



**An Introduction**  
**to the**  
**Presbyterian Church**  
**of Australia**

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## Section 1

### *Introduction*

This Booklet had its beginnings with a recognition by the General Assembly of the Presbyterian Church of Australia that with the changes in the composition of the nation and the coming into the Church of those with little prior knowledge of Australian Presbyterianism and its Scottish and Reformed heritage, there was an increasing need for a simplified statement explaining the constitution and some of the basic procedures of the Presbyterian Church of Australia.

Of course, no simplified summary or introduction can take the place of the formal documents which provide the constitution of the Church. These remain the sixty-six Books of the Bible, the Westminster Confession of Faith as amended by the General Assembly of Australia, read in the light of the Declaratory Statement contained in the Basis of Union as adopted by the Church on 24<sup>th</sup> July, 1901, and the various other General Assembly of Australia and State constitutions and rules commonly referred to as the **Standing Orders** and **Codes**. In all formal matters, the wording in these documents must be the basis for any decisions.

Nevertheless, it is the hope and prayer of the Code Committee of the General Assembly of Australia that elders, members and adherents will be encouraged to understand more of the structure of the Church beyond their local congregation and something of how the Church to which they belong functions. As this understanding grows, it is hoped that there will be a greater sense of unity and prayerfulness for the work of evangelism to which Christ has called the universal Church.

## Section 2

### *The Structure of the Presbyterian Church of Australia*

The Presbyterian Church of Australia is a part of the Christian Church throughout the world. The Church's name comes from the Greek word *presbuteros*, which is the word for an elder or a mature Christian leader in the New Testament. The use of the name Presbyterian reflects the Church's aim to be faithful to the Bible's teaching on the Church, even in the 21st Century. In its wider use, the name Presbyterian has also come to include the distinctive doctrine, discipline, worship, laws and practice of the churches which returned to Biblical standards in Europe at the time known as the Reformation.

Technically "Presbyterian" explains how the Church is governed. A Presbyterian Church does not function as an "Episcopal" or "top down"

Church. There are no individuals with the power or authority of bishops in the way that word is used in some churches today. Likewise, the Presbyterian Church does not function as a simple congregational democracy. Not all decisions in the life of a local congregation are made by simple majority at the congregational level. In keeping with the Bible's idea of the Church as a body, individual congregations share a connection with others.

The Presbyterian Church of Australia is a federation of State Presbyterian Churches formed in 1901. Within this federation, the six State Churches preserve their own identity, although they have voluntarily handed over certain responsibilities to the General Assembly of the Presbyterian Church of Australia. These responsibilities include: guarding the doctrine of the Church and its practice of Church worship and discipline, world mission training of students for the ministry and the acceptance of ministers from other denominations. The principles adopted by the Church in these areas are set out in two documents called the Basis of Union and the Articles of Agreement. Any minister should be able to give access to and explain these documents.

This federation means that while many of these aspects of the Church's life and ministry are organised at a State and congregational level, final responsibility for them lies with the General Assembly of Australia, and there may be times when local practice has to be changed to fit in with what the whole Church has decided. In the same way, it is also possible for a local congregation to suggest changes which can be considered and then adopted by the whole Church.

The surrender of ultimate authority does not prevent the state churches maintaining their own activities in the areas concerned. But if the G.A.A. makes a decision that contradicts the rules and practices of that church the G.A.A. decision will prevail and that practice will be required to change.

### **Section 3**

## ***What the Presbyterian Church of Australia Believes***

### **Doctrine**

The highest standard by which the Church's belief and practice is to be measured is the Word of God; the sixty-six books of the Old and New Testaments of the Bible. So that others can clearly understand what the Presbyterian Church of Australia believes is taught in the Bible, the Church has adopted the Westminster Confession of Faith (with two minor amendments) as a statement of its key doctrines. While the Church believes the Confession sets forth Biblical doctrines accurately and reliably, the Confession is always referred to as the subordinate standard, and the Bible is the supreme standard.

You will find the Church's doctrine of the Bible defined in Chapter 1 of the Westminster Confession of Faith. The Confession of Faith is quite detailed, and explains the Bible's teaching on God, Creation, the wonder of being human and the awfulness of sin, and the whole work of God in salvation. The Confession is careful to emphasise that this salvation is by the sovereign Grace of God. It also sets out clear positions on living the Christian Life, and worshipping as a part of the Church in society. The Confession ends with a simple statement on the expectation that Christ will one day return.

Copies of the Westminster Confession of Faith (as amended by the Presbyterian Church of Australia) can normally be obtained from the Church Office in your State. Copies of the original form of the Confession are generally available from most Christian bookshops, and various editions of the Confession in a more modern English are also available.

At the time the Presbyterian Church of Australia was formed, it also adopted a Declaratory Statement. The Declaratory Statement does not replace the Bible or the Westminster Confession of Faith, but was designed to show how the Westminster Confession of Faith is to be interpreted and used by this Church. The introductory wording from the 1901 Scheme of Union is given below, and shows how these are all related.

The Supreme Standard of the united church shall be the Word of God contained in the Scriptures of the Old and New Testaments:

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

The Declaratory Statement has six clauses. Among other things, these clauses require the Church to be grounded on the uniqueness of Jesus Christ as the only way of salvation, to accept the events of the incarnation, life, death resurrection and ascension of Jesus and the events at Pentecost as real supernatural events, to be eager to preach the gospel to all, to hold out the moral law of God as binding on all people, to affirm the freedom of the Church from all civil headship and control, and to allow liberty of opinion on matters in the subordinate standard not essential to the doctrine it teaches so long as this liberty is not abused to the injury of the unity and peace of the Church.

When a minister or elder is first ordained (specially set apart for their work in the Church) they make a solemn declaration that they personally accept these doctrines, and they promise to keep on teaching and supporting these beliefs throughout their ministry. They also promise to fulfil their duties as set down in the Constitution of the Presbyterian Church. The promises are repeated each time they take up work as a minister or elder in another congregation. These promises are summarized in what is called a Formula which all ministers and elders sign. [see appendix]

## **Worship**

The worship of the Presbyterian Church has always been marked by simplicity and reverence. It consists of praise, prayer, the expounding and preaching of the Word of God, and the sacraments. In the Presbyterian Church, the minister has the privilege and special calling to arrange the worship service and to preach, and this will naturally lead to some variations from congregation to congregation. The central purpose of worship is always to bring glory to God, and this must always control what happens in a worship service. Occasionally someone approved by the minister may be invited to preach, but the minister is always answerable to other ministers and elders (i.e. the Presbytery, see below) for what happens.

The Church believes that there are only two sacraments; Baptism and the Lord's Supper. These ought to be observed properly and carefully. Christian baptism is only to be administered to those who become Christians as adults, or to the children of at least one Christian parent. It is not a social or community ritual, and will almost always be administered as part of a regular worship service. Baptism is rightly administered by sprinkling or pouring of water, but those who have received baptism by immersion in other Christian Churches are also recognised as baptised. The sacrament of the Lord's Supper is administered in all our congregations, more or less frequently, as the minister and elders may determine.

## **Section 4**

### ***How the Church Functions***

Much of the discussion so far has dealt with key constitutional and doctrinal matters. These are important, because the way in which a Church functions will be governed by what it believes and teaches. Some aspects of how the Church functions at local, regional and State levels are discussed below.

#### ***At the Local level***

The Presbyterian Church is made up of individual congregations of people (including children), who gather in a particular locality to worship God, to be instructed from the Bible, to share in Christian fellowship together and to witness together to Jesus Christ. Each congregation is usually under the supervision of mature Christian leaders called elders, who are chosen by the members of a congregation. The Bible teaches that some elders have special responsibility to lead, (sometimes called Ruling elders) and some have special responsibility to teach as well as lead. These are sometimes called Teaching elders or Ministers. Because each congregation is different, congregations will

naturally develop their own special character. However, despite this individuality, no congregation of the Presbyterian Church is completely independent of others. There is a responsibility to love, pray for and support other Presbyterian congregations and both Ruling and Teaching Elders share the responsibility for making decisions on behalf of the whole Church.

The terms Member (or Communicant member) and Adherent are used to explain the ways in which people can share the responsibility and privilege of belonging to the Church.

A communicant member is a person who has been baptised and has made a credible declaration of their faith in Jesus Christ as their Saviour. This usually happens at a meeting of the congregation for worship, and is marked out by a clear statement of trust in the Triune God, and a promise to serve the Lord in response to His grace. [see the questions for members in the appendix]. It is quite normal for some time to be spent in learning (or revising) the basic teachings of the Christian faith in preparation for membership. Members are also privileged to join in the choosing of their minister [See section 5] and their elders. [See below] They also promise to support the ministry and work of the Presbyterian Church of Australia, as they are able. The names of members of a congregation are listed on a Communicants Roll. A member may transfer from one congregation to another.

Adherents are regular attendees at a congregation, who have not become members, but who have been formally added to the Adherents Roll. Often they will be Christians who choose not to become member of the Presbyterian Church because they want to remain members of another Christian Church. Adherents may also be issued with a certificate of status and transferred to another congregation. A person cannot be a member of more than one local Presbyterian congregation at any time.

Members and adherents have the opportunity to develop fellowship with others as they worship together and share the responsibility to be involved in all other spiritual activities that build up the congregation. They also have the responsibility to place themselves under the leadership of the office bearers whom they elect. In particular, they are responsible to respect and encourage their elders and ministers and to provide adequate housing, travelling and stipend for their ministers.

Members and adherents have the responsibility to attend congregational meetings and the right to vote upon questions brought before them in a congregational meeting. Congregational meetings are ordinarily called by the Session [see below] and the minister ordinarily presides at them. The Session Clerk usually acts as the secretary for congregational meetings.

The congregation has the right to elect a selection committee to nominate a minister for a call. [See Section 5.] It has the power to call a minister, (although only communicants may vote), to approve or vary the terms of a call to a minister, and to select commissioners to present a call to a minister before the Presbytery [see below]. It has the opportunity to give reasons why the resignation of their minister should not be accepted and to refuse to consent to the induction of a minister.

## The Session

The ruling and teaching elders in a congregation are the spiritual overseers for a congregation. In the Presbyterian Church, they are called a “Session” or “Kirk” Session. (The term Session comes from an old word referring to the sitting of a court and “Kirk” is an old Scottish word meaning Church.) Elders are elected from the communicant membership of the congregation, and must meet the biblical requirements for the office. As eligibility for election to the eldership is a matter of church government, under the Articles of Agreement the State churches determine the matter. In some of the State Churches, the office of elder is open only to men, whereas in others the office is open to both men and women. Once ordained, an elder remains so for life unless removed through a process of discipline. However, when an elder moves from one congregation to another, he (or she) does not have an automatic right to become part of that congregation’s Session. Although an elder is ordained for life, an elder may only exercise that office within a congregation when elected by the membership of that congregation.

Session meetings are usually called by the minister, or by at least two elders through the minister. All meetings of the Session are “closed” and the discussions are confidential. The minister is normally the chairman or **Moderator** of the Session, and does not vote unless a vote is tied. In special cases, an elder may be requested to chair the meeting. One elder is elected as the **clerk** and is responsible for keeping the records of the meetings and for handling the Session business. Usually, the Moderator (or someone standing in for the Moderator) and two elders are required for a quorum. In some circumstances, particularly to help smaller Sessions, or when new congregations are beginning, elders from other congregations may be appointed to a local Session for a time. Elders appointed from other congregations are called “assessors”. Where new congregations are beginning, such a Session is called an “interim Session”.

The Session has many special responsibilities in promoting the spiritual life of their congregations. A general list is given below, but members and adherents should ask their Session for a fuller list.

## Sessions:

- Exercise supervision over all activities and groups within the congregation and promote their spiritual vitality. This includes approving leaders of Sunday Schools, Choirs, Bible Study, and special purpose groups.
- Appoint the time and place for the meetings of public worship and for the observance of the sacraments. They also determine the suitability or otherwise of those who apply for baptism, and exercise due oversight over the celebration of the Lord's Supper.
- Admit persons to the membership of the congregation, or as adherents, and remove persons from these privileges when necessary as allowed for by the rules of the church. They also make sure that proper pastoral care is provided for all communicant members through visitation, encouragement and personal example.
- Provide and receive certificates of transfer when communicant members leave or seek to join the congregation.
- Ensure that appropriate diaconal help is offered where possible.
- Ensure that careful attention is given to suggestions for changes to the rules of the church. [See Overtures, Section 5]

A Session does not interfere with the work of another Session, but if the need arises, may advise another Session of its views on any matter.

## **Committee of Management**

Each year congregations choose some of their members and adherents to look after the Church finances and property. This group is usually called the "Committee of Management" or "Board of Managers" or some similar name. The minister is usually the chairman, and the committee will elect a secretary and a treasurer. The number of managers is determined by the elders of the congregation and the elders are also members of the Committee or Board of Management (Managers).

The responsibility of the Managers is to maintain the property of the congregation, particularly its land and buildings, and to look after the financial requirements of the congregation. It is the responsibility of the Managers to ensure that proper financial records are kept. An audited financial statement of the congregation's finances must be submitted to the congregation every year. The Managers may ask the Session to call a congregational meeting to discuss the financial requirements of the congregation. The Committee must ensure that all church property has sufficient insurance cover, and that funds given or

bequeathed to the congregation are appropriately used. Particular attention must be given to the terms of any bequest.

When properties are bought or sold, it is the responsibility of the Managers to ensure that everything is done in accordance with the rules of their State Church, as well as any State laws.

## **Other Local Committees**

The Session may ask the congregation to appoint special committees to assist with the work of the congregation. When this happens, each of these committees is responsible to the Session and must prepare reports of their work for presentation to the Session and to the Congregation. Usually both communicants and adherents may serve on these committees.

### *At the Regional Level*

Although many congregations seem at first to function independently, each one exists as part of a wider network of congregations within which it is able to develop its own special character. However, congregations have a responsibility to care and pray for other congregations and their leaders share the responsibility of making decisions for the whole Church. The minister (teaching elder) and one ruling elder from each congregation in a particular region meet together as a **Presbytery**. A Presbytery may have other members such as ministers who serve the Church in special ways, and when this happens, extra elders are elected in order to maintain equal numbers of ministers and elders. The Presbytery annually chooses one of its members to be the Moderator for its meetings, and also appoints a clerk.

A Presbytery has many functions, and only some of them are listed here:

A Presbytery:

- Has the responsibility for overseeing all doctrinal and disciplinary matters in its congregations. All complaints and other issues relating to the conduct of the ministry are heard by the Presbytery. It supervises all appointments and exercises discipline and pastoral care over ministers, and receives their resignation. The Presbytery also has special responsibilities when congregations are vacant. [See Section 5.]
- Exercises pastoral care over candidates who train for the ministry and as deaconesses. Presbytery receives applications, and sets special exercises in order to be convinced of these candidates continuing suitability for training.
- Acts as a decision making body and as a court for its particular region. The Presbytery also visits congregations within bounds to deal with

difficulties if necessary. In some cases a Presbytery can remove ruling and teaching elders from their office in the congregation.

- Defines the boundaries for congregations, sets areas for evangelism and new congregations. Congregations are usually established to cover a geographical area (often referred to as a Parish), but the Presbytery may also establish special congregations for a particular language or cultural group. It also approves names given to churches and parishes or charges.
- Ensures that all directives of the General Assembly of Australia and its State Assembly [see below] are followed. This includes giving careful attention to all suggestions for changes in the rules of the church [See Section 5].

As well as its regular meetings, a Presbytery may call two types of special meetings. A special meeting may be appointed by the Presbytery itself for a particular activity such as the ordination or induction of a minister, or to discuss some special business. At a special meeting only the business specifically appointed may be considered. Such a meeting has a Latin name, and is called a meeting *in hunc effectum* [see definition in the Appendix].

A special meeting may also be called by Moderator and Clerk when a number of its members request a meeting to discuss something urgent. The notice calling the meeting must specify what the business will be, and no other business may be conducted at such a meeting. Once the meeting has been opened, it is up to the Presbytery to decide whether the business really is urgent, and whether the meeting should continue. Meetings of this type also have a Latin name and are called meetings *pro re nata* [see definition in the Appendix].

Each Presbytery also appoints some commissioners to the General Assembly of Australia. The number appointed will depend upon the number of charges in the Presbytery.

### ***At the State Level***

Within each State, the Church has an **Assembly** which consists of all ministers who are members of Presbytery, an elder from each charge and the officers of the Assembly. The Assembly officers are the Moderator (who usually acts as the chairman in all Assembly meetings), the Clerk and various other office bearers. These usually include a Procurator (a Barrister) and a Law Agent (Solicitor). A deputy clerk may sometimes be appointed. The Assembly is the highest court in each State, and has the right to determine many matters affecting the life of the Church except those matters which are determined at a national level by the General Assembly of Australia.[See Section 2.]

It is the responsibility of the State Assembly to superintend the work of the Church within its sphere and it is sovereign in all matters which pertain to the government of the Church. The Assembly usually appoints committees to carry out its ongoing work. The composition and function of these committees is defined by **Regulations**, and copies of regulations for various Assembly Committees can be obtained from the Clerk of Assembly. The regular committees are usually called Standing Committees and other committees called Special Purpose or *Ad Hoc* Committees may be appointed from time to time. Each Assembly committee presents a detailed report on its activity so that every member of Assembly is aware of its work. Questions can also be asked of each Committee. If any action is being recommended to the Church, these reports must explain what is being suggested, and include the wording for a proposed Assembly decision. The Assembly does not have to follow the recommendation of any committee, and is free to follow some other course of action if it seems appropriate.

The Assembly regularly meets at the time and place decided by the previous ordinary Assembly. However, it may also meet to deal with an unexpected issue if adequate members of the Assembly ask for the meeting and adequate notice is given to all Assembly members. This meeting would be called a *pro re nata* meeting of Assembly. [See Presbytery, above.] An Assembly may also appoint some of its members to form a Commission of Assembly which has authority to deal with urgent matters in between Assembly meetings. An Assembly will usually have rules which ensure that as far as possible, it will function in an orderly and fair way. These are called **Standing Orders**. These Standing Orders are also helpful for Presbyteries Sessions and Congregational meetings as well. A copy of the Standing Orders will be available from the clerk of your Presbytery or the clerk of Assembly in your State.

The State Assembly is responsible for the oversight of all Presbyteries. It assigns the Presbytery name and approves their boundaries. It is also the responsibility of the Assembly to examine the records of all its committees and all presbyteries in its bounds to ensure that proper records are kept.

A State Assembly considers and transmits petitions, complaints and appeals. [See Section 5 below] It originates and transmits overtures and considers those sent down under barrier act procedure. It enacts decisions sent down by the General Assembly of Australia. It also deals with any other correspondence or communications that is appropriate for the Assembly to deal with. The State Assembly also appoints some of the commissioners to the General Assembly of Australia. The number appointed will depend upon the size of the State Assembly.

## *At the National Level*

The General Assembly of Australia generally meets every three years, and is made up of Commissioners from every Presbytery and State Assembly. The Moderator of the General Assembly is called the **Moderator General**. As with a State Assembly, it receives reports from its committees which relate to particular areas of ministry. Some of these are the Presbyterian Inland Mission, Australian Presbyterian World Mission, the Reception of Ministers from outside the Presbyterian Church, and the College Committee [which supervises training for the ministry.] It is usual for all General Assembly of Australia committees to have representatives from every State.

The General Assembly hears any appeals or petitions within its area of jurisdiction which have so far not been satisfactorily resolved at a Presbytery or State Assembly.

## **Section 5**

### *Procedures to Follow*

The Presbyterian Church of Australia has adopted some standard procedures for bringing issues of concern before its courts. These standard procedures ensure that all matters are dealt with openly, fairly and consistently. Some of these standard procedures are explained briefly below. There may be some slight variation from State to State, but the principles are the same.

This section will deal with Calls, Petitions and Overtures, Appeals and what is known as the Barrier Act procedure. A brief comment on Church Discipline is also included.

### **Calls**

A Call is the usual way in which a minister (or teaching elder) is invited to take up ministry within a congregation. A call will need the support of the Presbytery before it can proceed.

When a call is issued to an ordained minister or a Licentiate within the Presbyterian Church of Australia (i.e. someone who has completed all studies for the ministry to the satisfaction of the Church, but has not yet been ordained), the procedure is straightforward. In cases where the one to be called is a minister of another denomination, either from within Australia, or from overseas, the advice of the Committee on Reception of Ministers will need to be followed.

In general, however, the process is as follows:

- The congregation has to be declared vacant by a formal statement authorised by the Presbytery,
- The Presbytery, appoints an “Interim” Moderator who will be a minister from the Presbytery. The interim moderator will be responsible to oversee and advise the congregation while it is vacant.
- The congregation has to meet to determine whether to move to a call immediately or elect a committee of its members to seek out a new minister for recommendation to the congregation
- When a name is recommended, the congregation is given the opportunity to support the recommendation, and all members are able to sign their name to the call. Normally a call must have at least 60% support before it will be considered.
- The Presbytery will have to approve the call, and the proposed terms.
- When a call is extended to a minister presently serving in another congregation, it must be sent to the Presbytery to which the called minister belongs. That Presbytery will then consider the impact on the minister and his current congregation if the call is approved.
- The calling congregation is entitled to send representatives to explain why the call should be accepted, and the congregation where a minister is presently serving is also entitled to send representatives to explain why their minister should stay.

It is important to note that a congregation cannot arrange its own ministry without the support and approval of the Presbytery. However, in certain circumstances, private appointments can be made without the need for a Call to be issued.

## **Overtures**

An “overture” is a document by which Assemblies are asked to consider a change to the church’s doctrine or rules.

Overtures can be presented to an Assembly by a Session, Presbytery, Assembly committee or by a number of its own members. Those who bring an overture are called “overturists” and when they are formally presenting their overture, they are said to be at the “bar” of the court.

An overture should be set out in a prescribed form. This will ensure that the overture will clearly state what changes or interpretations are being asked for, and the reasons why they are necessary. All Clerks of Sessions, Presbytery and Assembly should be able to assist in this. If the overture is not set out properly [*i.e.* “not in proper form”], it may not be considered.

When an overture comes to the Assembly those who are bringing it are usually given an opportunity to explain what changes they would like to see, and why. Questions may be asked by the Assembly. After that, the following may happen:

- The Assembly may decide to “sustain the overture” which simply means that the matter will be formally considered by the Church. It does **not** mean that the Assembly will do what has been asked. After considering the overture, a court may or may not adopt the course of action requested by the overtureists.
- The Assembly may decide to dismiss the overture which means that the request in the overture will not be further considered.

When an Assembly sustains an overture involving a rule change, the decision must first be sent to presbyteries (and, in to GAA to State Assemblies) for approval or disapproval before the changes can take effect. In some cases, “interim authority” might be given to allow the changes to take effect before the Assembly next meets to consider the views of the lower courts.

## **Petitions**

A petition is usually used to bring before the presbytery or Assembly a matter of particular interest to the petitioner. All members and adherents have the right to petition to their own Session, and may also petition the Presbytery or the Assembly. However, all petitions must first be presented to their local session if the relevant matter is within the province of that court. In certain cases, people who are not members or adherents of the Presbyterian Church may also petition the Assembly. Those who bring a petition are called ‘Petitioners’ and when they are formally presenting their petition, they are said to be at the “bar” of the court.

A petition should be set out in the prescribed form. This will ensure that the petition will clearly state what is being requested by the petitioners and the reasons for the request. All Clerks of Sessions, Presbytery and Assembly should be able to assist in this. If a petition is not set out properly [i.e. “not in proper form”], it may not be considered.

When a Petition comes to the court dealing with it, the petitioners are usually given an opportunity to explain what they want and why. Petitioners should be prepared to answer questions regarding their petition and the consequences which might arise from any action they are seeking.

After that, the following may happen:

- The court may decide to “grant the prayer of the petition” which simply means that the matter will be formally considered. It does not mean that

the court agrees with everything written in the petition, or that the requested action will be approved.

- The court may decide to dismiss the petition, which means that the request in the petition will not be further considered.
- The court may decide to respond in some further way.

If the results of a petition are unsatisfactory to a petitioner, it may be possible to appeal the decision. [See Appeals, below.]

Where other people are mentioned in a petition, copies of the petition must be forwarded to them before the petition is to be heard.

## **Appeals**

Another aspect of Presbyterian Church government is the right of appeal. Sometimes Church courts make mistakes. If a member of a court of the Church involved in making a decision genuinely believes that the court has made a mistake, it may be possible for that decision to be reviewed by another group of presbyters. An appeal is also possible when a petitioner believes that their petition has not been properly considered. Those appealing a decision are called “appellants” and those who defend the original decision are called “respondents”. When the appeal is being heard, both appellants and respondents are said to be at the “bar” of the court.

There are certain steps that must be followed when individuals are considering lodging an appeal:

- They must record their “dissent” to the decision at the time the vote is taken.
- They must indicate their intention to appeal the decision at the time dissent is recorded,
- They should then be given a confirmed “extract” copy of the appropriate minutes of that part of the meeting so that there is agreement on exactly what happened leading up to the appeal and on what was actually decided.
- The full Appeal must be submitted to the court within the time allowed for by the various State rules and regulations.

An appeal must explain clearly why a particular decision was wrong. To do that it must show how the decision appealed against is not supported by the Bible, the Church’s understanding of Biblical doctrine or by a proper and careful interpretation of the various rules of the Church, or that it involves a denial of natural justice. The appeal process must not be used simply because a decision was contrary to personal opinion or because it was unpopular. In those cases, a

court might declare that an appeal was “frivolous” (that is, it has been lodged for irrelevant reasons) or “vexatious” (that is, it was lodged to cause trouble and annoyance). Normally an appeal will delay any action on a matter until the appeal is settled.

An appeal should be set out in the prescribed form. This will ensure that the appeal will clearly state what is being requested by the appellant and the reasons for the request. All Clerks of Sessions, Presbytery and Assembly should be able to assist in this, or lead the appellant to someone who can. If an appeal is not set out properly [i.e. “not in proper form”] it may not be considered.

When an appeal comes to the court dealing with it, the appellant is usually given an opportunity to explain the content of the appeal and give reasons why a certain decision ought to be set aside. Members of the court which made the decision are also able to give reasons why their actions should not be overturned. Questions may be asked of both parties.

- The court may decide to “sustain the appeal” which means that the appellant has shown that his or her argument was correct. It does not mean that the court agrees with everything written in the appeal. After sustaining the appeal, a court may or may not adopt the course of action requested by the appellant. It may also direct a court to go back and decide the matter *de novo* [i.e. all over again. See definition in appendix.].
- The court may decide to dismiss the appeal, which means that the appellant has been unable to persuade the court that their view was correct. If this is the case, the original decision stands, and if the appeal stopped any action, that action can now continue.

Appeals against decisions of Congregations, Committees of Management and Sessions are usually heard by the Presbytery and appeals against Presbytery decisions are usually heard by the State Assembly. A Court may also decide that under the rules of the Church, it does not have the proper authority to hear an appeal. Only appeals relating to those areas where the General Assembly has final authority can be appealed to the General Assembly of Australia. Presbyteries and State Assemblies can also hear appeals which deal with these matters, but if they do, their decisions can always be appealed to the General Assembly of Australia for a final decision.

## **The Barrier Act Procedure**

The “Barrier Act procedure” is the name given to the method by which the Church changes its doctrine, constitution and rules. The term comes from the Church of Scotland which first established the procedure in the Barrier Act of 1697. It is a method which ensures that any changes to the Constitution and rules of the Church can only happen after they have been carefully considered.

For example, one General Assembly of Australia cannot make any binding doctrinal changes for the Presbyterian Church without sufficient approval of the whole Church. The same principles are followed in the State Churches for all their rules and procedures. Barrier Act procedure will obviously take time, but the time taken ensures that the Church's voice is heard to the level of the presbyters.

Barrier Act procedure is usually adopted after an Overture has been sustained, and an Assembly has agreed that certain changes are desirable. The suggested changes are forwarded as a **remit** to all relevant courts for their approval or for their disapproval. Overtures from State Assemblies are referred to Presbyteries and overtures from the General Assembly of Australia are referred to State Assemblies and Presbyteries. In some cases, Barrier Act procedure may also be used to allow for comment on possible changes before they are put in final form.

An Assembly may allow for "interim authority" to be given to a proposed change. This means that these changes have temporary effect until the result of the remit is known, and a vote taken at another Assembly. It is always possible that a matter which has "interim authority" will be disapproved at the next meeting of the Assembly.

## **Discipline**

From time to time it might be necessary for courts of the Church to act in a disciplinary way. Procedures for Discipline are set out clearly in a separate document called *The Code of Discipline*. Anyone wishing to study that document should ask a minister or the clerk of the local Session or Presbytery for a copy. The Code of Discipline sets out its approach to discipline in the following way:

"Discipline is exercised by those appointed to rule in the Church for the glory of God, the purity of the Church and the spiritual good of the offender. Discipline is to be administered in a spirit of faithfulness, love and tenderness." (Code of Discipline 1.02)

## **Section 6**

### ***Conclusion***

This brief explanation has been able to mention only some of the more distinctive aspects of Presbyterianism and the Presbyterian Church of Australia. The Biblical heritage of the Presbyterian Church of Australia is exciting, and a strong foundation on which to build for the future.



## Appendix:

### *Latin terms:*

Throughout the long history of the church, certain procedures and practices have retained their Latin names. In our day these Latin terms can seem strange, and in some States they are being replaced with English equivalents. What follows is a list of terms that people might encounter when serving within the Church:

*AD HOC* “for this purpose” The term is usually given to committees which are appointed for a special purpose.

*AD VITAM AUT CULPAM* “for life or until fault”, and usually used of a term of office.

*DE FIDELI* “with faithfulness”. A clerk makes the declaration *De fidei* on when appointed, promising to do his or her tasks faithfully as a servant of the court.

*DE NOVO* When a court considers a matter *de novo* it must always act as if it were deciding the matter for the first time.

*EMERITUS* A mark of honour granted by the Church to a minister (minister emeritus) or elder (elder emeritus) no longer in regular ministry but preserving the rights and privileges of office. Where applicable, the honour also grants a seat on a Session, Presbytery or Assembly.

*IN HUNC EFFECTUM* "for this purpose" - a term which describes a meeting called for a particular stated purpose only. No other business can be conducted.

*IN RETENTIS* “among things held back” Used to describe documents kept separately from the regular records of a court for special reasons.

<i>INTER ALIA</i>	"among other things" - a term used in formal extract minutes to indicate that the minute quoted has been taken from a fuller record of other matters.
<i>NEC TAMEN CONSUMEBATUR</i>	The Latin motto of many Presbyterian churches throughout the world, including Australia - literally "And yet it was not consumed" and refers to the Burning Bush of Exodus 3:2.
<i>PRIMA FACIE</i>	"at first sight" That is, something might appear to be right, or worthy of appeal, etc. but on further examination, the opposite is the case.
<i>PRO RE NATA</i>	"concerning a matter having come into being" Used to describe a meeting of a special Presbytery or Assembly called to discuss something new, and which was previously unforeseen (literally: "concerning a matter having been born").
<i>PRO TEMPORE</i>	For the time being. Often abbreviated to <i>pro tem</i> .
<i>QUORUM</i>	The number of members whose presence is required under the rules to make any given meeting constitutional.
<i>REMIT</i>	That which is sent back - a question sent for report or reconsideration by a court to a lower court or to a committee.
<i>ULTRA VIRES</i>	literally "beyond power". Used to describe an action done without proper authority, or acting without the rules. The term will most often be used in connection with appeals and petitions.

## ***Vows:***

Being a part of the Church of the Lord Jesus Christ is a privilege, but it brings high responsibilities. As they take their place in the Church, **all** members, elders and ministers make certain promises to God. It is helpful for all in the Church to reflect on these promises from time to time. They remind us of our real purpose in the Church and prompt us to pray more specifically for the faithfulness of our Church leaders and for ourselves.

Some of the questions asked of **ministers** and **elders** are printed below.

- 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?
- Do you accept the Westminster Confession of Faith as amended by the General Assembly and read in the light of the Declaratory Statement ... as an exhibition of the sense in which you understand the Holy Scriptures, and as a confession of your faith; and do you engage [promise] firmly and constantly to adhere thereto and to the utmost of your power to maintain and defend the same?
- Do you own and accept the purity of worship as practised by this Church?
- Do you own the Presbyterian form of government to be founded on the Word of God, and agreeable thereto ... ?
- Are zeal for the glory of God, love to the Lord Jesus Christ and a desire to save souls ... your great motives ... to the work of the holy ministry?
- Do you promise to give conscientious attention to the courts of the Church ... ?
- Do you promise in the strength of divine grace, to lead a holy and circumspect life, to rule well your own house, and faithfully, diligently and cheerfully to perform all the parts of [your] ministry to [build up the Church] in love?

Those who become **Communicants** are usually asked questions which enable them to declare their Christian faith to the congregation. These questions will usually cover a clear statement of belief in the Triune God, and a willingness to contribute to and share in the life of the congregation. They will be similar to the following:

- Do you confess your faith in God as your heavenly Father, in Jesus Christ as your Saviour and Lord, and in the Holy Spirit as your Sanctifier?
- Do you promise, in dependence upon divine grace, to serve the Lord and to walk in His ways all the days of your life?
- Do you promise to make diligent use of the means of grace, to share dutifully in the worship and service of the Church and to give of your substance as the Lord may prosper you, for the advancement of His kingdom throughout the world?

Similar questions are also given when someone is baptized. If an adult is baptized, he or she will answer the questions directly. If a child is brought for baptism by one or two Christian parents, then the parent or parents will answer the questions. In this second case, there will also be a promise to train up the child in the truths of the Christian faith.

