such objection is to be referred to the chairman of the meeting, whose decision is final.
(c) A vote not disallowed pursuant to such an objection is valid for all purposes.

11.10 Appointment of proxy
(a) An instrument appointing a proxy is to be signed by the appointor or their attorney duly authorised in writing or, if the appointor is a corporation, either under Seal or under the hand of an officer or attorney duly authorised.
(b) An instrument appointing a proxy may specify the manner in which the proxy is to vote in respect of a particular resolution and, where an instrument of proxy so provides, the proxy is not entitled to vote on the resolution except as specified in the instrument.
(c) An instrument appointing a proxy is deemed to confer authority to speak on behalf of the appointor to the extent permitted by law and demand, or join in demanding, a poll.
(d) A Member who is entitled to cast two or more votes at the meeting may appoint two proxies. If the Member does so, and the appointment does not specify the proportion or number of the Member’s votes each proxy may exercise, then each proxy may exercise half of the votes.
(e) The Directors may determine from time to time the form of an instrument appointing a proxy.

11.11 Deposit of proxy and other instruments
An instrument appointing a proxy is not effective unless the instrument, and the power of attorney or other authority (if any) under which the instrument is signed or a notarially certified copy of that power or authority, is or are deposited, at least 48 hours before the meeting or adjourned meeting at which the person named in the instrument proposes to vote, or, in the case of a poll, not less than 24 hours before the time appointed for the taking of the poll, at the registered office of the Company or faxed to the registered office of the Company or at such other place within the State, fax number or electronic address as may be specified for that purpose in the notice calling the meeting.
11.12 **Validity of vote in certain circumstances**
A vote given in accordance with the terms of an instrument or proxy or a power of attorney is valid notwithstanding the previous death or unsoundness of mind of the principal, the revocation of the instrument (or of the authority under which the instrument was executed) or of the power, or the transfer of the share in respect of which the instrument or power is given, if no intimation in writing of the death, unsoundness of mind, revocation or transfer has been received by the Company at the registered office before the commencement of the meeting or adjourned meeting at which the instrument is used or the power is exercised.

11.13 **Special meetings**
All the provisions of these rules as to general meetings apply to any special meeting of any class of Members which may be held pursuant to the operation of these rules or the Corporations Act.

11.14 **Resolutions passed without meetings**
(a) Where the Company has:
   (i) one Member; or
   (ii) a class of shares with only one holder of the shares in that class,
the Company may pass a resolution by written resolution without holding a general meeting as permitted by the Corporations Act.

(b) A circular resolution signed by all Members eligible to vote in respect of the subject matter of the resolution, may be used to pass a resolution of Members in lieu of holding a general meeting, as permitted by the Corporations Act.

12. **Appointment, removal and remuneration of Directors**
12.1 **Number and appointment of Directors**
(a) The names of the Directors are those persons listed as consenting to act as Directors at the date of adoption of these rules.

(b) The Board may comprise such number of Directors as the Board of PresCare shall determine from time to time but must comprise:
   (i) a majority of Directors who are members of the Church;
   (ii) one Director who is the chief executive officer of PresCare from time to time, who will also act as chief executive officer of the Company;
   (iii) one Director who is the chairman of PresCare from time to time;
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(iv) one Director who is a trustee of the Church, as nominated by the Church from time to time; and
(v) one independent Director, as determined by the Directors.

(c) In addition to the Directors, the Church may, by written notice to the Company, nominate one trustee of the Church (in addition to the person appointed as a Director under rule 0(iv)) to receive notice and minutes of all board meetings of the Company and any circular resolutions, and attend any board meetings of the Company as an observer (Observer).

12.2 Casual vacancy
The Directors have the power at any time to appoint any person to be a Director to fill a casual vacancy in accordance with rule 12.1.

12.3 Removal of Directors
(a) The Directors may appoint or remove the independent Director under rule 12.1(b)(v) by a majority vote of Directors in favour of such appointment or removal.
(b) The Members may not remove or appoint Directors.

12.4 Remuneration of Directors
(a) A Director is to be paid such remuneration as the Directors, subject to the Reserve Powers, determine from time to time or if the Company has a sole Director who is also the sole Member, then the Company is to determine the Director’s remuneration.
(b) Remuneration is deemed to accrue from day to day.
(c) The Directors may also be paid all travelling and other expenses properly incurred by them in attending and returning from meetings of the Directors or any committees of the Directors or general meetings of the Company or otherwise in connection with the business of the Company.

12.5 Share qualification of Directors
The shareholding qualification for Directors may be fixed by the Company in general meeting, and unless and until so fixed, there is no qualification.

12.6 Vacation of office of Director
The office of a Director is vacated:
(a) upon the death of the Director;
upon the Director becoming an insolvent under administration, suspending payment generally to creditors or compounding with or assigning the Director’s estate for the benefit of creditors;

(c) upon the Director becoming a person of unsound mind or a person who is a patient under laws relating to mental health or whose estate is administered under laws relating to mental health;

(d) upon the Director being absent from meetings of Directors during a period of three consecutive calendar months without leave of absence from the Directors where the Directors have not, within 14 days of having been served by the Secretary with a notice giving particulars of the absence, resolved that leave of absence be granted;

(e) upon the Director resigning office by notice in writing to the Company;

(f) upon the Director being lawfully removed from office; or

(g) upon the Director being prohibited from being a Director by reason of the operation of law.

13. Powers and duties of Directors

13.1 Directors to manage Company
Subject to the Corporations Act, the Reserve Powers, and to any other provision of these rules, the business of the Company is to be managed by the Directors, who may pay all expenses incurred in promoting and forming the Company and be reimbursed for all such expenses by the Company, and may exercise all such powers of the Company as are not, by the Corporations Act or by these rules, required to be exercised by the Company in general meeting.

13.2 Appointment of attorney

(a) The Directors may, by power of attorney, appoint any person or persons to be the attorney or attorneys of the Company for such purposes, with such powers, authorities and discretions (being powers, authorities and discretions vested in or exercisable by the Directors) for such period and subject to such conditions as they think fit.

(b) Any such power of attorney may contain such provisions for the protection and convenience of a person dealing with the attorney as the Directors think fit and may also authorise the attorney to delegate all or any of the powers, authorities and discretions vested in him.
13.3 **Execution of Company cheques, etc.**
All cheques, promissory notes, bankers drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to the Company, are to be signed, drawn, accepted, endorsed or otherwise executed, as the case maybe, by a Director or in such other manner as the Directors determine.

14. **Proceedings of Directors**

14.1 **Directors’ meetings**

(a) The Directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. Each Director, and the Observer, is entitled to reasonable notice of any meetings of the Directors of the Company.

(b) Notice is deemed to have been given to a Director and the Observer, and all Directors are hereby deemed to have consented to the method of giving notice, if notice is sent by mail, personally delivered, sent by facsimile transmission or electronically to the usual place of residence, fax number or electronic address of the Director or at any other address given to the Secretary by the Director from time to time subject to the right of a Director to withdraw such consent within a reasonable period before a meeting.

(c) The Directors may meet either in person or by any technology consented to by all Directors subject to the right of a Director to withdraw such consent within a reasonable period before a meeting. All persons participating in the meeting must be able to hear and be heard by all other participants. A meeting conducted by telephone or other technology is deemed to be held at the place agreed upon by the Directors attending the meeting, provided that at least one of the Directors present at the meeting was at that place for the duration of the meeting.

14.2 **Questions decided by majority**

(a) Subject to these rules, and in particular rule 14.3, questions arising at a meeting of Directors are decided by a majority of votes of Directors present and entitled to vote and any such decision is for all purposes deemed to be a decision of the Directors. The Observer shall not be entitled to vote.

(b) In the case of an equality of votes, the chairman of the meeting has no casting vote, in addition to his deliberative vote.
14.3 Reserve Powers

The Directors must operate the Company in accordance with the Reserve Powers.

14.4 Directors’ interests

(a) Subject to the Corporations Act and subject to satisfying the requirements of rule 14.4(b), neither the holding of office as a Director (nor the fact that a Director was a promoter of the Company) nor the fiduciary relationship resulting therefrom:

(i) disqualifies any Director from holding any office or place of profit (other than that of auditor) in the Company or in any Relevant Corporation;

(ii) disqualifies any Director from entering into any arrangement, contract or dealing with the Company or any Relevant Corporation or any other person in any capacity;

(iii) avoids or vitiates any arrangement, contract or dealing entered into by or on behalf of the Company or any Relevant Corporation in which a Director is in any way interested; or

(iv) renders any Director or any corporation of which a Director is an officer or Member or in any way interested or any partnership of which a Director is a Member or in any way interested liable to account for any profit arising out of the holding of any such office or place of profit or any such arrangement contract or dealing.

(b) The nature and extent of a Director’s interest is to be disclosed at the meeting of Directors at which the arrangement, contract or dealing is determined by the Directors, if the Director’s interest then exists, or, in any other case, at the meeting of Directors next following the acquisition of their interest.

(c) Subject to the Corporations Act, a Director who is any way interested in any arrangement, contract or dealing as referred to in rule 14.4(a)(iii) (whether existing or proposed) may vote in respect thereof at a meeting of the Directors and be counted in a quorum present at such meeting.

(d) A Director may affix or attest the affixation of the Seal to any instrument or otherwise execute any document notwithstanding any interest which such Director has in the subject matter of that instrument or any other office or place of profit held by such Director.
(e) In this rule, Relevant Corporation means any corporation in which the Company owns shares or is in any way interested or which owns shares in the Company or with which the Company has or may have dealings or any corporation which would be deemed under the Corporations Act and for the purposes of the Corporations Act to be related to the Company.

14.5 Alternate Directors
A Director may not appoint a person (whether a Member or not) to be an alternate Director in their place.

14.6 Quorum for Directors meetings
(a) At a meeting of Directors, the number of Directors whose presence is necessary to constitute a quorum is such number as is determined by the Directors and, unless so determined, is two Directors.
(b) Rule 14.6(a) does not apply where the Company has been formed with one Director or where only one Director holds office in accordance with the Corporations Act (subject to rule 14.7), in which case a sole Director may pass a resolution by written resolution in accordance with the Corporations Act.

14.7 Remaining Directors may act
Where the Company has more than one Director, and a vacancy or vacancies in the office of a Director or offices of Directors occurs, the remaining Directors may act but, if the number of remaining Directors is not sufficient to constitute a quorum at a meeting of Directors, they may act only for the purpose of increasing the number of Directors to a number sufficient to constitute such a quorum or of convening a general meeting of the Company.

14.8 Chairman of Directors
(a) The chairman of PresCare shall also be the chairman of the Company.
(b) Where a meeting of Directors is held and the chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unwilling to act, the Directors present must elect one of their number to be chairman of the meeting.

14.9 Directors’ committees
(a) The Directors may delegate any of their powers to a committee or committees consisting of such of their number as they think fit.

(b) A committee to which any powers have been so delegated may exercise the powers delegated in accordance with any directions of the Directors and a power so exercised is deemed to have been exercised by the Directors.

(c) The Members of such a committee may elect one of their number as chairman of their meetings.

(d) Where such a meeting is held and:

(i) a chairman has not been elected as provided by rule 14.9(c); or

(ii) the chairman is not present within ten minutes after the time appointed for the holding of the meeting or is unwilling to act,

(iii) the Members present may elect one of their number to be chairman of the meeting.

(e) A committee may meet and adjourn as it thinks proper.

(f) Questions arising at the meeting of a committee are determined by a majority of votes of the Members present and voting.

(g) In the case of an equality of votes, the chairman has no casting vote in addition to their deliberative vote.

14.10 Resolution in writing

(a) A resolution in writing of which notice has been given to all Directors and which is signed by all of Directors entitled to vote on the resolution is as valid and effective as if it had been passed at a meeting of the Directors duly called and constituted and may consist of several documents in the same form each signed by one or more of the Directors.

(b) For the purposes of this rule the references to Directors include any alternate Director for the time being present in Australia who is appointed by a Director not for the time being present in Australia but does not include any other alternate Director.

(c) A facsimile transmission or other document produced by mechanical or electronic means under the name of a Director with the Director’s authority is deemed to be a document in writing signed by the Director.

14.11 Validity of acts of Directors
All acts done by any meeting of the Directors or of a committee of Directors or by any person acting as a Director are as valid as if the person had been duly appointed and was qualified to be a Director or to be a Member of the committee notwithstanding that it is afterwards discovered that there was some defect in the appointment of a person to be a Director or a Member of the committee, or to act as a Director, or that person so appointed was disqualified from acting as a Director.

14.12 Appointment of managing Director
(a) The Directors may from time to time appoint one or more of their number to the office of managing Director for such period and on such terms as they think fit, and, subject to the terms of any agreement entered into in a particular case, may revoke any such appointment.
(b) A Director's appointment pursuant to rule 14.12(a) is automatically determined if they cease from any cause to be a Director.

14.13 Remuneration of managing Director
A managing Director, subject to the terms of any agreement entered into in a particular case and the Reserve Powers, is to receive such remuneration (whether by way of salary, commission or participation in profits, or partly in one way and partly in another) as the Directors determine.

14.14 Powers of managing Director
(a) The Directors may, upon such terms and conditions and with such restrictions as they think fit, confer upon a managing Director any of the powers exercisable by them.
(b) Any powers so conferred may be concurrent with, or be to the exclusion of, the powers of the Directors.
(c) The Directors may at any time withdraw or vary any of the powers so conferred on a managing Director.

14.15 Nominee Directors
If at any time the Company is or becomes a wholly owned subsidiary of a corporation then the Directors appointed by that corporation to the board of the Company are hereby authorised and permitted to take into account the interests of the appointor corporation when exercising their powers or performing their duties as Directors of the Company, acting together or individually.
15. Secretary
A Secretary of the Company holds office on such terms and conditions, as to remuneration and otherwise, as the Directors determine.

16. Execution of documents
16.1 Company Seal is optional
The Company may have a Seal.

16.2 If the Company has a Seal
(a) If the Company has a Seal then the Directors must provide for the safe custody of the Seal.
(b) Subject to rule 16.2(c), the Seal is to be used only by the authority of the Directors, or of a committee of the Directors authorised by the Directors to authorise the use of the Seal, and every document to which the Seal is affixed is to be signed by a Director and countersigned by another Director, a Secretary or another person appointed by the Directors to countersign that document or a class of documents in which that document is included.
(c) If one person is the sole Director and the sole Secretary of the Company, then that person may affix the Company Seal and near the Seal, sign the document to which the Seal is affixed.

16.3 Execution of documents without a Seal
The Company may execute a document, including a deed, by having the document signed by:
(a) two Directors;
(b) a Director and the company Secretary; or
(c) if the Company has a sole Director who is also the company Secretary, that Director,
and if the Company executes a deed, the document is to be expressed to be executed as a deed and be executed in accordance with the appropriate procedures set out in rule 16.2 or this rule.

16.4 Other ways of executing documents
Notwithstanding the provisions of rules 16.2 and 16.3, any document including a deed, may also be executed by the Company in any other manner permitted by law.

17. Inspection of records
The Directors may determine whether and to what extent, and at what time and place and under what conditions, the financial records and other books of the Company or any of them are to be open to the inspection of Members other than Directors, and a Member other than a Director does not have the right to inspect any book or record of the Company except as provided by law or as authorised by the Directors.

18. Dividends and reserves

18.1 Payment of dividends

The Directors may:
(a) subject to clause 18.2, pay any interim and final dividends that, in their judgment, the financial position of the Company justifies;
(b) rescind a decision to pay a dividend if they decide, before the payment date, that the Company’s financial position no longer justifies the payment; and
(c) pay any dividend required to be paid under the terms of issue of a share.

18.2 Conditions

A dividend may only be paid if permitted by law.

18.3 Reserves and profits carried forward

(a) The Directors may:
   (i) set aside out of the Company’s profits, the sums they think proper as reserves, to be applied at the discretion of the Directors, for any purpose for which the Company’s profits may be properly applied;
   (ii) appropriate to the Company’s profits any amount previously set aside as a reserve or provision; or
   (iii) carry forward any profits remaining that they consider appropriate, without transferring those profits to a reserve or provision.

(b) Setting aside an amount as a reserve or provision does not require the Directors to keep the amount separate from the Company’s other assets or prevent the amount being used in the Company’s business or being invested as the Directors decide.

18.4 Calculation and apportionment of dividends

(a) Subject to the rights of Members owning shares with special rights as to dividend (if any), all dividends are to be paid according to the
amounts paid or credited as paid on the shares for which the dividend is paid.

(b) All dividends are to be apportioned and paid proportionately to the amounts paid or credited as paid on the shares during any portion or portions of the period for which the dividend is paid. If any share is issued on terms providing that it will rank for dividend as from a particular date, that share ranks accordingly.

(c) An amount paid or credited as paid on a share in advance of a call is not to be taken for the purposes of this rule to be paid or credited as paid on the share.

18.5 Record date

(a) The Directors may fix a record date for a dividend, with or without suspending the registration of transfers from that date under rule 7.3.

(b) A dividend must be paid to the person who is registered, as the holder of the share:
   (i) where the Directors have fixed a record date for the dividend, on that date; or
   (ii) where the Directors have not fixed a record date for that dividend, on the date fixed for payment of the dividend, and a transfer of a share that is not registered, on or before that date is not effective, as against the Company, to pass any right to the dividend.

18.6 No interest

Interest is not payable by the Company in respect of any dividend.

18.7 Method of payment

(a) The Directors may pay dividends by:
   (i) cheque sent to the address of the Member shown in the register of Members, or for joint holders, the first listed name and address;
   (ii) by any electronic or other means approved by the Directors directly to an account (of a type approved by the Directors) nominated in writing by the Member or the joint holders; or
   (iii) any other method the Directors may decide.

(b) Different methods of payment may apply to different Members or groups of Members.

(c) A cheque sent under rule 18.7(a)(i):
(i) may be made payable to bearer or to the order of the Member to whom it is sent or any other person the Member directs; and
(ii) is sent at the Member’s risk.

(d) If the Directors decide to pay dividends by electronic means under rule 18.7(a)(ii), but:
   (i) no account is nominated by the Member; or
   (ii) an electronic transfer into a nominated account is rejected or refunded,

the Company may credit the amount payable to an account of the Company to be held until the Member nominates a valid account.

(e) Where a Member does not have a registered address or the Company believes that a Member is not known at the Member’s registered address, the Company may credit an amount payable to the Member to an account of the Company to be held until the Member claims the amount or nominates an account into which payment may be made.

(f) An amount credited to an account under rules 18.7(a)(ii) or 18.7(e) is to be treated as having been paid to the Member at the time it is credited to that account. The Company is not a trustee of the money and no interest accrues on the money.

18.8 Deductions from dividends
The Directors may deduct from any dividend payable to a Member all sums of money (if any) presently payable by the Member to the Company on account of calls or otherwise in relation to shares in the Company.

18.9 Retention of dividends
The Directors may retain the dividend payable on a share:
   (a) where a person is entitled to a share because of an event under rule 8, until that person becomes registered as the holder of that share or transfers it; and
   (b) apply it to any amount presently payable by the holder of that share to the Company.

18.10 Distribution of specific assets
   (a) The Directors may distribute specific assets, including paid-up shares or other securities of the Company or of another body corporate, either generally or specifically to Members as direct payment of the dividend in whole or in part and, if they do so they may:
(i) fix the value of any asset distributed;
(ii) make cash payments to Members on the basis of the value fixed or for any other reason so as to adjust the rights of Members between themselves; and
(iii) vest an asset in trustees.

(b) Where the Company satisfies a dividend by way of distribution of securities of another body corporate, each Member is taken to have agreed to become a Member of that corporation and to have agreed to be bound by the constitution of that corporation. Each Member also appoints each Director their agent and attorney to:

(i) agree to the Member becoming a Member of that corporation;
(ii) agree to the Member being bound by the constitution of that corporation; and
(iii) sign any transfer of shares or securities, or other document required to give effect to the distribution of shares or other securities to that Member.

18.11 Source of dividends
The Directors may pay a dividend to particular Members wholly or partly out of any particular fund or reserve or out of profits derived from any particular source, and to the other Members wholly or partly out of any other particular fund or reserve or out of profits derived from any other particular source.

18.12 Reinvestment of dividends
The Directors may permit the Members or any class of Members to:
(a) reinvest cash dividends by subscribing for shares or other securities in the Company or a related body corporate; and
(b) forgo the right to receive cash dividends and receive instead some other form of distribution of entitlement (including securities),
(c) on any terms the Directors think fit.

18.13 Unclaimed dividends
Unclaimed dividends may be invested by the Directors as they think fit for the benefit of the Company until claimed or until required to be dealt with under the law.

19. Capitalisation of profits
19.1 Power of Directors
(a) Subject to the Reserve Powers, the Directors may resolve that it is desirable to capitalise any sum, being the whole or a part of the
amount for the time being standing to the credit of any reserve account or the profit and loss account or otherwise available for distribution to Members, and that that sum be applied, in any of the ways mentioned in rule 19.1(b), for the benefit of Members in the proportions to which those Members would have been entitled in a distribution of that sum by way of dividend.

(b) The ways in which a sum may be applied for the benefit of Members under rule 19.1(a) are:

(i) in paying up any amounts unpaid on shares held by Members;
(ii) in paying up in full unissued shares or debentures to be issued to Members fully paid; or
(iii) partly as mentioned in rule 19.1(b)(i) and partly as mentioned in rule 19.1(b)(ii).

19.2 Further powers of Directors

(a) The Directors may do all things necessary to give effect to their resolution to capitalise described in this rule and, in particular, to the extent necessary to adjust the rights of the Members among themselves, may:

(i) issue fractional certificates or make cash payments in cases where shares or debentures become issuable in fractions; and
(ii) authorise any person to make, on behalf of all the Members entitled to any further shares or debentures upon the capitalisation, an agreement with the Company providing for the issue to them, credited as fully paid up, of any such further shares or debentures or for the payment up by the Company on their behalf of the amounts or any part of the amounts remaining unpaid on their existing shares by the application of their respective proportions of the sum resolved to be capitalised.

(b) Any agreement made under an authority referred to in rule 19.2(a)(ii) is effective and binding on all the Members concerned.

20. Notices

20.1 Service of notices

(a) A notice may be given by the Company to any Member either by serving it on them personally or by sending it by post to them at their address as shown in the register of Members or the address...
supplied by them to the Company for the giving of notices to them or by sending it to the facsimile number or electronic address (if any) nominated by the Member.

(b) Any notice served on a Member personally is deemed to have been served when delivered. Any notice served on a Member by post is deemed to have been served 48 hours after posting. Any notice served on a Member by facsimile transmission or other electronic means is deemed to have been served when the transmission or electronic message is sent.

(c) A notice may be given by the Company to the joint holders of a share by giving the notice to either or any of the joint holders.

(d) A notice may be given by the Company to a person entitled to a share in consequence of the death or bankruptcy of a Member by serving it on them personally or by sending it to them by post addressed to them by name, or by the title of representative of the deceased or assignee of the bankrupt, or by any like description, at the address (if any) within the State supplied for the purpose by the person or, if such an address has not been supplied at the address to which the notice might have been sent if the death or bankruptcy had not occurred.

20.2 Persons entitled to notice of general meeting

(a) Notice of every general meeting is to be given in the manner authorised by rule 20.1 to:

(i) each Member individually who is entitled to vote at general meetings of the Company;

(ii) each Director;

(iii) each person entitled to a share in consequence of the death or bankruptcy of a Member who, but for their death or bankruptcy, would be entitled to receive notice of the meeting; and

(iv) the auditor, if any, for the time being of the Company.

(b) No other person is entitled to receive notices of general meetings.

21. Winding up
21.1 Power of liquidator

If the Company is wound up, the liquidator may, with the sanction of a special resolution, divide among the Members in kind the whole or any part of the property of the Company and may for that purpose set such value as he considers fair upon any property to be so divided and may
determine how the division is to be carried out as between the Members or different classes of Members.

21.2 **Vesting of property**
The liquidator may, with the sanction of a special resolution, vest the whole or any part of any such property in trustees upon such trusts for the benefit of the contributories as the liquidator thinks fit, but so that no Member is compelled to accept any shares or other securities in respect of which there is any liability.

22. **Indemnity and insurance**

22.1 **Indemnity in favour of Directors, Secretaries and Executive Officers**
Subject to the Corporations Act and rule 22.2 the Company shall indemnify each Director, Secretary and Executive Officer to the maximum extent permitted by law, against any Liability incurred by them by virtue of their holding office as, and acting in the capacity of, Director, Secretary or Executive Officer of the Company, other than:

(a) a Liability owed to the Company or a related body corporate of the Company;

(b) a Liability for a pecuniary penalty order under section 1317G Corporations Act or a compensation order under section 1317H Corporations Act; or

(c) a Liability owed to a person other than the Company that did not arise out of conduct in good faith.

22.2 **Indemnity for legal costs**
The Company shall indemnify each Director, Secretary and Executive Officer to the maximum extent permitted by law, against any Liability for legal costs incurred by them in respect of a Liability incurred by them by virtue of their holding office as, and acting in the capacity of, Director, Secretary or Executive Officer of the Company other than for legal costs incurred:

(a) in defending or resisting proceedings, in which the Director, Secretary or Executive Officer is found to have a Liability for which they could not be indemnified under rule 22.1;

(b) in defending or resisting criminal proceedings in which the Director, Secretary or Executive Officer is found guilty;

(c) in defending or resisting proceedings brought by the ASIC or a liquidator for a court order if the grounds for making the order are found by the court to have been established (but this rule 22.2(c) does not apply to costs incurred in responding to actions taken by
the ASIC or a liquidator as part of an investigation before commencing proceedings for the court order); or

(d) in connection with proceedings for relief to the Director, Secretary or Executive Officer under the Corporations Act in which the court denies the relief.

22.3 Indemnity for other Officers
Subject to the Corporations Act and rule 22.4, the Company may indemnify an employee, who is not a Director, Secretary or Executive Officer of the Company, to the maximum extent permitted by law, against any Liability incurred by them by virtue of their holding office as, and acting in the capacity of, an Officer of the Company, other than:

(a) a Liability owed to the Company or a related body corporate of the Company;

(b) a Liability for a pecuniary penalty order under section 1317G Corporations Act or a compensation order under section 1317H Corporations Act; or

(c) a Liability owed to a person other than the Company that did not arise out of conduct in good faith.

22.4 Indemnity for legal costs of other Officers
The Company may indemnify an employee other than a Director, Secretary or Executive Officer to the maximum extent permitted by law, against any Liability for legal costs incurred in respect of a Liability as, or by virtue of their holding office as, and acting in the capacity of, an Officer of the Company other than for legal costs incurred:

(a) in defending or resisting proceedings, in which the Officer is found to have a Liability for which they could not be indemnified under rule 22.3;

(b) in defending or resisting criminal proceedings in which the Officer is found guilty;

(c) in defending or resisting proceedings brought by the ASIC or a liquidator for a court order if the grounds for making the order are found by the court to have been established (but this rule 22.4(c) does not apply to costs incurred in responding to actions taken by the ASIC or a liquidator as part of an investigation before commencing proceedings for the court order); or

(d) in connection with proceedings for relief to the Officer under the Corporations Act in which the court denies the relief.
22.5 Proceedings
For the purposes of rules 22.2 and 22.4, proceedings includes the outcomes of the proceedings and any appeal in relation to the proceedings.

22.6 Insurance for the benefit of Directors, Secretaries and Executive Officers
(a) Subject to the Corporations Act, the Company may pay a premium for a contract insuring a person who is or has been a Director, Secretary or Executive Officer of the Company acting in that capacity against:
   (i) costs and expenses in defending any proceedings, whether civil or criminal, whatever their outcome; or
   (ii) a Liability arising from negligence or other conduct.

22.7 Insurance for other Officers
Subject to the Corporations Act, the Company may pay a premium for a contract insuring a person who is or has been an employee and also an Officer of the Company, acting in that capacity, but who is not a Director, Secretary or Executive Officer of the Company against:
(a) costs and expenses in defending any proceedings, whether civil or criminal, whatever their outcome; or
(b) a Liability arising from negligence or other conduct.

22.8 When insurance may not be provided by the Company
The Company shall not pay, nor agree to pay, a premium for a contract insuring a person who is or has been a Director, Secretary or Executive Officer or an employee who is also an Officer of the Company, against a Liability (other than one for legal costs) arising out of:
(a) conduct involving a wilful breach of duty in relation to the Company; or
(b) a contravention of section 182 or section 183 Corporations Act.

22.9 Definitions for the purposes of rule 22
In this rule, except to the extent the context otherwise requires:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Officer</td>
<td>means a person who is concerned in, or takes part in, the management of the Company (regardless of the person's designation and whether or not the person is a Director of the</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<td>--------</td>
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</tr>
<tr>
<td>Liability</td>
<td>includes any claim, action, suit, proceeding, investigation, inquiry, damage, loss, cost or expense.</td>
</tr>
<tr>
<td>Officer</td>
<td>a Director or Secretary of the Company; or a person: who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the Company; who has the capacity to affect significantly the Company’s financial standing; or in accordance with whose instructions or wishes the Directors are accustomed to act (excluding advice given by the person in the proper performance of functions attaching to the person’s professional capacity or their business relationship with the Directors or the Company).</td>
</tr>
</tbody>
</table>
Annexure A
Reserve Powers

Tier 1 – PresCare only
Despite the rules set out in Credere Services Group’s constitution, the following matters may only be undertaken by Credere Services Group with the prior written approval of the board of PresCare:

(a) (allotment of securities) the allotment of shares, convertible notes, options or other securities in Credere Services Group;

(b) (share option schemes) the approval of any employee share or option scheme for the issue of securities to employees, directors or consultants of Credere Services Group;

(c) (transfer of assets) the transfer by Credere Services Group of an asset or assets of Credere Services Group having an aggregate book or market value (whichever is the greater) of more than 10% of the aggregate book or market value of its net assets;

(d) (loans) the making of a loan or giving of credit or other financial accommodation to a person which is not specifically provided for in the Annual Program;

(e) (encumbrances) the grant of any encumbrance over any assets of Credere Services Group save for in favour of trade creditors the ordinary course of business;

(f) (guarantees) the giving or entry into any guarantee, letter of comfort or performance bond which has a liability (whether actual or contingent) of more than $25,000 and which is not specifically provided for in the Annual Program;

(g) (new business) Credere Services Group entering into or agreeing to any commitment, indemnity or liability (whether actual or contingent) of more than $25,000 which is not specifically provided for in the Annual Program or otherwise in the ordinary and usual course of the Business;

(h) (acquisition of businesses) the acquisition by Credere Services Group of an interest in any other business or any other company, which is within the budget provision for acquisitions contained in the Annual Program;

(i) (operational expenditure) any operational expenditure above that specifically provided for in the Annual Program or otherwise in the ordinary and usual course of the Business which:

(i) is in excess of $100,000; or

(ii) would otherwise cause total operational expenditure of Credere Services Group to exceed that specifically provided for in the Annual Program by $100,000 or more;
(j) **(remuneration and bonuses)** except as approved under the Annual Program, the agreement to set or increase the remuneration per annum or any bonus payable to any senior employee of Credere Services Group (excluding the Directors but including the managing Director if appointed);

(k) **(insurance)** the amendment or variation of the insurance cover over Credere Services Group or the business activities of Credere Services Group except as provided in the Annual Program;

(l) **(unusual agreements)** the entry into or variation of agreements which are:
   (i) other than in the ordinary and usual course of the Business;
   (ii) not on arm’s length terms;
   (iii) unusual or abnormal;
   (iv) with a related party;
   (v) likely to involve performance at a loss; or
   (vi) of a term of more than three years;

(m) **(material agreements)** the termination, variation, assignment, novation or enforcement of, or waiver of a right under, or decision not to comply with, any material agreement;

(n) **(material litigation)** the instigation or settlement of, or implementation of any strategy about, any dispute, claim, litigation or arbitration proceedings by Credere Services Group when the amount claimed is more than $50,000 or, in the case of trading debts, is more than $20,000

(o) **(transactions concerning Directors)** the entry into, termination, variation, assignment, novation or enforcement of, or waiver of a right under, or decision not to comply with, any contract or arrangement with or for the benefit of a Director;

(p) **(change in nature of business and winding up)** stopping carrying on, or materially altering, the scale or nature of operations of Credere Services Group or commencing any material business or operational activities other than the current business operations of Credere Services Group, including any proposal to wind up the Company;

(q) **(branding)** changing the business names, trademarks, service marks, trade names, domain names, logos or branding of Credere Services Group or the Business;

(r) **(Annual Programs)** the adoption of an Annual Program and any material variation to any approved Annual Program;

(s) **(dividends)** the declaration of any dividends or decision to pay any dividends, including by way of distribution of specific assets;

(t) **(reserves)** the decision to set aside out of the Company’s profits, any sums as reserves;
(u) (delegation of powers) the delegation of any powers from the Board; and
(v) (agreement to do things) the agreement to do any of the things listed above.
Tier 2 – PresCare and the Assembly or the Commission of the Assembly

Despite the rules set out in Credere Services Group’s constitution, the following matters may only be undertaken by Credere Services Group with the prior written approval of the board of PresCare and the prior written approval of the Assembly or the Commission of the Assembly of the Church:

(a) (constitution) any amendment to the constitution of Credere Services Group;

(b) (indebtedness) the incurring of external financial indebtedness in excess of the amount that is determined by the Assembly or the Commission in respect of PresCare from time to time;

(c) (acquisition of businesses) the acquisition by Credere Services Group of an interest in any other business or any other company other than within the budget provision for acquisitions contained in the Annual Program;

(d) (remuneration and bonuses of Directors) except as approved under the Annual Program, the agreement to set or increase the remuneration per annum or any bonus payable to any Director of Credere Services Group;

(e) (capital expenditure) any capital expenditure above that specifically provided for in the Annual Program which:
   (i) is in excess of $5 million; or
   (ii) would otherwise cause total capital expenditure of Credere Services Group to exceed that specifically provided for in the Annual Program by $5 million or more; and

(f) (agreement to do things) the agreement to do any of the things listed above.
Reports

Company to keep records
The Company and the Directors must ensure that its records and accounting books:
(a) are kept in accordance with the Corporations Act;
(b) contain full, true and correct entries of all dealings and transactions of the Business and the Company’s affairs; and
(c) are sufficient to enable PresCare to comply with its reporting requirements, as set out in the constitution of PresCare.

Member access to records and employees
The Company must permit, after receiving reasonable notice, its Member or any accountant, agent, consultant or employee of its Member to, at the Member’s own cost, at reasonable times and as often as is reasonable:
(a) visit and inspect any property of the Company;
(b) inspect and take copies of documents relating to the Business and the Company’s affairs, including its financial records; and
(c) discuss the affairs, finances and financial records of the Company with the officers, employees and auditors of the Company,
(d) for any purpose.

Definitions
For the purposes of this document, the capitalised terms have the meanings given to them in the constitution of Credere Services Group and the following terms have the meanings given to them below:
Annual Program means a program for carrying on the Business during a financial year consisting of:
a business plan setting out proposed marketing plans, finance arrangements, capital expenditures, operational expenditures and activities for carrying on the Business during that financial year; and
a budget setting out an estimate of the income to be received and the expenses to be incurred in carrying out that business plan.
Board means the board of directors of Credere Services Group.
Business means the business as carried on by Credere Services Group from time to time.
Company or Credere Services Group means Credere Services Group Pty Ltd.
EMMANUEL COLLEGE
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NAME
1. The name of the College is "Emmanuel College", and by that name the Principal and Councillors, for the time being, shall constitute a body politic and corporate.

OBJECTS
2. The objects of the College are:
   (i) To provide appropriate accommodation and tuition for students attending The University of Queensland.
   (ii) To foster a liberal education within the College.
   (iii) To encourage students to relate their academic discipline to Christianity, and to encourage their growth in Christian faith by the provision of facilities for worship, discussion and counselling.
   (iv) To assist in the training of candidates for the Christian ministry, and in particular to provide a centre for such theological training.

GOVERNMENT
3. The government in every respect of the College and all matters relating thereto shall at all times be vested in a Council consisting of:
   (i) A Principal.
   (ii) Three persons appointed by the Assembly (see Para. 7(a) (i)).
   (iii) Three persons appointed by the Synod (see Para. 7(a) (ii)).
   (iv) Three persons elected by members of the Students' Club.
   (v) A nominee of the Senate of the University.
   (vi) Three persons elected by former resident members of College who are graduates (see Para. 7(b)).
   (vii) Up to three persons co-opted by the Council.

4. The Council shall elect a Chairman who, when present, shall preside at all meetings of the Council.

THE PRINCIPAL
5. A Principal shall from time to time be appointed by the Council for such term as may in each instance be resolved by the Council prior to the appointment. A Principal may be re-appointed from time to time.
6. The Principal shall be a member of either the Presbyterian Church of Australia or The Uniting Church in Australia or a person who subscribes to the doctrine of either of the said Churches.

THE COUNCILLORS

7. (a) (i) The General Assembly shall every five years appoint three persons as Councillors and thereupon such members of Council who were the previous appointees of the General Assembly (unless re-appointed) shall retire from office.

(ii) The Synod shall every five years appoint three persons as Councillors and thereupon such members of Council who were the previous appointees of the Synod (unless re-appointed) shall retire from office.

(b) The former resident members of the College who are graduates shall, every fifth year, elect three persons who shall be members of the Church as Councillors. Thereupon such of the Councillors, apart from the persons elected by the Students' Club and the Senate, the Principal and those appointed by the Churches, who are not so elected, shall retire from office.

(c) The Council shall co-opt up to three persons to serve as Councillors until the next quinquennial election of Councillors (see 7 (b)).

(d) Each Councillor appointed under clause (a) or elected under clause (b) hereof shall be entitled to remain in office for five years from the date of appointment or election as the case may be.

(e) (i) Whenever a vacancy occurs in the office of Councillor appointed by the Assembly, the General Assembly shall fill such vacancy by appointing a Councillor who shall hold office only until the next quinquennial appointment of Councillors by the General Assembly.

(ii) Whenever a vacancy occurs in the office of Councillor appointed by the Synod, the Synod shall fill such vacancy by appointing a Councillor who shall hold office only until the next quinquennial appointment of Councillors by the Synod.

(f) Whenever a vacancy occurs in the office of Councillor elected by the former resident members of College who are graduates or co-opted by the Council, the Council may elect or co-opt a Councillor who shall hold office only until the next quinquennial election.

8. No person who:

(a) is not prepared to be involved in the implementation of the principles and policies of the Churches in relation to this College.

(b) is not the full age of twenty-one years;
(c) has been a resident member of the College within the previous five years;
(d) has his/her affairs placed in the hands of a trustee in bankruptcy; or
(e) is an undischarged bankrupt;
(f) has been convicted on an indictable offence unless he/she has received a free pardon or has undergone the sentence passed upon him/her; or
(g) is a mentally ill person within the meaning of the laws in force for the time being relating to mental illness,
shall be capable of being or continuing to be a member of the Council.
(h) provision (a) shall not necessarily apply to the nominee of the Senate of the University, nor provisions (b) and (c) above apply necessarily to the persons elected by members of the Emmanuel College Students’ Club.

9. The office of Member of the Council shall be vacated:
   (a) if he or she is or has become disqualified under this Constitution;
   (b) if without leave obtained from the Council in that behalf, he or she has been absent from three consecutive meetings of the Council; or
   (c) upon death or resignation.

10. Except in case of death, disqualification or removal by the General Assembly and the Synod, a Councillor shall be deemed to remain in office until a successor is appointed, elected or co-opted.

11. Any one or all of the Councillors, except the Principal or the nominee of the Senate of the University, may be removed from their respective offices from time to time by a resolution of both the General Assembly and the Synod.

12. The votes at all meetings of the Council shall be taken inclusively of the Chairman or person presiding, but when there is any equality of votes the person presiding shall have a casting vote as well as a deliberative vote.

13. Subject to such conditions as to the due convening of meetings of the Council as shall have been determined, four Councillors shall constitute a quorum and the votes and proceedings of the majority at a meeting at which a quorum is present shall be taken and accepted as the votes and proceedings of the Council.

14. The Council may act in every respect notwithstanding any vacancies in the office of the Principal or any vacancy or vacancies in the office of the number of the Councillors and no such vacancy shall in any way affect the Constitution of the College in its privileges or status.

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THE VISITORS
15. The Moderator of the Synod and the Moderator of the General Assembly shall by virtue of such offices, and so long as they shall hold such respective offices, be Visitors of the College.

They shall have the right to visit the College at any time and to attend all meetings of the Council or its Committees, to examine the manner in which the College is conducted, and to see that its laws and regulations are duly observed and executed.

PROFESSORS, LECTURERS AND TUTORS
16. All professors, lecturers and tutors of the College shall be chosen and appointed by the Council provided always that:
(i) The General Assembly shall have exclusive power to appoint, control or remove professors, lecturers and tutors of subjects of the curriculum prescribed for students of divinity of the Presbyterian Church; and
(ii) The Synod shall have exclusive power to appoint, control or remove professors, lecturers and tutors of subjects of the curriculum prescribed for students of divinity of the Uniting Church.

17. Subject to the last preceding clause the Principal, professors, lecturers and tutors of the College shall respectively be liable to removal or suspension by the Council from their offices with the rights and privileges thereto appertaining for sufficient cause with the right of appeal to the Visitors and two assessors appointed by each of them.

18. The Council shall have power to choose and appoint as Fellows, Honorary Fellows and Honorary Foundation Fellows such persons as it deems fit, and the said Fellows, Honorary Fellows and Honorary Foundation Fellows shall have such duties and privileges as the Council shall determine from time to time.

BY-LAWS AND RULES
19. The Council shall have power from time to time to make and establish all such By-Laws and Rules as to the Council shall seem expedient for carrying into effect the several provisions of this Constitution and the objects of the College and particularly for the election of Councillors, meetings of the Council and the ordering of all things in and connected with the College and the discipline thereof to the promotion of religion and learning.
RESIDENCE
20. All students of the College shall ordinarily be enrolled in a course offered by the University and shall be required duly and regularly to attend the lectures of the University on those subjects, an examination and proficiency in which are required for honours and degrees, provided that students and graduates of the University may continue in the College at the discretion of the Council for the purposes of further study.

THE COMMON SEAL
21. The custody of the Common Seal of the College may be entrusted to such person as the Council shall from time to time determine.

22. The Common Seal shall not be affixed to any document except by order of the Council and in the presence of three Councillors at least, and three Councillors shall attest the sealing.

NON PROFIT OPERATION
23. The assets and income of the College shall be applied solely in furtherance of the objects of the College and no portion shall be distributed directly or indirectly to members of the College except as bona fide compensation for services rendered or expenses incurred on behalf of the organisation.

DISSOLUTION
24. In the event of the College being wound up, any surplus assets remaining after the payment of the College’s liabilities and the transfer to the University of the College land and improvements in accordance with the Deed of Trust shall be transferred equally between other university residential colleges with similar purposes and which are not carried on for the purposes of profit or gain to its individual members. The Queensland Synod of The Uniting Church in Australia and the General Assembly of the Presbyterian Church of Queensland shall each specify one such college to be recipients of the transfer of surplus assets.

ALTERATION TO THE CONSTITUTION
25. Subject to the proviso hereto, this Constitution may be amended from time to time by resolution of the Council passed by not less than two-thirds of all members of the Council provided that any such amendment shall not take effect until the same has been duly approved by majority vote of the Synod and the Assembly.
   (a) The resolution of the Council may be passed before, at the same time, or after the resolutions of the Assembly and the Synod.
(b) No such alteration shall have any force or effect until consented to by the Senate of the University.

**INTERPRETATION**

26. In this instrument:

"**The University**" means The University of Queensland.

"**The Church**" means any major denomination of the Christian Church.

"**The Churches**" means the Presbyterian Church of Australia and The Uniting Church in Australia.

"**The General Assembly**" means the General Assembly of The Presbyterian Church of Queensland.

"**The Synod**" means the Queensland Synod of The Uniting Church in Australia.

"**A former resident member of the College who is a graduate of the University**" is a person who having been a resident student for the period prescribed by the By-Laws or Rules of the College has attained a degree in the University and whose name remains on the College books.

"**A member of the Church**" means a person in full communion with the Presbyterian Church of Australia or The Uniting Church in Australia, or a Communicant member of any major denomination of the Christian Church.
1. **INTERPRETATION**
On the interpretation of this Constitution the following words and expressions shall where the context so admits or requires have the meanings attached thereto, that is to say:

"**The College**" means the residential college for women students of The University of Queensland known as "Grace College".

"**The Synod**" means the Queensland Synod of the Uniting Church in Australia.

"**The Assembly**" means the General Assembly of the Presbyterian Church of Australia within the State of Queensland.

"**The University**" means The University of Queensland.

The masculine gender shall wherever the context so admits include the feminine gender.

2. **NAME**
The name of the College is Grace College.

3. **OBJECTS**
The objects of the College will be

(a) To provide proper accommodation and tuition for women students of the University for the purpose of giving such students the benefit of collegiate life and of making provision for their care, guidance, discipline and instruction.

(b) To encourage a liberal education for its students by endeavouring to draw its students from all faculties within the University.

(c) To provide all necessary facilities for the presentation of and instruction in the Christian faith, including worship, study, teaching and counselling.

(d) To encourage students to relate their academic disciplines to Christianity and grow in the Christian faith.

4. **GOVERNMENT**
The government in every respect of the College and all matters relating thereto shall at all times be vested in a Council consisting of sixteen (16) members appointed as hereunder provided.

5. **THE COUNCIL**
The Council shall consist of:

(a) Six persons appointed by the Synod, of whom at least one and no more than three shall be Ministers and not less than three shall be women.
Three persons appointed by the Assembly of whom no more or less than one shall be a Minister and not less than one shall be a women.

The Principal of the College, who shall be a non-voting member.

Three graduate past students of the College appointed by the Council on the recommendation of the Grace Old Girls' Association.

Two students elected by secret ballot by the residential students as soon as practicable after the beginning of the academic year.

A person appointed by the Senate of the University.

6. **APPOINTMENT**

The Members of the Council appointed by the Synod and the Assembly shall be appointed for a term of three years and shall hold office from the first day of January in the year next after the year in which the Synod and the Assembly appointing them meet. This period of three years is hereinafter called “the term”.

No member appointed by the Synod or the Assembly shall hold office for more than four complete consecutive terms.

The member appointed by the Senate of the University shall be appointed for such period as the Senate may determine.

Student members shall hold office for one year but shall be eligible for re-election.

Graduate students shall hold office for a period of three years from the first day of January in the year following the year in which they are appointed. They shall hold office for no more than four complete consecutive terms.

7.1 **QUALIFICATIONS**

No person may be a Councillor who:

(a) has his/her affairs under liquidation by arrangement with his/her creditors;

(b) is an undischarged bankrupt;

(c) has been convicted of an indictable offence unless he/she has received a free pardon, has his/her conviction quashed or has undergone the sentence passed upon him/her; or

(d) is an insane person within the meaning of the laws in force, for the time being, relating to insanity.

7.2 In addition, in the case of members nominated by the Churches the following shall apply:

(a) Presbyterian nominees must be Communicant Members of the Presbyterian Church in Queensland.
(b) Uniting Church nominees shall have an affiliation with a Christian church.

8. **VACATING OFFICE**
The office of member of Council shall be vacated:
(a) If he is or has become disqualified under this Constitution.
(b) If he has been absent from three consecutive ordinary meetings of the Council without leave of absence or good cause shown.
(c) Upon death or resignation.

9. **REMOVAL FROM OFFICE**
(a) The Synod may by resolution passed by a majority of not less than three-fourths of its members present and voting thereon from time to time remove the members of the Council who have been appointed by the Synod or any of them.
(b) The Assembly may by resolution passed by a majority of not less than three-fourths of its members present and voting thereon from time to time remove the members of the Council who have been appointed by the Assembly or any of them.
(c) The Synod or the Assembly which so removes members of the Council from office shall appoint members to the Council to fill the vacancies so created and such members shall hold office for the balance of the term in which they are appointed.
(d) The Senate of the University may from time to time remove and replace its nominee on the Council.

10. **CASUAL VACANCY**
Any casual vacancy occurring among the members of the Council appointed by the Synod shall be filled by the Synod or by any Committee or Body appointed in that behalf by the Synod. Any casual vacancy occurring among the members of the Council appointed by the Assembly shall be filled by the Assembly or by any Committee or Body appointed in that behalf by the Assembly. Any person appointed under this clause shall hold office for the balance of the term in which he is appointed. Any casual vacancy occurring in the case of the member appointed by the Senate shall be filled by the Senate. Any casual vacancy occurring in the case of student members shall be filled by secret ballot of the residential students as soon as practicable thereafter. Any casual vacancy occurring in the case of a graduate past student member shall be filled by the Council on the recommendation of the Grace Old Girls’ Association.

11. **PRINCIPAL**
(a) The Principal of the College shall be appointed by the Council for such period as may in each instance be resolved by the Council prior to the election. The Principal may be re-appointed from time to time.
(b) The Principal shall be a Communicant Member of a branch of the Christian church.

(c) The Principal shall have such other qualifications as the Council may determine, provided that the qualifications must be such as to enable the Principal to give effect to the Objects of the College.

(d) The Council may from time to time by resolution determine the powers and the duties of the Principal.

12. VISITORS
The Moderator of the Synod and the Moderator of the Assembly shall by virtue of such office and so long as they shall hold office, be Visitors of the College. The Visitors of the College shall have the right to attend all meetings of the Council and any Committee thereof, and shall have the right to visit the College at any time. They shall have the duty of examining the manner in which the College is conducted to ensure that its aims are being implemented and its Regulations are being duly observed.

13. OFFICE BEARERS AND EXECUTIVE
(a) The Council shall at the Annual General Meeting each year from amongst its members elect a Chairman, a Deputy Chairman, a Secretary and a Treasurer who shall respectively perform the duties normally associated with such offices, and who shall hold office until their successors are appointed at the next Annual General Meeting. Any casual vacancy occurring in any office may be filled by resolution of the Council.

(b) The Chairman, Deputy Chairman, Secretary, Treasurer and Principal shall form the Executive Committee of the Council. The Executive Committee shall exercise such powers and responsibility as may be delegated to it by the Council from time to time.

14. MEETINGS OF THE COUNCIL
(a) Ordinary meetings of the Council shall be held at least three times each year at such times and places as may be appointed by the Council for that purpose. Special meetings may be convened by the Chairman on his own responsibility, and a special meeting shall be convened by him forthwith upon the receipt by him of a written requisition signed by not less than five members of the Council.

(b) There shall be a meeting of the Council not later than the month of April each year which shall be called the Annual General Meeting at which the business shall be:
(i) the presentation by the Executive Committee of an Annual Report covering the previous year's activities.
(ii) the presentation of duly audited accounts covering the financial operations of the previous year and the financial position as at the conclusion of the previous year.

(iii) the election of office bearers.

(iv) the appointment of an auditor.

(v) any other business which the Executive may place on the agenda.

(c) At all meetings of the Council eight voting members present in person shall constitute a quorum, and no business (other than adjournment) shall be transacted in the absence of a quorum.

(d) The votes of all meetings of the Council shall be taken inclusive of the Chairman or person presiding, but when there is an equality of votes the Chairman or person presiding shall have a casting vote as well as a deliberative vote.

15. **POWERS OF THE COUNCIL**

(a) The Council shall administer and control the finances of the College in all respects and shall have the power to borrow as well as to pledge the assets of the College and in all other respects may exercise the powers conferred by the "Religious Educational and Charitable Institutions Acts, 1861 to 1967".

(b) The Council shall have power to make such regulations for or in any way relating to the governance or ordering of the College and for the effective working of the Council as it may from time to time think fit. The Council may amend any such Regulations PROVIDED ALWAYS that no Regulation or amended Regulation shall be made which shall be inconsistent with any part of the Constitution.

(c) The Council may engage and employ for any of the purposes of the College such persons and on such terms as it may from time to time think fit.

(d) The Council shall if requested in each year present a Report and Balance Sheet both to the Synod and the Assembly.

(e) The general powers of the Council as the governing body of the College shall not in any way be restricted or affected by the foregoing enumeration of particular powers.

16. **STUDENTS**

(a) Students of the College may be residential or non-residential.

(b) No student shall be admitted to residence in the College unless either:

(i) Having qualified to undertake studies at the University she shall be pursuing a course of study at the University or shall, whether at the University or at the College, be engaged in research.

(ii) Notwithstanding the provisions of paragraphs (a) and (b)(i), the Principal may at his/her discretion admit to residence a limited number of other students.
17. INCORPORATION
The Chairman, the Secretary and the Treasurer having been incorporated under the provisions of the "Religious, Educational and Charitable Institutions Acts, 1861 to 1967" shall, subject to the approval of the Governor in Council, bear the corporate name of "Grace College".

18. COMMON SEAL
The Council shall provide a Common Seal for the purpose of the College and the seal shall not be affixed to any instrument except pursuant to a resolution of the Council and in the presence of any two of the following persons - The Principal, the Deputy Chairman, the Chairman, the Secretary and the Treasurer.

The form of attestation shall be as follows:
Given under the Common Seal of Grace College this ............ day of ............ 20.. pursuant to a resolution of the Council and in the presence of ................................... and ...................................

NB The Seal is affixed over the signatures. Any two of the persons mentioned in this paragraph of the Constitution may sign.

All uses of the seal must be recorded in the Minutes of Grace College Council.

19. ALTERATION OF CONSTITUTION
Subject to the proviso hereto, this Constitution may be amended from time to time by resolution of the Council passed by not less than three-quarters of all the members of the Council or certified in writing by not less than three-quarters of all such members PROVIDED that any such amendment shall not take effect until the same has been duly approved by the Synod, the Assembly and the Senate of the University.

20. DISSOLUTION
Subject to the proviso herein contained, the College shall not be dissolved except pursuant to a resolution of the Council passed by at least three-quarters of the members thereof present and voting or evidenced in writing by at least three-quarters of the members thereof whose signatures thereto shall be duly attested by a Justice of the Peace. Any assets of the College shall on dissolution be disposed of or vested in some body or corporation for such purposes as shall be specified in such resolution and as shall be in accordance with the provisions of Section 78 (1)(a) of the Income Tax Acts PROVIDED that any such resolution shall be of no effect unless and until it is approved by the Synod, the Assembly and the Senate of the University.
21. **NON-PROFIT CLAUSE**

The assets and income of the College shall be applied solely in furtherance of the above-mentioned objects and no portion shall be distributed directly or indirectly to the members of the College except as bona fide compensation for services rendered or expenses incurred on behalf of the College.
ST ANDREW'S TOOWOOMBA HOSPITAL
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NAME:
1. (a) The name of the Hospital shall be "St Andrew's Toowoomba Hospital" and by that name the Governors for the time being shall constitute a body politic and corporate.
   (b) The persons authorised to make application for incorporation shall be the members of the Board of Governors holding the offices of Chairman, Vice-Chairman and Treasurer.

OBJECTS:
2. The objects of the Hospital are:
   (a) To conduct and maintain a true community hospital in which Jesus Christ is proclaimed as Healer and Redeemer and in which religious services are conducted for patients and staff with due regard for their personal freedom.
   (b) To provide hospital and nursing services for the public, irrespective of religious beliefs, which services include non-paying, intermediate and private beds.
   (c) To establish a training school whether or not in collaboration with any other authority or in conformity with any other statute for the training of medical students, nurses, physiotherapists and others who are engaged in any service which is ancillary to medical treatment.
   (d) To do, make, perform and execute all such further acts, matters and things which may be essential to carry out the above objects.

GOVERNMENT:
3. The whole management of the Hospital, Medical and Financial, shall be vested in a Board of Governors.

BOARD OF GOVERNORS:
4. (a) The Board of Governors shall consist of sixteen persons who shall be appointed by the Assembly of the Presbyterian Church continuing to function after union under the basis of Union of 1901.
   (b) Of the Governors appointed by the Church at least one shall be a Minister of the Church, at least one shall be a member of the Presbytery of the bounds, at least four shall be Medical Practitioners and one a representative of the Church's Women's Association, provided that four persons appointed by the Church may be members of the Christian
Church other than the Presbyterian Church continuing to function after union under the basis of Union of 1901.

5. No person who:
(a) is not the full age of twenty-one years;
(b) has entered into a Deed of Arrangement with his/her creditors or has executed a Deed of Assignment for their benefit under the laws relating to bankruptcy;
(c) is an uncertificated or undischarged bankrupt;
(d) has been convicted of an indictable offence unless same has been quashed by a Court of Appeal or he/she has received a free pardon or has undergone the sentence passed upon him/her;
(e) becomes physically or mentally unable to carry out properly his/her duties as a Governor;
shall be capable of being or continuing to be a member of the Board.

6. Half of the first Governors appointed by the Church shall retire from office on the Thirtieth day of June next following the expiration of three years from the date of their appointment and on the Thirtieth day of June in every subsequent third year; half of the Governors for the time being appointed by the Church shall retire from office to the intent that each Governor (not being included in the group of Governors retiring in the first instance) shall, subject to the provisions set forth elsewhere in this Constitution, hold office until the Thirtieth day of June next following the expiration of six years from the date of appointment or reappointment. A retiring Governor shall be eligible for reappointment. A ballot shall be conducted to determine the retiring members in the first instance by the Board of Governors.

7. Before the Thirtieth day of June next following three years from the date of the appointment of the first Governors and before that day in every subsequent third year, the Assembly shall appoint eight persons to be Governors to fill the vacancies that will arise upon the retirement of the Governors hereinbefore provided and such persons shall accordingly, upon such retirement, become Governors in place of the Governors so retiring.

8. If any casual vacancy occurs on the Board of Governors, the Board may elect a member to fill such vacancy. Such member shall hold the vacant office for the balance of the term which would have been available to the person whose place such member fills, subject to the confirmation of his appointment by the following Assembly meeting.
9. The Assembly may by a resolution passed by a majority of not less than three-fourths of its members present and voting thereon from time to time remove the Governors elected by it or any of them from their respective offices.

10. The office of Governor shall become vacant:
   (a) if, without leave first obtained from the Board in that behalf, an elected Governor has been absent from all meetings of the Board held during a period of four consecutive months; or
   (b) upon resignation or death of a Governor; or
   (c) upon a Governor becoming incapable under Section 5 hereof of continuing to act as such.

11. At the first meeting of the Board after the Thirtieth day of June in each year, the Governors shall elect a Chairman, a Vice-Chairman and a Treasurer. The Chairman, or in his absence, the Vice-Chairman, shall preside at the meetings of the Board, but if no such Chairman or Vice-Chairman is elected or if at any meeting neither the Chairman nor the Vice-Chairman is present at the time appointed for holding the same, the Governors present shall choose someone of their number to be Chairman of such meeting.

12. The voting at all meetings of the Board shall be taken inclusively of the Chairman or person presiding, but when there is an equality of votes, the person presiding shall have a casting vote as well as a deliberative vote.

13. The Governors may meet together for the despatch of business, adjourn and otherwise regulate their proceedings as they think fit. The votes and proceedings of a majority at a meeting at which a quorum is present shall be taken and accepted as the votes and proceedings of the Board.

14. Six members at any meeting duly convened, shall constitute a quorum.

REPORT TO ASSEMBLY:
15. The Board of Governors shall present a report of its activities to the Assembly quarterly. Such report shall be accompanied by a copy of the audited Profit and Loss Account and Balance Sheet for the previous year.

THE VISITOR:
16. The Moderator for the time being of the Assembly shall be the Visitor and shall have the right to visit the Hospital at any time.
COMMON SEAL:
17. Upon the Hospital becoming a Corporation, a Common Seal shall be obtained and may be affixed to any document by the authority of a resolution of the Board of Governors and the affixing of such seal shall be attested by any two members for the time being of the Board of Governors.

BY-LAWS AND RULES:
18. The Board of Governors shall have power from time to time to make, repeal or alter all such by-laws and rules as the Board of Governors shall deem expedient for carrying into effect the several provisions of this Constitution and the objects of the Board of Governors and particularly for meetings of the Board of Governors and its Committees and the ordering of all things in and connected with its Hospital and the discipline thereof.

ALTERATION OF THE CONSTITUTION:
19. The Board of Governors may alter this Constitution in any respect by a resolution passed by a majority of not less than three-fourths of its members subject to the approval of the Assembly.

INCOME AND PROPERTY:
20. The income and property of the Hospital shall be used and applied solely in promotion of the Hospital's objects and the exercise of the powers of the Board of Governors and no portion thereof shall be distributed, paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any person provided that nothing herein contained shall prevent the payment in good faith of interest to any person in respect of moneys advanced by him/her to the Hospital or otherwise owing by the Hospital to him/her or of remuneration to any officers or servants of the Hospital or to any person in return for services actually rendered to the Hospital provided further that nothing herein contained shall be construed so as to prevent the payment or repayment to any person of out-of-pocket expenses, money lent, reasonable and proper charges for goods hired by the Hospital or reasonable and proper rent for premises demised or let to the Hospital.

21. If the Hospital shall be wound up or dissolved and there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall be given or transferred to some other institution or institutions having objects similar to the objects of the Hospital and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed upon the Hospital under or by virtue
of Clause 20 such institution or institutions to be determined by the Board of Governors and subject to the approval of the Assembly.

**INTERPRETATION:**

In this instrument "The Church" means the Presbyterian Church continuing to function after union on the basis of Union of 1901; "The Assembly" means the General Assembly of the Presbyterian Church continuing to function after union on the basis of Union of 1901.
1. **NAME**
The name of the Association is "The Presbyterian and Methodist Schools Association" and by that name the Councillors for the time being shall constitute a body corporate.

2. **OBJECTS**
The Association is formed to establish and carry on schools where pupils may obtain an education which is in accordance with sound educational principles and which is consistent with basic Christian doctrine.

3. **GOVERNMENT**
The government in every respect of the Association and all matters relating thereto shall at all times be vested in a Council consisting of up to twenty-four (24) persons (hereinafter referred to as "the Council") to be appointed in the proportion hereinafter stipulated by The Presbyterian Church of Queensland (hereinafter referred to as "The Presbyterian Church") and The Uniting Church in Australia Queensland Synod (hereinafter referred to as "the Uniting Church") and by the Council as herein provided. The Council shall report annually to the Assembly of The Presbyterian Church and to the Synod of the Uniting Church.

4. **COUNCILLORS**
The Presbyterian Church, the Uniting Church and the Council are each entitled to appoint up to eight (8) Councillors, but, as from the first day of August 2003, the parties consent to a progressive reduction in numbers until the number that each of the Presbyterian Church and the Uniting Church is entitled to appoint is six (6) and the total number of Councillors is fifteen (15). Those Councillors appointed by the Council shall be persons who are either members of The Presbyterian Church or members of the Uniting Church.

Save as herein provided the term of each appointment for members of the Council shall be three (3) years unless the Councillor has attained the age of seventy two (72) years, when the term shall be one (1) year. At the end of each term Councillors are subject to retirement by rotation, but shall be eligible for re-appointment. Councillors may be removed from office by their appointing entity.
5. CASUAL VACANCIES
Save as provided in Clause 4 hereof any casual vacancy occurring among the Councillors appointed by the Presbyterian Church shall be filled as determined by that Church and any casual vacancy occurring among the Councillors appointed by the Uniting Church shall be filled by the Uniting Church or as the Uniting Church shall direct and any casual vacancy occurring among the Councillors appointed by the Council shall be filled by the Council or as the Council shall direct.

6. OFFICE BEARERS
The Councillors shall elect from their number a Chairman, and a Vice-Chairman. The Chairman or in his absence the Vice-Chairman shall preside at meetings of the Council but if no such Chairman or Vice-Chairman is elected or if at any meeting neither the Chairman nor the Vice-Chairman is present at the time appointed for holding the same, the Councillors present shall choose someone of their number to be Chairman of such meeting. Each Chairman and Vice-Chairman shall retain office for a minimum period of three (3) years subject to appointment or re-appointment under Clause 4.

7. VOTING
The votes at all meetings of the Council shall be taken inclusively of the Chairman or person presiding but when there is an equality of votes the person presiding shall not have a second or casting vote.

8. COUNCIL TO ACT
The Council may act in every respect notwithstanding any vacancy or vacancies in the number of the Councillors and no such vacancy shall in any way affect the Constitution of the Association in its privileges or status.

9. MEETINGS
The Councillors may meet together for the despatch of business adjourn or otherwise regulate their meetings as they think fit. The quorum necessary for the transactions of business shall be eight (8) Councillors. The votes and proceedings of a majority at a meeting at which a quorum is present shall be taken and accepted as the votes and proceedings of the Council.

10. REQUISITIONISTS
The Chairman or Vice-Chairman shall on the requisition of any five (5) Councillors forthwith proceed to convene a meeting of the Council and in the case of such requisitions the following provisions shall have effect:
(a) The requisition must state the objects of the meeting and must be signed by the requisitionists and handed to the Chairman or Vice-Chairman and may
consist of several documents in like form each signed by one or more requisitionists.

(b) If the Chairman or Vice-Chairman as the case may be does not within seven (7) days from the date of the requisition being handed to him proceed to cause a meeting to be held the requisitionists or a majority of them may themselves convene the meeting but any meeting so convened shall not be held after three (3) weeks from the date of the requisition being handed to the Chairman or Vice-Chairman.

(c) Seven (7) clear days before the day appointed for such meeting notice specifying the place date and hour thereof and the general nature of the business shall be sent by post to each Councillor at his usual place of address but non-receipt of this notice by any Councillor shall not invalidate the proceedings at the meeting.

11. COMMITTEES
The Council may form Committees including Councillors and other persons of the wider community as they think fit to achieve the objects of the Association.

The Council may delegate any of its powers to a Councillor or a Committee established by the Council or other persons who are reliable and competent in relation to the power so delegated.

Any Committee so formed or any delegate shall, in the exercise of the powers so delegated, conform to any directions that may be imposed on it or the delegate by the Council.

12. COMMITTEE CHAIRMEN
The Council shall appoint Chairmen of its Committees. If no such Chairman is appointed or if he is not present at the time appointed for holding the same the members present shall choose one of their number to be Chairman of such meeting.

13. MEETINGS OF COMMITTEES
A Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present and in case of an equality of votes the Chairman shall not have a second or casting vote.

14. VACATION OF OFFICE
A Councillor shall vacate his office:
(a) if without leave obtained from the Council, he has been absent from three (3) consecutive meetings of the Council.
(b) upon death or resignation.
(c) upon becoming of unsound mind or a person whose estate is liable to be dealt with in any way under a law relating to mental health.
(d) upon becoming disqualified from managing a corporation under the Corporations Act.
(e) upon a conviction of a criminal offence.
(f) upon becoming unsuitable for child related employment.

15. **BY-LAWS**
The Council shall have power from time to time to make repeal or alter all such BY-LAWS as to the Council shall seem expedient for carrying into effect the several provisions of this Constitution and the objects of the Association and particularly for meetings of the Council and the order of all things in and in connection with its schools and discipline thereof to the promotion of religion and learning.

16. **RETIREMENT BENEFIT**
The Council may at any time and from time to time in its discretion remunerate or grant to any person or persons who is or shall have been in the employment of or who shall have served the Association (and whether such employment or service shall have been in a full-time or part-time capacity) and who shall have retired or shall be about to retire from service or any person or persons whom the Council shall consider to be or to have been dependent on any such persons as aforesaid who shall have died, such lump sum or periodical gratuity annuity or benefit and whether revocable or not as a recognition of or reward for services which shall have been rendered and either by payment direct or by effecting assurance upon the life or for the benefit of any such person or persons or his or their dependents and may in its discretion create or set up any trust or fund for superannuation purposes or purposes analogous thereto or for any of the purposes hereby authorised and with power from time to time to cancel vary and amend any grant agreement for payment or trust in any lawful manner. The conferring of any benefit on any person in pursuance of this clause shall not prevent the Council in case of emergency re-employing or utilising the services of any person who shall have retired nor shall any such re-employment or utilisation of services prejudice any rights which shall have been conferred on any such person hereunder. Any periodical gratuity annuity or benefit granted by the Council hereunder may be made retrospective to any time prior to the time at which the Council decides to make any grant in pursuance of the provisions of this clause.

17. **THE COMMON SEAL**
The custody of the Common Seal may be entrusted to such person as the Council shall from time to time determine.
The Common Seal shall not be affixed to any documents except by order of the Council and in the presence of two (2) Councillors who shall attest the sealing. It is declared that the said order may be made at any time either before or after the affixing of the Seal.

18. AMENDMENTS
The Councillors may from time to time with the consent of the Presbyterian Church and the Uniting Church alter the Constitution of the Association. Either of such consents may be given before at the same time or after the resolutions of the Councillors.

19. CONTINUATION OF BY-LAWS
It is declared that any By-Laws or Standing Orders of the Association current and in existence shall continue in existence and remain in full force and effect until revoked amended or rescinded to the extent that they do not conflict with the Constitution.

20. INCOME AND PROPERTY
(a) The income and property of the Association shall be used and applied solely for the promotion of the objects of the Association and no portion of the income or property will be distributed, paid or transferred by way of dividend, bonus or otherwise amongst its members.
(b) On dissolution, the assets of the Association remaining after the satisfaction of all debts and liabilities shall be transferred to some institution having similar objects.

21. INDEMNITY
21.1 Costs and expenses
The Association shall indemnify each person:
(a) who is or has been a Councillor or Officer of; or
(b) who acts or has acted in a voluntary capacity for the benefit and with the authority (including, but not limited to, acting in accordance with a constitution approved by the Association) of the Association, against a liability for costs and expenses incurred by that person as a Councillor, Officer or Volunteer (as the case may be) in prosecuting or defending any civil proceedings, unless those proceedings are found to have arisen from a wilful or reckless breach of duty or from conduct involving a lack of good faith or which is criminal. This indemnity will not apply in respect of costs and expenses incurred by a Councillor, Officer or Volunteer (as the case may be) in prosecuting civil proceedings unless the commencement of those proceedings has the prior written consent of the Association.
21.2 Liabilities to Third Parties
The Association shall indemnify each person:
(a) who is or has been a Councillor or Officer of; or
(b) who acts or has acted in a voluntary capacity for the benefit and with the authority (including, but not limited to, acting in accordance with a constitution approved by the Association) of the Association, against a liability incurred by that person as a Councillor, Officer or Volunteer (as the case may be), except a liability which arises from a wilful or reckless breach of duty or from conduct involving a lack of good faith or which is criminal. This indemnity will not apply in respect of a liability incurred by a Councillor or Officer to the Association or a related body corporate of the Association.

21.3 Insurance
The Association shall maintain a policy of insurance insuring each person:
(a) who is or has been a Councillor or Officer of; or
(b) who acts or has acted in a voluntary capacity for the benefit and with the authority (including, but not limited to, acting in accordance with a constitution approved by the Association) of the Association, against:
(c) a liability for costs and expenses incurred by the person in defending civil or criminal proceedings arising out of the person’s conduct as a Councillor, Officer or Volunteer (as the case may be); and
(d) any other liability incurred by the Councillor, Officer or Volunteer (as the case may be) acting in that capacity, except a liability which arises from conduct that involves a wilful or reckless breach of duty or from conduct involving a lack of good faith or which is criminal.

21.4 Definitions
For the purposes of this Rule 21:
(a) ‘Councillor’ means a person who is or has been a member of the Council of the Association, or, is or has been appointed by the Council as a member of a school council;
(b) ‘Officer’ includes a person who has a role in the day-to-day management or affairs of the Association; or
(c) ‘P&F’ means an association of parents and friends approved by the Association;
(d) ‘related body corporate’ has the meaning set out in the Corporations Act 2001; and
(e) ‘Volunteer’ means a person who is or has been a member of a P&F, a P&F Committee, a P&F Subcommittee, a support group Committee that exists from time to time, a member of an accredited past student’s association, or,
is or has acted in a voluntary capacity for the benefit of a P&F, a school or the association for which the person may or may not have received pecuniary consideration.
# FORMS

Updated as of February 2015

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I - DECLARATION DE FIDELI ADMINISTRATIONE
(See Rules 3.6, 4.8, 5.9, 13.8)

(To be made by Clerks and others on accepting office)
"I do solemnly affirm and declare that I will faithfully discharge the duties now entrusted to me."

II - EDICT OF VACANCY IN A PASTORAL CHARGE
(See Rule 8.1)

The Presbytery of ……………………………….. having on the ………….. day of ……………………… 20….. declared that the Pastoral Charge of ……………………………….. is now vacant, in consequence of ……………………….
(here state the cause of the vacancy, such as the death or the translation) of …………………………………. the former Minister thereof, appointed intimation of the same to be made in this place; and further that all parties having interest in that behalf should be called upon to proceed to fill the vacancy with all convenient speed and in due form, according to the laws of the Church; intimation of which is now accordingly hereby made.

Attested by me this ……………….. day of …………………….. 20……

Presbytery Clerk

Attestation of Service of the Edict

This Edict was duly announced to the Congregation at ………………………………… on ……………… day of ……………………… 20 .

Officiating Minister
III - FORM OF CALL TO A VACANT CHARGE
(See Rule 8.7, 8.11, 8.12)

We the undersigned Communicants of the Pastoral Charge of ………………………
being satisfied that you, Mr …………………….., Minister (or Licentiate) of the
Gospel, have suitable gifts from our Lord to edify and equip us for service, invite,
call and encourage you to undertake the work of ministry and the preaching of the
Gospel among us; and upon your acceptance of this call and being inducted into the
Charge by the Presbytery of ……………………………., we promise you due respect
and encouragement and will support you in terms of that set out in the approved
Ministry Support Fund Schedule, as God enables us.

In witness whereof we have hereunto subscribed our names this .................. day
of ....................... 20……

Names ___________________________ Residences ___________________________

Form of Attestation
(See Rule 8.13)

The above are the signatures of communicants of the congregation of
………………………………., subscribed in my presence this .......... day of
…………………………. 20…..

Interim Moderator

The above signatures other than those attested by the Rev.
……………………………….. are the signatures of Communicants of the Congregation
of ……………………………. subscribed in our presence.

Commissioners

Form of Concurrence
(See Rule 8.13)

We, the undersigned, Adherents of the Congregation of
………………………………. do hereby signify our hearty concurrence in the call in
favour of Mr ………………… to the pastoral charge of said Congregation.
(In the attestation of the signatures to the Form of Concurrence, the forgoing forms
are used substituting the word "Adherents" for the word "Communicants".)

Forms – page 4
IV - EDICT OF ORDINATION OR INDUCTION OF A MINISTER
(See Rule 7.3)

The Presbytery of ………………………………, having resolved to proceed to the
(ordination and) induction of Mr ………………………………, has directed an Edict to
be published accordingly; in pursuance whereof notice is hereby given that if any
person has any objection to offer against the life or doctrine of the said Mr
…………………………………………. he may lodge the same in writing with the Clerk
of said Presbytery, on or before the ……………… day of ………………… 20 ; with
certification that, if no relevant objection be lodged and substantiated, the
Presbytery will proceed to the ordination (or induction) of said Mr
…………………………………… according to the laws of the Church, and admit him to the
pastoral charge of this Congregation.

Attested by me this …………………. day of ……………………… 20…….

Presbytery Clerk

Attestation of Service of the Edict
(See Rule 7.4)

This edict was duly announced to the congregation at …………………………… on
………………………… day of …………………………… 20…….

Officiating Minister
V - FORM OF MINUTE OF PRESBYTERY ON
INDUCTION OF A MINISTER
(See Rule 7.5)

At .................................................., and within the Presbyterian Church, on
............................ day of .......................... 20....... , the Presbytery of
................................. met, and was constituted with prayer.

Sederunt:
The Rev. .......................................... presided.
The Minute calling the meeting was read.
The Edict was returned certified as duly served. No objection having been offered
to the life or the doctrine of Mr ........................................ the Presbytery resolved
to proceed to his (ordination and) induction.
The Rev. ................................. conducted public worship, and preached on
.................................................

The Clerk narrated the history of the Call. The Moderator put to the Congregation
and the Minister the prescribed questions. Satisfactory answers having been received, the Presbytery did, in the name and by authority of the Lord Jesus Christ,
the King and Head of the Church (ordain ................................. to the office of
the Holy Ministry, and did) induct him, the said ........................................ into
the pastoral charge of the Congregation of (or at) ......................... The
Moderator declared him to be duly (ordained) inducted and admitted, and with the
brethren, gave him the right hand of fellowship. The Rev. .................................
gave the charge to the Minister, and the Rev. ......................... the charge of the
Congregation. Mr ................................. signed the Formula, and his name was
added to the Roll.

The meeting was closed with prayer.
VI - EDICT OF PROPOSED TRANSLATION OF A MINISTER
(See Rule 8.22, 8.23)

A call from the pastoral charge of ………………………. to the Rev. ……………., Minister of the Charge of ……………………………. to be their Minister, having been forwarded to the Presbytery of ……………………………. Mr ……………………………….. (the Minister), the Commissioners appointed by the Congregation and all others having interest are hereby summoned to appear at the meeting of Presbytery to be held at ……………………………….. on the ………… day of ……………………………….. 20 ….. at ….. am/pm, that they may state their reasons, if they have any, why the proposed translation of Mr ……………………………….. should not proceed, with certification that the parties not so appearing will be held as consenting to the said translation.

Attested by me this ………………. day of ……………………… 20…….

Presbytery Clerk

Attestation of Service of the Edict

This Edict was duly announced to the congregation at ……………………………. this ……………. day of ……………………………. 20…….

Officiating Minister

VII - FORM OF RESIGNATION
(See Rule 4.40)

To the Reverend the Presbytery of ………………………………………………….

I, ……………………………., Minister of ……………………………., in said Presbytery, being moved thereto by just and sufficient causes, do hereby resign my said pastoral charge purely and simply into the hands of the said Presbytery, declaring that, in so far as I am concerned, the said Charge shall be held vacant; and that it shall be free to the Congregation of the said Charge to call, and to said Presbytery to admit, another Minister thereto. And I further consent that my resignation shall be recorded in the Presbytery’s books, in futuram rei memoriam. Witness my hand this ……………. day of ……………………………. 20…….

Minister

Forms – page 7
VIII - EDICT OF PROPOSED RESIGNATION OF A MINISTER
(See Rule 4.40)

The resignation of the Rev. ………………………………… of his pastorate of this Charge having been laid upon their table, the Presbytery of ……………………… hereby summons any Commissioners appointed by the Congregation [of the ……………………… Charge] to appear at the meeting of the Presbytery, to be held at ………………… on the ………………… day of ………………… 20……. at …… am/pm that they may state their reasons, if they have any, why the resignation of Mr ………………… should not be accepted; with certification that the parties not appearing will be held as consenting to the said resignation.

Attested by me this ………………… day of ………………… 20…….

Presbytery Clerk

Attestation of Service of the Edict

This Edict was duly announced to the Congregation at ……………………………. this ………………… day of ………………… 20…….

Officiating Minister

(BB 2013 Min. 105.9)

IX - COMMON FORMS OF CERTIFICATE OF STATUS

A. - For Ministers of Charges

This is to certify that the Rev. ………………………………… is an Ordained Minister of the Presbyterian Church of Australia in full standing, and a member of the Presbytery of ……………………………………… and leaves the Presbytery holding the aforesaid status.

Attested by me this ………………… day of ………………… 20…….

Presbytery Clerk
B. - For Ministers Without Charge and Licentiates  
(See Rule 4.46, 8.20)

This is to certify that the Rev. ........................................ is an Ordained Minister without Charge (or Mr ........................................ is a Licentiate) of the Presbyterian Church of Australia, and leaves the bounds of the Presbytery of ....................... holding the aforesaid status.
At tested by me this ....................... day of ....................... 20........

Presbytery Clerk

X - EXTRACT OF LICENCE TO PREACH THE GOSPEL  
(See Rule 6.5)

At ........................................ the ............ day of ....................... 20........, which day the Presbytery of ........................................, being duly met and constituted with prayer; inter alia: the Presbytery, having taken into consideration that Mr ........................................, an exit student, having produced satisfactory certificates from the College Committee of the General Assembly of the Presbyterian Church of Australia had been by this Presbytery and with the consent of the State Assembly admitted to public trials for licence, and had been examined; that he had likewise delivered with approbation before the Presbytery the exercises prescribed, and that the Presbytery is fully satisfied that the character of the said Mr ........................................ is in all respects suitable to his vocations.

Did, on a conjunct view of his whole trials, declare that the said Mr ........................................ is a fit and proper person to be admitted as a Licentiate of this Church, and resolved that he should be admitted and licensed accordingly. Whereupon, the prescribed questions appointed to be put to such as are to be licensed, were put to him and satisfactorily answered. Wherefore, the Presbytery did license the said Mr ........................................ to preach the Gospel with a view to the office of the Holy Ministry; and Mr ........................................ having subscribed the Formula, the Presbytery instructed the Clerk to furnish him with an extract of this licence.
Closed with prayer.

Extracted from the records of the Presbytery of ................................. by me ........................................ this ............ day of ....................... 20........

Presbytery Clerk

Forms – page 9
XI - EDICT FOR ORDINATION OR INDUCTION OF ELDERS
(See Rule 3.39)

Mr (or Messrs) ……………………………………………………………………………
having been duly elected to the office of the Eldership in this Congregation, intimation is hereby given that if any person has any objection to offer to the admission of the said ………………………………………… or to any of them, into this office, he is requested to lodge such objection in writing with the Session Clerk, on or before the ……………… day of …………………… 20……. with certification that, if no relevant objection is lodged and substantiated, the ordination (and/or induction) and admission of the said ………………………………………… to the Eldership in this Congregation will be proceeded with on the ………………… day of ………………… 20……. according to the laws of the Church.
Attested by me this ………………… day of …………………… 20…….

Session Clerk

Attestation of Service of the Edict

This Edict was duly announced to the Congregation at ………………… day of ………………… 20…….

Officiating Minister

XII - FORM OF ELDER’S COMMISSION TO THE PRESBYTERY
(See Rules 3.43, 3.44, 4.3 (b))

It is hereby certified in the name and by the authority of the Kirk Session of ………………………………. that on the ……………. day of ………………….. 20……., Mr ………………………………….., a bona fide acting member of the Kirk Session of …………………………………., was duly appointed to represent the said Session and Mr …………………………………. , a bona fide acting member of the Kirk Session, was duly appointed as representative elder in the Presbytery of ………………………………. from the ……………. day of ………………….. 20……., to the ……………. day of ………………….. 20…….

Moderator

Session Clerk

Forms – page 10
XIII - FORM OF ELDER'S COMMISSION TO THE STATE ASSEMBLY
(See Rules 3.43, 3.44, 4.36, 5.1)

It is hereby certified, in the name and by the authority of the Kirk Session of ……………………… that on the …………… day of ……………………… 20……., Mr …………………………, a bona fide acting member of the Kirk Session of …………………………………, was duly appointed to represent the said Session in the General Assembly of the Presbyterian Church of Queensland, which is indicted to meet at …………………………… on the ……… day of ………………… 20…… and in any meeting pro re nata during the twelve months thereafter.

Dated this ………………… day of …………………………… 20……

Moderator

Session Clerk

XIV - FORM OF ALTERNATE REPRESENTATIVE ELDER TO STATE ASSEMBLY

It is hereby certified in the name and by the authority of the Kirk Session of …………………………… that on the …………… day of ……………………… 20……., Mr …………………………, a bona fide acting member of the Kirk Session of …………………………………, was duly appointed to represent the said Session in the General Assembly of the Presbyterian Church of Queensland, which is indicted to meet at …………………………… on the ……… day of ………………… 20……., and in any meeting pro re nata during the twelve months thereafter.

Dated this ………………… day of …………………………… 20……

Moderator

Session Clerk
XV - FORM OF CERTIFICATE OF ELDERSHIP
(See Rules 4.20 (h), 3.35, 4.36)

It is hereby certified in the name and by the authority of the Kirk Session of ……………………………………., that Mr ………………………………… is a bona fide acting member thereof.

Dated this …………………. day of …………………………… 20…….

Moderator

Session Clerk

XVI - MINUTE RELATIVE TO THE ELECTION OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF AUSTRALIA
(See Rule 4.37)

At ………………………………. the ……………… day of ………………….. 20……., which day the Presbytery of ……………………………………., being duly met and constituted with prayer.

Inter alia –
The Presbytery resolved to appoint ………………………………………………..…. as their representatives to the next meeting of the General Assembly of Australia, indicted to meet at ………………… on …………… day of ………………….. 20…….

Closed with prayer.

Extracted from the records of the Presbytery of …………………………….. by me this …………………. day of …………………… 20…….

Presbytery Clerk

Forms – page 12
XVII - FORMS OF PETITION
(See Rule 13.24)

To a Kirk Session

To the Kirk Session of ……………………………………… Church.
The Petition of the undersigned
Respectfully shows
That ………………………………… (Here state the reasons for the Petition)
Your Petitioners accordingly pray ……………………………………………………………
…………………………………………………………………………………………………
(Here state what is asked for)
Or do otherwise as the Kirk Session sees fit.
And Petitioners, as in duty bound, will ever pray.
(Date).

(Here follow the signatures, with designations, including church membership, etc.

To a Presbytery

To the Reverend the Presbytery of ……………………………………………
The Petition of the undersigned
Respectfully shows
That ………………………………… (here state the reasons for the Petition)
Your Petitioners accordingly pray ……………………………………………………………
…………………………………………………………………………………………………
(Here state what is asked for)
Or do otherwise as the Presbytery sees fit.
And Petitioners, as in duty bound, will ever pray.
(Date).

(Here follow the signatures, with designations, including church membership, etc.)
To the State Assembly

Unto the Venerable the General Assembly of the Presbyterian Church of Queensland.
The Petition of the undersigned
Respectfully shows
That ………………………………… (Here state the reasons for the Petition)
Your Petitioners accordingly pray …………………………………………………………
………………………………………………………………………………………………… (Here state what is asked for)
Or do otherwise as the Assembly sees fit.
And Petitioners, as in duty bound, will ever pray.
(Date).

(Here follow the signatures, with designations, including church membership, etc.

XVIII - OVERTURE FROM A PRESBYTERY
(See Rule 13.25)

At its meeting on …………………….. the Presbytery of ……………………….
resolved to transmit the following Overture to the General Assembly:

SINCE:
1. …………………………………
2. ………………………………… (place here the reasons for the overture).

THEREFORE:
The Presbytery of …………… overtures the General Assembly of the Presbyterian
Church of Queensland to ……………….. (suggest here the action desired or
proposed)

Or do otherwise as the Assembly may consider fitting.

Confirmed as an accurate record of the Presbytery of ………………………..

Signature of Presbytery Clerk
Date of signature by Presbytery Clerk
At ........................................ the ................ day of ................................. 20……., which day the Presbytery of ................................................ being duly met and constituted with prayer.

Inter alia –

The Presbytery proceeded to make up the Roll of the Presbytery for the General Assembly of the Presbyterian Church of Queensland for the year ............ and the same was made up as follows:

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<tr>
<th>Charges</th>
<th>Ministers</th>
<th>Date of Ordination</th>
<th>Representative Elders</th>
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</table>

The Presbytery found that the commissions of the abovenamed Elders were all in due form, and the Presbytery instructed the Clerk to forward an extract of this minute to the Clerk of Assembly.

Closed with prayer.

Extracted from the records of the Presbytery of ........................................ by me this .................... day of ................................. 20…….

Presbytery Clerk
A. I, ........................................, do sincerely engage and promise to conform to all rules which may from time to time be enacted by the General Assembly of the Presbyterian Church of Queensland.

Dated this .................... day of ................................. 20......
Witness: Minister:

B. I, ..............................., do sincerely engage and promise to become and continue to be a contributor to the Superannuation Fund of the Presbyterian Church of Queensland in accordance with its Regulations so long as I am a Minister of the Church in Queensland.

Dated this .................... day of ................................. 20......
Witness: Minister:

C. I, .........................................., do sincerely engage and promise to continue my membership of the ........................................ and by the regular payment of the dues required by its Regulations maintain my interest therein unimpaired as long as I am a Minister of the Presbyterian Church of Queensland.

Dated this .................... day of ................................. 20......
Witness: Minister:

(BB 1969 Min.146)

XXI - FORM OF BEQUEST

I bequeath to the Presbyterian Church of Queensland absolutely the sum of ........................................ dollars free of all probate and succession estate and other death duties and I declare that the receipt of the Treasurer or other officer for the time being of the said Church shall be a full and sufficient receipt and discharge to my Trustees.
XXII - FORMULA AND QUESTIONS TO ELDERS ON ORDINATION

FORMULA TO BE SIGNED BY ELDERS AT THEIR ORDINATION OR INDUCTION

I own and accept the Subordinate Standard of this Church, with the explanations given in the Articles contained in the Declaratory Statement as an exhibition of the sense in which I understand the Holy Scriptures, and as a confession of my faith. I further own the purity of worship practised in this Church and the Presbyterian government thereof to be founded on the Word of God and agreeable thereto, and I promise that through the grace of God I shall firmly and constantly adhere to the same, and to the utmost of my power shall, in my station, assert, maintain, and defend the doctrine, worship, and government of this Church.

QUESTIONS TO BE ANSWERED BY ELDERS AT THEIR ORDINATION OR INDUCTION

I. 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?

II. Do you own and accept the Westminster Confession of Faith, as amended by the General Assembly and read in the light of the Declaratory Statement contained in the Basis of Union adopted by this Church on the 24th day of July 1901, as an exhibition of the sense in which you understand the Holy Scriptures and as a confession of your faith; and do you engage firmly and constantly to adhere thereto, and to the utmost of your power to assert, maintain and defend the same?

III. Do you own and accept the purity of worship as practised in this Church?

IV. Do you own the Presbyterian form of government to be founded on the Word of God and agreeable thereto; and do you promise that through the grace of God you will firmly and constantly adhere to, and to the utmost of your power, in your station, assert, maintain and defend the same?

V. Do you adhere to your acceptance of the Call of this congregation, to exercise among them the office of Ruling Elder?

VI. Do you engage through Divine Grace to discharge with diligence and faithfulness the various duties of your office, watching over the flock showing yourself a pattern of good works, and giving a conscientious attendance on the meetings of Session, Presbytery, and Assembly, when duly called so to do?

VII. All these things you profess and promise through grace, as you shall be answerable at the Coming of the Lord Jesus Christ?

(GAA BB 1977 Min.26 (5))
XXIII - DECLARATION OF TRUST

I, ................................................., do hereby declare that I will hold the land or other forms of property or investments known as ……………………………………. in trust for the Presbyterian Church of Queensland, subject to the rules, for the time being, of that Church and for no other purpose.

AS WITNESS my hand this ....................... day of ......................... in the year of our Lord two thousand ..................
Witness: .......................................................... ..........................................................
(BB 1989 Min.262.3)

XXIV – CITATIONS
(Rule 13.53)

(a) To ............... of ................. I ............ the Clerk of the Session of ............ (or of the Presbytery of ............... or of the General Assembly of the Presbyterian Church of Queensland) on behalf of this Court cites you to be in attendance when this Court shall meet at ........ (location) on ........ at ........ (time) for the purpose of ........ and if you fail to attend at this time and place this Court may proceed to determine the matter in your absence.
Dated this ........... day of .............. 20........
Clerk of the Session (or other Court)

(b) To the Congregation of .............(or the Kirk Session of ........ or the Presbytery of ...........) I, ............, the Clerk of ..............., on behalf of this Court cites all members to be in attendance when this Court shall meet at ........ (location) on .... at ....... (time) for the purpose of ............... and if you, the Congregation (or Kirk Session or Presbytery) fail to attend at this time and place this Court may proceed to determine the matter in your absence.
Dated this ........... day of .............. 20........
Clerk of ........................................

Attestation of Reading of Edict of Citation

This Edict was duly read to the ............... of ............. on ............
Witnesses
(BB 2006 Min. 40.13)
XXV - FORM OF TRANSFER

Presbyterian Church of Australia

CERTIFICATE OF TRANSFERRENC

It is hereby certified that .................................................................

leaves the Congregation of ..............................................................

in full Communion with the Presbyterian Church of Australia.

....................................................... Minister

....................................................... Session Clerk

RECEIPT OF CERTIFICATE

It is hereby confirmed that on ..........................................................

...................................................... 20....

Minister or
Session Clerk

Moved to ........................................ 20......
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<th>Topic</th>
<th>Rule</th>
<th>Reg</th>
<th>SO</th>
<th>G’line</th>
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<td>Absence, Leave of</td>
<td>4.39</td>
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<tr>
<td>Absence, without leave</td>
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<td>Elders</td>
<td>3.15</td>
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<td>1.7, 8.12 (d)</td>
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<td>Definition</td>
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