

Uniting Church in Australia

ASSEMBLY STANDING COMMITTEE

14 – 16 November 2014

PRESENT Andrew Dutney (President), Bethany Broadstock, Michelle Cook, Denise Champion, Terence Corkin, Dennis Corowa, Kate Fraser, Geoffrey Grinton, Zac Hatfield Dodds, Jason Kioa, Alistair Macrae, Deidre Palmer, Stuart McMillan, Isabel Thomas-Dobson, Ian Tozer.

In attendance: Peter Andrews, Jenny Bertalan, Glenda Blakefield, Chris Budden, John Cox, Rosemary Hudson-Miller, Mark Lawrence, Matt Pulford, Nigel Rogers, Chris Walker.

WORSHIP On the Friday evening, as part of the formation of the community, the President preached and presided at the opening Service of Holy Communion. On the Saturday Denise Champion led morning worship and Alison Atkinson Phillips led evening prayers. On the Sunday Michelle Cook led morning worship and the closing prayer in the afternoon was led by the President.

WELCOMES The President welcomed all participants to the Standing Committee meeting with a special welcome to Nigel Rogers as the new General Secretary of the Synod of South Australia. Also welcomed as visitors were Jim Mein, Bruce Binnie and Robert Elkhuisen for matters related to the Beneficiary Fund; Peter Bicknell, Heather Watson and Lin Hatfield Dodds for matters related to Uniting Care; Elenie Poulos for matters related to ethical decision making and “A Destiny Together”; and Mark Neasey for Frontier Services and AFARC.

RECOGNITION OF TRADITIONAL OWNERS OF THE LAND

On behalf of Standing Committee, the President acknowledged the local Eora people and their role as custodians of the land on which the meeting took place.

APOLOGIES

14.62 **It was resolved to** accept the apologies of Emma Davison, Ronang Gurrawurra, Andrew Johnson, Peter Jones, Ian Price and Jenny Tymms for the whole meeting and Bethany Broadstock and Zac Hatfield Dodds for Friday night.

PASTORAL MATTERS

It was reported that Emma Davison is getting married. It was also shared that Ronanag Gurrawurra continues to be too sick to travel. The participants were saddened by the news that Grahame Ryan’s mother and Ian Price’s brother had passed away.

APPROVAL OF AGENDA

The General Secretary spoke to the agenda and timetable as listed in Document 1. Document 10 was distributed at the meeting. There was no Document 22, a verbal report was offered instead.

14.63 **It was resolved to** approve the timetable and agenda of the meeting as outlined in Document 1, noting that the committee is free to vary the agenda at any time.

CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

14.64 It was resolved to confirm the minutes of the meeting held July 18 - 20 2014.

CONFLICTS OF INTEREST

14.65 It was resolved in relation to the conflicts of interest to:

- a) note:
 - (i) Chris Walker's conflict of interest in relation to the report of the Nominating Committee for National Director, Multicultural and Cross-cultural Ministry; and
 - (ii) resolve that he be in attendance for this business;
- b) note:
 - (i) the conflict of interest of Terence Corkin, Glenda Blakefield and Chris Walker in relation to the appointment process of the General Secretary; and
 - (ii) resolve that they be absent for these items of business;
- c) note:
 - (i) the conflict of interest of Zac Hatfield Dodds in relation to the UnitingCare Australia reports;
 - (ii) resolve that he be absent for the Governance review of UnitingCare Australia and its business items.

NOTE CONSTITUTION CLAUSE 39

Standing Committee members were reminded of the Constitution clause 39, as per ASC minute 00.71:

"On matters which, by a two thirds majority vote, the Assembly deems to be vital to the life of the Church, the Assembly shall seek the concurrence of the Synods and/or Presbyteries and/or Congregations as the Assembly may determine."

PRESIDENT'S REPORT

On Friday night the President shared the following highlights from among his activities since the last Assembly Standing Committee:

- Leading the final two National Ministers' Conferences in Sydney and Jerusalem
- Delivering the keynote address to open the Basis of Union conference
- Participating in three private roundtables conducted by the Royal Commission on Institutional Responses to Child Sex Abuse
- Participating in the 2014 meetings of the Queensland and South Australian Synods
- Preaching at the opening of the triennial Samoan National Conference and Commissioning the new office holders
- Participating in the National heads of churches meeting
- Participating in the NCCA Executive Committee meeting
- Convening the UCA Moderators' gathering

14.66 It was resolved to receive the report.

On Friday night the Standing Committee engaged in preparatory discussion for the meeting with UnitingCare Australia.

BUSINESS ARISING FROM THE PREVIOUS STANDING COMMITTEE

1. Beneficiary Fund (ASC Minute 14.48.04)

Bruce Binnie, Robert Elkhuisen and Jim Mein spoke to Documents 3 and 3A, consisting of the possible future structure and operation of the Fund and the legal advice on the Fund's future direction. Bruce Binnie also delivered a PowerPoint presentation. The Standing Committee noted that the Ministers on the Standing Committee are members of the Beneficiary Fund but allowed their participation in the determination of the business.

14.67 It was resolved to:

- 14.67.01 receive the report;
- 14.67.02 approve the appointment of Mercer Superannuation Australia Limited (MSAL) as trustee of the Beneficiary Fund as a sub-plan within the Mercer Super Trust;
- 14.67.03 request the Board of Benefund Ltd to proceed to make arrangements to transfer assets and members to the Mercer Super Trust in accordance with the Successor Fund Transfer provisions of the Superannuation Industry (Supervision) Act 1993;
- 14.67.04 note that following completion of the transfer, Benefund Ltd will be wound up;
- 14.67.05 request the Board of Benefund Ltd to bring recommendations for the structure and membership of a Policy Committee and a Claims Committee (or a combined committee if deemed appropriate) to the Standing Committee in March 2015; and
- 14.67.06 approve an extension to the term of office of those Directors due to retire at the end of 2014 until 31 March 2015.

2. Ethical Decision Making in the Key of An Economy of Life (ASC Minutes 13.06.02 and 14.09.03)

Elenie Poulos spoke to Document 11, consisting of a revised guide from UnitingJustice Australia.

14.68 It was resolved to:

- 14.68.01 receive the report; and
- 14.68.02 commend 'Ethical Decision-making in the Key of An Economy of Life' (Attachment A) to Uniting Church in Australia councils, congregations, agencies, units, boards, committees, working groups and senior managers as a resource to support and enhance their ethical decision making.

3. Hunter Presbytery re Code of Ethics for Lay Leaders (ASC Minute 14.58.11)

The General Secretary introduced Document 17, consisting of a letter from the Hunter Presbytery.

14.69 It was resolved to:

- 14.69.01 receive the correspondence; and

14.69.02 request the General Secretary to bring a proposal for a Code of Conduct for Lay Persons to the March 2015 meeting of the Standing Committee.

4. Nominating Committee for National Director – Multicultural and Cross-cultural Ministry (ASC Minute 14.58.09(c))

Glenda Blakefield, Michelle Cook and Jason Kioa presented Document 18, consisting of a progress report of the Nominating Committee. Much discussion followed.

14.70 It was resolved to:

14.70.01 receive the report;

14.70.02 approve the Position Description of the National Director Multicultural and Cross Cultural Ministry (Attachment B); and

14.70.03 noting the current serious financial challenges facing the Assembly and the planned review of Assembly finances and ministries, request the Joint Nominating Committee to bring a nomination for the role of National Director Multicultural and Cross-cultural Ministry to the March 2015 meeting of the Assembly Standing Committee for an initial 2 year appointment (by agreement).

5. Nomination Process for Assembly Committees (ASC Minute 14.58.04)

Alison Atkinson Philips introduced Document 19, consisting of a report on the framework through which applicants for Assembly Working Groups, Committees and Commissions are identified.

14.71 It was resolved to:

14.71.01 receive the report;

14.71.02 request the General Secretary to finalise a standardised template for the Expressions of Interest / Nominations form, taking into account discussions at the November 2014 meeting of the Standing Committee;

14.71.03 request all Assembly Boards, Committees and Working Groups to adopt an expressions of interest (EOI) process for recruitment of new members from 1 January 2015;

14.71.04 inform all Assembly Boards, Committees and Working Groups that recommendations for appointment must be accompanied by a skills matrix for their group and a completed EOI form for the nominee, from 1 January 2015;

14.71.05 make EOI forms available at the 2015 Assembly and following the meeting through Presbytery networks, for church members willing to serve on Assembly Task Groups;

14.71.06 adopt a more formal process for the appointment of Assembly Task Groups whereby the following elements are specifically considered by the Assembly Standing Committee when appointing its task groups:

- what skills and gifts are needed for this task?
- who within ASC has these gifts/skills?
- who within ASC has passion for this area; and / or can be mentored?
- who within ASC has the time needed?
- appointment of Chair from within ASC, as first preference
- appointment of other members from within ASC, taking into account need for mentoring of newer members

- request those members to consider existing EOIs and to invite others, where necessary and to report back to ASC via email when the task group membership is known; and

14.71.07 adopt this process as Assembly policy and request the Assembly Standing Committee Governance Group to offer comment on its effectiveness in 2017.

6. Task Group on the Prevention of, and Response to, Complaints of Sexual Abuse within Congregations (ASC Minutes 13.38, 14.12.02 and 14.43.01)

The General Secretary presented Document 9, consisting of a revised draft policy.

14.72 It was resolved to:

14.72.01 receive the report;

14.72.02 authorise the President, General Secretary, President-elect, Isabel Thomas Dobson and Deidre Palmer to approve the policy “Complaints of Sexual Abuse and Misconduct for members and lay persons” after the issues raised in the meeting of the Assembly Standing Committee have been addressed in consultation with the drafting group.

FROM ASSEMBLY BODIES

1. Assembly Audit, Finance and Risk Committee

Peter Andrews spoke to Documents 23 and 23A consisting of a report from the Committee and a statement of net available funds.

14.73 It was resolved to:

14.73.01 receive the report;

14.73.02 note the satisfactory completion of the external audit of all agencies except Frontier Services which remains a work in progress; and

14.73.03 authorise the Assembly Audit, Finance and Risk Committee to seek further advice regarding the capacity of Assembly, in extreme circumstances, to manage all Agency funds on an integrated basis.

2. Assembly Standing Committee Governance Group

The General Secretary presented Document 7, consisting of a report from the Task Group.

14.74 It was resolved to:

14.74.01 receive the report;

14.74.02 endorse

a) the expression of interest process for members of Assembly and ASC Task Groups; and

b) the induction process for new members of the Standing Committee with the addition of comments made at the meeting and request the General Secretary to implement the process as amended through feedback from this meeting.

3. Education for Ministry Working Group

The President introduced Document 13, consisting of a report of the Working Group. Alistair Macrae chaired the meeting.

14.75 It was resolved to:

- 14.75.01 receive the report;
- 14.75.02 affirm the proposed direction of the changes to Regulations 2.4.1, 3.7.4.3(c) and 3.7.4.; and
- 14.75.03 determine that responsibility for the development of policy, procedures and resources for the Period of Discernment be delegated to the Formation, Education and Discipleship Working Group.

4. Frontier Services Interim Board

Jim Mein and Geger Henderson spoke to Document 2, consisting of a report from the Board.

14.76 It was resolved to:

- 14.76.01 receive the report;
- 14.76.02 note the resignation of Rev Scott Kelly from the position of National Director, Frontier Services from 10 October 2014;
- 14.76.03 note the appointment of Grahame Ryan to the position of Acting National Director, Frontier Services, from 13 October 2014; and
- 14.76.04 defer appointment of the new Frontier Services Board until the March 2015 meeting of the Assembly Standing Committee.

5. General Report

The General Secretary introduced Document 21, consisting of a report on various matters.

14.77 It was resolved to receive the report.

6. Legal Reference Committee

The General Secretary presented Document 14, consisting of a report on the matters the Assembly Legal Reference Committee dealt with since the July 2014 meeting of the Assembly Standing Committee.

14.78 It was resolved to:

- 14.78.01 receive the report;
- 14.78.02 a) approve the following amendments to the Alternative Korean Regulations:

ALTERNATIVE REGULATIONS FOR KOREAN CONGREGATIONS

The purposes of the Alternative Regulations for Korean Congregations are:

- consistent with the Uniting Church's commitment to multiculturalism, to give the option to Korean Congregations within the Uniting Church to continue to follow some of their customary church traditions where these vary from the Uniting Church Regulations;

- to facilitate the recruitment of ministers for Korean Congregations from overseas;
- to assist with the process of “independent” Korean congregations in Australia joining the Uniting Church;
- as a transitional measure, to encourage Korean Congregations to move towards the Uniting Church Regulations unvaried.

1. REGULATION 2.1.1

Add new definitions in Regulation 2.1.1:

For the purpose of these alternative Regulations, unless the context or subject matter otherwise indicates:

~~**Bu moksa** means an assistant minister serving in a Korean Congregation within the Uniting Church.~~

~~**Korean Congregation** means a Congregation of the Uniting Church which is recognised by a Presbytery the Assembly, following consultation with the Council of Korean Churches, as being a Korean Congregation.~~

~~**New Korean Congregation** means a congregation that, having not been a congregation of the Uniting Church, is recognized by a Presbytery as a congregation of the Uniting Church and as a Korean Congregation.~~

~~**Korean partner church** means the Korean Methodist Church, the Presbyterian Church of Korea or the Presbyterian Church in the Republic of Korea, or any other Korean church which enters into a partnership with the Uniting Church in Australia which is recognised by the Assembly.~~

~~**The purposes of the Alternative Regulations for Korean Congregations** are:~~

- ~~consistent with the Uniting Church’s commitment to multiculturalism, to give the option to Korean Congregations within the Uniting Church to continue to follow some of their customary church traditions where these vary from the Uniting Church Regulations;~~
- ~~to facilitate the recruitment of ministers for Korean Congregations from overseas;~~
- ~~to assist with the process of “independent” Korean congregations in Australia joining the Uniting Church;~~
- ~~as a transitional measure, to encourage Korean Congregations to move towards the Uniting Church Regulations unvaried.~~

~~**Tam-im moksa** means a minister in charge serving in a Korean Congregation within the Uniting Church.~~

~~**We-im moksa** means a tam-im moksa minister who has been granted lifetime tenure in a placement.~~

2. REGULATION 2.11.2

Alternative Regulation 2.11.2 to read:

MINISTRY TEAMS WITHIN KOREAN CONGREGATIONS

~~2.11.2 Where two or more Ministers are serving in a pastoral charge in a Korean Congregation, one minister shall be designated as the tam-im moksa and the others as bu moksas. The designation of the tam-im moksa shall be approved by the Church Council, the Congregational Meeting and the Presbytery. In the event of disagreement between the three bodies the Presbytery shall determine the matter. Any arrangements made prior to the date on which these alternative Regulations come into effect shall be taken into account in any determinations made under this alternative Regulation.~~

3. DURATION AND TERMINATION OF MINISTERIAL PLACEMENTS

~~Alternative Regulations to Regulations 2.6.8, 2.7.3, 2.10.1~~

~~Alternative Regulations to read:~~

CONDITIONS OF PLACEMENT FOR MINISTERS IN KOREAN CONGREGATIONS

~~2.7.3 (a) — Arrangements on the duration of placements of ministers serving in Korean Congregations which have been previously agreed between a minister and the Congregation, and which have been previously approved by the Presbytery, and which are still in force on the date on which these alternative Regulations come into effect, shall remain in force notwithstanding the coming into effect of these alternative Regulations. Alterations to such arrangements shall require the agreement of the minister, the Church Council, the Congregational Meeting and the Presbytery. All such arrangements are subject to the provisions of alternative Regulation 2.7.3 and to the disciplinary processes of the Uniting Church detailed in Part 7 of the Regulations.~~

~~(b) In relation to the placements of tam-im moksas, Korean Congregations have the option of following the normal processes of the Uniting Church detailed in Regulations 2.6.8, 2.7.3 and 2.10.1 or of following alternative Regulations 2.6.8, 2.7.3 and 2.10.1. On the first occasion that a Congregation is planning to call a new tam-im moksa, after the date on which these alternative Regulations come into effect, a meeting of the Congregation shall determine which of the two options shall be followed. The Congregation shall immediately notify the Presbytery in writing of the option chosen.~~

~~(c) — Placements of tam-im moksas in full-time positions shall be regarded as Uniting Church placements.~~

OPTION ONE

~~(Uniting Church Regulations 2.6.8, 2.7.3, 2.10.1)~~

CONDITIONS OF PLACEMENT FOR MINISTERS

~~2.7.3A(a) — The placement of a Minister in a pastoral charge shall normally be made for an undefined term but shall not continue beyond ten years except as provided in Reg. 2.7.10.~~

~~(b) — Placements other than in Congregations shall be of such duration as the body making the placement determines and shall normally be reviewed every fifth year in a manner determined by the body making the placement.~~

~~(c) — Placements current at the date of the first Assembly shall continue in the terms of the original terms of placement unless otherwise agreed between the parties.~~

TERMINATION OF PLACEMENT

~~2.10.1(a) — A placement in a Congregation within the bounds of a Presbytery may be terminated at any time by the Presbytery according to the procedures in this Regulation.~~

~~(b) — Any decision by a Presbytery to terminate a placement in a Congregation shall normally be made as a result of a consultation on the life and witness of the Congregation. The Presbytery shall consider any request for the termination of a placement in a Congregation made by the Church Council pursuant to a resolution~~

carried by a two thirds majority of members present at a special meeting.

- (c) ~~A placement in a pastoral charge shall not be terminated by the Presbytery within the first five years (or in the case of the first placement of a Minister, Youth Worker or Lay Pastor three years) except in special circumstances, and either:
 - (i) ~~at the request of the Minister, Youth Worker or Lay Pastor, or~~
 - (ii) ~~at the request of the Church Council by a two thirds majority of members present at a special meeting, or~~
 - (iii) ~~at the initiative of the Presbytery after consultation with the Placements Committee.~~~~
- (d) ~~Where a Presbytery has delegated its authority to its Pastoral Relations Committee a Church Council may appeal to the Presbytery against any decision of the Committee.~~
- (e) ~~Any decision of the Presbytery or its Pastoral Relations Committee to terminate a placement shall be by a two thirds majority of those present at the meeting.~~
- (f) ~~A placement in a pastoral charge shall not be terminated by a Presbytery during the term of any extension beyond ten years pursuant to Regulation 2.7.10 except on the same conditions as set out in (c) above.~~

Placements Other Than Congregations

- (g) ~~Placements other than in Congregations may be terminated at any time by the Presbytery, Synod or Assembly as the case may be, after consultation with the Minister, Youth Worker or Lay Pastor and other bodies concerned.~~

Placements Committee

- (h) ~~The Placements Committee:
 - (i) ~~acting on its own initiative or on the request of a Presbytery, the Synod or the Assembly may terminate a placement at any time;~~
 - (ii) ~~shall act on its own initiative only after consideration of the good of the whole Church and either in order to meet the particular needs of a Minister, Youth Worker or Lay Pastor or to provide ministry in a Priority placement;~~
 - (iii) ~~shall terminate a placement only after consultation with the Minister, Youth Worker or Lay Pastor, the pastoral charge, the relevant Presbytery, and other appropriate bodies.~~~~
- (i) ~~Whenever a council or the Placements Committee is considering terminating a placement it shall appoint a person to provide pastoral care and support to the ~~_____~~ Minister, Youth Worker or Lay Pastor,~~
- (j) ~~A Minister, Youth Worker or Lay Pastor whose placement has been ~~_____~~ terminated shall have a right of appeal which shall be dealt with in accordance ~~_____~~ with Part 6 of these Regulations. The appeal shall be directed to:
 - (i) ~~the Synod Secretary when the termination decision is made by a Presbytery;~~
 - (ii) ~~the Assembly General Secretary when the termination decision is made ~~_____~~ by a Synod or Assembly~~~~
- (k) ~~Any Appeal Panel appointed to review a decision to terminate by the Assembly shall not include members of the Assembly Standing Committee.~~

~~EXTENSION OF CONGREGATION PLACEMENTS BEYOND THE TENTH YEAR~~

- ~~2.6.8~~ (a) (i) — A placement in a Congregation may be extended by the Presbytery beyond the tenth year by agreement of the Minister, Youth Worker or Lay Pastor, Congregation and Presbytery.;
- (ii) — Any extension shall require a two-thirds majority by secret ballot of those present in each of the meetings of the Church Council, the Congregation and the Presbytery.
- (b) — Such extensions may be for periods of up to five years at a time.
- (c) — A decision to extend a placement may be made at any time during the ninth and tenth year of a placement, or, in the case of any subsequent extension, at any time during the last two years of the current extension.
- (d) — When considering requests for extension the Presbytery shall:
- (i) — consult with the Congregation, and give consideration to the continued growth in the mission and development of the Congregation;
- (ii) — consult with the Minister, Youth Worker or Lay Pastor, and give consideration to the welfare and vocational growth of the minister; and
- (iii) — seek advice from the Placements Committee.

OPTION 2

CONDITIONS OF PLACEMENTS OF WE-IM MOKSAS

~~2.7.3A~~ A tam-im moksa may be granted lifetime tenure of a placement (we-im moksa) as follows:

- (a) — Only ministers who are Ministers of the Uniting Church or ministers of one of the Korean partner churches are eligible for lifetime tenure of a placement. Ministers of the Korean partner churches who are granted lifetime tenure of a placement are encouraged to become Ministers of the Uniting Church.
- (b) — Lifetime tenure of a placement may be approved from the commencement of the placement or at any time after an initial three years of service in the placement.
- (c) — An invitation to a minister to accept lifetime tenure of a placement shall require a two-thirds majority vote of those present at the meetings of each of the Church Council, the Congregation and the Presbytery. Before the Presbytery votes on a proposal for lifetime tenure it shall conduct a consultation on the life and witness of the Congregation (See Reg. 3.1.4).

TERMINATION OF PLACEMENTS OF WE-IM MOKSAS

~~2.10.1~~ The placement of a we-im moksa may be terminated:

- (a) — when the we-im moksa accepts a call to another placement or requests termination of the placement; or
- (b) — when the we-im moksa retires from active service; or
- (c) — by the Presbytery, at the request of special meetings of the Church Council and the Congregation; in each case, the resolution must be passed by a two-thirds majority of those present at the meeting of the Church Council, the Congregation and the Presbytery; or
- (d) — by the Synod, on discipline grounds, in accordance with Part 7 of the Regulations.

A we-im moksa whose placement has been terminated by the Presbytery shall have a right of appeal, as per Regulation 2.10.1B.

CONDITIONS OF PLACEMENTS OF BU MOKSAS

~~2.7.3B~~ A bu moksa shall be appointed as follows.

- ~~(a) Only ministers who are Ministers of the Uniting Church or ministers of one of the Korean partner churches are eligible to be appointed as a bu moksa where the position is half-time or greater. Ministers appointed as bu moksas where the position is less than half-time may be ministers of other churches, but are required to be ministers in good standing in their own church and to have the approval of their own church before accepting the appointment.~~
- ~~(b) Bu moksas serving in full-time positions shall be appointed for a period of up to three years, and are eligible for re-appointment for further periods of up to three years at a time. The decision to appoint or re-appoint bu moksas in full-time positions is taken by a meeting of the Congregation on the recommendation of the Church Council and requires the approval of the Presbytery. Appointments to full-time positions are regarded as Uniting Church placements.~~
- ~~(c) Bu moksas serving in positions which are less than full-time shall be appointed for a period of up to three years, and are eligible for re-appointment for further periods of up to three years at a time. The decision to appoint or re-appoint bu moksas in less than full-time positions is taken by the Church Council. The Church Council shall notify the Presbytery of the appointment.~~

TERMINATION OF PLACEMENTS OF BU MOKSAS

~~2.10.1A~~ The appointment of a bu moksa may be terminated before the expiry of the period of appointment as follows.

- ~~(a) On the request of the Church Council, the Presbytery may terminate the appointment of a bu moksa serving in a full-time position. A bu moksa whose appointment to a full-time position has been terminated by the Presbytery shall have a right of appeal, as per Regulation 2.10.1B.~~
- ~~(b) The Church Council may terminate the appointment of a bu moksa serving in a position which is less than full-time. The Church Council shall immediately notify the Presbytery in writing. A bu moksa whose appointment to a part-time position has been terminated by the Church Council shall have the right of appeal to the Pastoral Relations Committee of the Presbytery. The Pastoral Relations Committee shall determine the matter. There shall be no further right of appeal.~~

APPEAL THE TERMINATION OF A PLACEMENT

~~2.10.1B~~ (a) A Minister, Youth Worker or Lay Pastor whose placement has been terminated shall have a right of appeal which shall be dealt with in accordance with Part 6 of these Regulations. The appeal shall be directed to:

- ~~(i) the Synod Secretary when the termination decision is made by a Presbytery;~~
- ~~(ii) the Assembly General Secretary when the termination decision is made by a Synod or Assembly~~

~~(b) Any Appeal Panel appointed to review a decision to terminate by the Assembly shall not include members of the Assembly Standing Committee.~~

3 2. ALTERNATIVE REGULATION RE THE DURATION, TERMINATION AND CONDITIONS OF PLACEMENT FOR MINISTERS SERVING IN KOREAN CONGREGATIONS

All arrangements for the The duration, termination and conditions of placement for Ministers of the Uniting Church and ministers of other denominations serving in Korean Congregations shall be in accordance with ~~follow~~ the Uniting Church Regulations, with these exceptions:

- (a) Ministers who have been recognised as we-im moksas ~~prior to 1 January 2014~~ retain that recognition until:
 - (i) the we-im moksa accepts a call to another placement or requests termination of the placement; or
 - (ii) the we-im moksa retires from active service; or
 - (iii) the Presbytery terminates the placement at the request of special meetings of the Church Council and the Congregation; and in each case, the resolution must be passed by a two thirds majority of those present at the meeting of the Church Council, the Congregation and the Presbytery; or
 - (iv) ~~by the Synod, on discipline grounds, terminates the we-im moksa's placement in accordance with Part 5 of the Regulations;~~ or
 - (v) the Synod, on discipline grounds, withdraws recognition of the we-im moksa as a Minister of the Uniting Church in accordance with Part 5 of the Regulations.
- (b) After 1 January 2015 there will be no further recognition of ministers as we-im moksas, except in the case of a New Korean Congregation ~~joining the Uniting Church~~ whose minister ~~wishes to shall~~ remain ~~the a~~ minister of that Congregation within the Uniting Church and who is already recognised by that Congregation as a we-im moksa. Recognition of such a minister as a we-im moksa is subject to the approval of the New Korean Congregation and the Presbytery at the time of the New Korean Congregation joining the Uniting Church.

4. 3. ALTERNATIVE REGULATION RE ELDERS

In relation to Elders, New Korean Congregations will choose one of two options:

- (a) following the Uniting Church Regulations, noting that Elders are normally elected for five years and are eligible for re-election; or
- (b) all Elders shall be elected for lifetime tenure, although continuation in active service beyond the age of 65 years shall require a special resolution of a meeting of the Congregation. In the event of their retirement from active service as an Elder, such persons shall retain the title of Elder.

A New Korean Congregation will choose to follow one of the options no later than when they are first planning to elect Elders after having been recognised as a congregation of the Uniting Church.

Alternative Regulations 3.9.4 — 3.9.6

ELDERS IN KOREAN CONGREGATIONS

~~3.9.4~~ In relation to Elders, Korean Congregations have the option of following the normal processes of the Uniting Church detailed in Regulations in Part 3, with the additional special provisions in alternative Regulation 3.9.5, or of following option two below. ~~On the first occasion that a Congregation is planning to elect new Elders, after the date on which these alternative Regulations come into effect, a meeting of the Congregation shall determine which of the two options shall be followed. The Congregation shall immediately notify the Presbytery in writing of the option chosen.~~

OPTION ONE

~~3.9.5~~ Regulations in Part 3 are to be followed in relation to Elders, with additional provisions as follows.

- (a) ~~Elders who have already been elected with lifetime tenure shall be recognised as lifetime elders. Such elders shall retire from active service when they reach 70 years of age. Following retirement from active service as an Elder, such persons shall retain the title of Elder.~~
- (b) ~~From the date on which these alternative Regulations come into effect, at least half of newly elected Elders shall be women, until at least one third of the Elders in active service are women. From that time onwards women shall comprise at least one third of the number of Elders in active service and men shall comprise at least one third of Elders in active service.~~

- ~~(c) Election of Elders is by written ballot. A simple majority of votes cast shall be sufficient for a person to be declared elected as an Elder.~~

OPTION TWO

~~The Congregation is exempted from Regulation 3.3.2(f) as it applies to the term of office of Elders, and additional provisions are made as follows.~~

- ~~3.9.6 (a) Elders shall be elected for lifetime tenure, although continuation in active service beyond the age of 65 years shall require a special resolution of a meeting of the Congregation. In the event of their retirement from active service as an Elder, such persons shall retain the title of Elder.~~
- ~~(b) Congregations may determine, by simple majority of those present and voting at a meeting of the Congregation, that certain gifts and qualifications are required for a member to be eligible for election as an Elder.~~
- ~~(c) From the date on which these alternative Regulations come into effect, at least half of newly elected Elders shall be women, until at least one third of the Elders in active service are women. From that time onwards women shall comprise at least one third of the number of Elders in active service and men shall comprise at least one third of Elders in active service.~~
- ~~(d) An Elder with lifetime tenure who transfers membership to another Congregation retains the title of Elder, but shall only engage in active service as an Elder in the new Congregation when elected by a meeting of the new Congregation.~~
- ~~(e) Election of Elders is by written ballot. A simple majority of votes cast shall be sufficient for a person to be declared elected as an Elder.~~

5. KWONSAS AND JIBSAS

~~Alternative Regulations 3.9.7~~

KWONSAS AND JIBSAS

- ~~3.9.7 (i) Kwonsas are members appointed by Korean Congregations to fulfil a pastoral role within the Congregation. Jibsas are members appointed by Korean Congregations to administrative or management roles within the Congregation. Both men and women may be appointed kwonsas and jibsas.~~
- ~~— (ii) Korean Congregations shall continue to recognise those kwonsas and jibsas who are serving in those roles in the Congregation, as at the date on which these alternative Regulations come into effect. A meeting of the Congregation may determine that some or all such kwonsas and jibsas shall be members of the Church Council, in addition to those listed in Regulation 3.3.1(a).~~
- ~~— (iii) Korean Congregations are free to determine whether or not the congregation elects new kwonsas or jibsas. The term of office and method of election of kwonsas and jibsas shall be as determined by the Church Council.~~
- ~~— (iv) A meeting of the Congregation may determine that some or all jibsas shall be members of the Church Council, within the number of persons to be elected under Regulation 3.3.1(a)(vi).~~

6. 4. CONGREGATIONAL BY-LAWS

~~Alternative Regulation 3.9.8~~

BY-LAWS OF A CONGREGATION

- ~~3.9.8 Within the Uniting Church, Congregations are free to make by-laws on any matter as long as such by-laws are not inconsistent with the Constitution and Regulations~~

of the Uniting Church (as varied by any applicable exemptions or alternative Regulations approved under Regulation 3.10.1) and are not inconsistent with any relevant Assembly, Synod or Presbytery policy.

7. ~~5.~~ DECISION TO FOLLOW THESE ALTERNATIVE REGULATIONS

Alternative Regulations 3.9.9

DECISION BY KOREAN CONGREGATIONS CONCERNING THESE REGULATIONS

3.9.9 (i) Korean Congregations which have chosen to follow these alternative Regulations shall automatically transfer to these alternative Regulations on the date on which these alternative Regulations come into effect.

(ii) A Korean Congregation which is following these alternative Regulations may decide at any time, by a simple majority vote at a meeting of the Congregation, that it no longer wishes to follow these alternative Regulations. Such a Congregation shall then follow the Uniting Church Regulations unvaried by these alternative Regulations. The Uniting Church Regulations shall not apply retrospectively to decisions ~~previously~~ previously taken under previous editions or the current edition of the Alternative Regulations. ~~the original or revised Kong-Dong-Kyu-Jung.~~ The Congregation shall immediately notify the Presbytery in writing of its decision.

~~(iii) A Korean Congregation which is following the Uniting Church Regulations unvaried by these alternative Regulations may decide, by a simple majority vote at a meeting of the Congregation, that it shall follow these alternative Regulations. These alternative Regulations shall not apply retrospectively to decisions taken under the Uniting Church Regulations. The Congregation shall immediately notify the Presbytery in writing of its decision.~~

8. 6. ASSEMBLY ACTIONS

Alternative Regulations 3.1.7—3.1.8

~~ASSEMBLY RECOGNITION OF THE COUNCIL OF KOREAN CHURCHES~~

3.1.7 (a) ~~The Assembly recognises the Council of Korean Churches as a national body which links all Korean Congregations and Korean ministers throughout the Uniting Church. The role of the Council is that of:~~

- ~~— fellowship;~~
- ~~— advice to all Korean Congregations and ministers;~~
- ~~— promotion of the life and mission of the Uniting Church among Korean Congregations;~~
- ~~— the administration of financial support from the stronger to the weaker Congregations; and~~
- ~~— stimulation of mission, outreach, education and service in Korean Congregations.~~

(b) ~~The powers and responsibilities of the Council of Korean Churches do not diminish the powers and responsibilities of Congregations, Church Councils, Presbyteries, Synods and the Assembly. In particular, the Council does not have a role in determining applications for candidature for ministry nor in the processes of placements of ministers.~~

(c) ~~The Council shall report to the Assembly from time to time through the national agency for multicultural ministry.~~

REVIEW OF THESE ALTERNATIVE REGULATIONS

3.1.8 The Assembly shall review these alternative Regulations ~~no later than 2012~~ as and when it determines.

- b) approve the changes to the Discipline Regulations; and

5. CHURCH DISCIPLINE

5.1 DEFINITIONS

5.1.1 In this Part 5 of the Regulations unless the context or subject matter otherwise indicates:

Minister means a Minister as defined in Paragraph 3 of the Constitution, and also includes a Community Minister, Lay Pastor, Youth Worker, Pastor, Synod Secretary, Moderator, Assembly General Secretary, President, and Presbytery Minister and a minister of another denomination serving in a placement;

- c) determine that the effective date for the new regulations be 1 January 2015;
- 14.78.03 a) approve a new regulation 4.11.11 to read:
- 4.11.11 The Assembly determines that the body corporate allowed for in paragraph 56 of the Constitution shall be UCA Assembly Ltd;
- b) determine that the new regulation be effective immediately;
- 14.78.04 a) approve the following amendments to Regulations 2.4.1 and 3.7.4.4

THEOLOGICAL COLLEGES

- 3.7.4.4 ~~(a) For such theological colleges as the established by Synods may establish and maintain, each such Synod shall provide for appropriate staffing, educational resources, management, administration and finance, and, shall be subject to the any relevant Regulations or to any and decisions of the Assembly in relation to, shall specify the responsibilities of the a college or colleges.~~
- ~~(b) The colleges established by Synods may offer programmes and courses in theological education for students who are not candidates, provided that the requirements for training candidates for specified ministries are fully met.~~
- ~~(c) Courses offered by a theological college established by a Synod shall be available to any persons seeking to undertake such courses and willing to abide by the rules laid down by the Ministerial Education Board on the advice of the faculty or college.~~

THE FACULTY

- 3.7.4.5 (a) Within each theological college established by a Synod and recognised by the Assembly, there shall be a faculty responsible to the Synod, to through the Ministerial Education Board and to the Assembly.
- (b) The faculty shall comprise the principal where such a position exists, all full-time teaching members of the staff of the theological college who have been appointed to their office by the Synod, or who are recognised by the Synod as constituting the faculty, together with any others appointed on the nomination of the faculty by the Synod or the Ministerial Education Board.
- ~~(c) The faculty shall be responsible to the Assembly for meeting prescriptions in respect of training of Ministers and for the standard and quality of education which it offers Ministers.~~
- ~~(d) The faculty shall be responsible with the Ministerial Education Board to the Synod for the work of the theological college constituted by the Synod, and for theological education within the Synod.~~
- (ec) The faculty shall share with Presbyteries the responsibility for the pastoral care and oversight of candidates for the ministry. (See Reg. 2.4.2)

(fd) ~~Where appropriate a~~ A Synod may approve the council of the theological college or other appropriate body exercising some or all of the responsibilities of the faculty ~~specified above~~.

b) determine that the effective date for the new regulations be 1 January 2015;

14.78.05 a) approve the following amendments to Regulation 3.7.4.3 and 2.4.1

FORMATION AND EDUCATION FOR A MINISTER

2.4.1 (a) ~~A candidate for Minister, shall undertake formation and education for ministry in accordance with~~

(ai) ~~shall undertake formation and education requirements in accordance with the standards set by the Assembly~~

~~Ministerial Education Commission, and as prescribed prescriptions set by the faculty or theological college council to which the candidate is referred by the Ministerial Education Board or the body authorised by it;~~

MINISTERIAL EDUCATION BOARD

3.7.4.3 Membership

Responsibilities

(c) The responsibilities of the Ministerial Educational Board shall include the following:

(i) in relation to theological colleges constituted by the Synod:

(5) ensuring that the courses and training that the theological college offers for the formation and education of Ministers are in accordance with

(a) prescriptions set by the Ministerial Education Board or the body

authorised by it to set prescriptions and

(b) standards set by the Assembly.

(ii) in relation to candidates:

(1) Determining, or ensuring that a body authorised by it, determines, the appropriate courses of study for ministerial education and formation referring candidates to a faculty or a theological college council which shall determine the appropriate course of studies for ministerial education and, where that faculty where the candidate is not training within the same Synod, and entering into negotiations through the Ministerial Education Board of the Synod concerned for the reception receiving of the candidate and for the meeting of the costs involved;

b) the effective date for the new regulations be 1 January 2015;

14.78.06 a) amend Regulation 3.7.5 by the addition of a new paragraph (l) to read:

(l) (i) any person who is Staff of the Assembly or of any of its agencies is ineligible for election to the Standing Committee. If a member of the Standing Committee accepts appointment as Staff of the Assembly or of any of its agencies then that member shall no longer be a member of the Standing Committee.

(ii) staff means a person who has a direct reporting line or accountability to the General Secretary or Associate General Secretary, or who is a

- member of the team or support staff who has a direct reporting line to that person.
- b) determine that the new regulation be effective immediately;
- 14.78.07 a) refer the draft amendments to Part 6 – Appeals Regulations back to the Legal Reference Committee for further work in the light of the feedback provided; and
- b) authorise the Assembly Officers, Andrew Johnson and Jenny Tymms, on the advice of the Legal Reference Committee, to approve the amendments and set the date at which they will become operative and report to the March 2015 meeting of the Standing Committee;
- 14.78.08 note
- a) that ASC Minute 14.52.04 did not document the specific changes to two consequential amendments arising from decisions re the Ministerial Education Commission; and
- b) the changes that have been made to the following regulations following on from ASC decision 14.52.04
- 2.4.8(c)(i) the ~~Ministerial Education Commission~~ Assembly, on the recommendation from the MEB, certifies that the required course of the studies has been completed; and
- delete regulation 3.7.4.3(c)(ii)(3)
- ~~(3) determining, on the advice of the faculty or theological college council, requests from candidates for leave of absence or deferral of studies and advising Presbyteries and the Ministerial Education Commission Assembly accordingly;~~

7. National Task Group re the Royal Commission

The General Secretary spoke to Document 15, consisting of a report from the National Task Group.

14.79 It was resolved to:

- 14.79.01 receive the report;
- 14.79.02 authorise the President, after receiving advice from the Task Group, to make a public statement regarding the Uniting Church's engagement with the Royal Commission; and
- 14.79.03 request the Task Group to report to the March meeting with recommendations on the inclusion of Royal Commission related matters on the agenda or program of the 14th Assembly.

8. Nomination for Assembly General Secretary

Alistair Macrae chaired the meeting while the President introduced Document 10, consisting of a report from the Task Group. Staff left the meeting.

14.80 It was resolved to:

- 14.80.01 receive the report; and
- 14.80.02 authorise the Assembly Officers, excluding the current General Secretary, in consultation with AFARC and Synods, to determine the remuneration package for a lay appointee.

9. UnitingCare Australia

9.1 Governance Conversation

Lin Hatfield Dodds, Heather Watson and Peter Bicknell introduced Documents 5, 5A and 5B, consisting of a response paper to the questions raised by the Standing Committee, the UnitingCare Australia Mandate and its Governance Arrangements. Zac Hatfield Dodds left the meeting while these matters were discussed.

14.81 **It was resolved to** receive the report.

9.2 A National Legal Vehicle

Lin Hatfield Dodds, Heather Watson and Peter Bicknell introduced Document 6, consisting of a report on a potential national legal vehicle to enable agencies to collaborate across agency and Uniting Church conciliar boundaries.

14.82 **It was resolved to:**

14.82.01 receive the report;

14.82.02 request General Secretary to bring a comprehensive report on Assembly delegations to Assembly agencies to the March 2015 meeting of the Standing Committee;

14.82.03 invite UnitingCare Australia National Committee to reflect on any perceived need for changes to its Mandate and Governance Arrangements; and

14.82.04 authorise the Assembly Audit, Finance and Risk Committee to seek legal counsel's opinion regarding the proposition advanced by UnitingCare Australia, with particular regard to Assembly's capacity to instigate such an entity.

10. UnitingJustice Australia

Elenie Poulos presented Document 12, consisting of a report on "A Destiny Together: Justice for First Peoples", A Week of Prayer and Fasting, held in Canberra 17 – 23 March 2014.

14.83 **It was resolved to:**

14.83.01 receive the report;

14.83.02 a) express its appreciation to UnitingJustice Australia for the leadership it offered in 'A Destiny Together'; and

b) commend 'A Destiny Together' to the Church as a way of supporting and expressing the covenant.

11. Working Group on Doctrine

Alistair Macrae delivered an interim verbal report on the responses to the Marriage Discussion Paper.

14.84 **It was resolved to** receive the report.

GENERAL BUSINESS

1. Discipline Process and the National Complaints Conversation

John Cox presented Document 24, consisting of a report on the findings and recommendations of the National Complaints Conversation.

14.85 It was resolved to:

- 14.85.01 receive the report;
- 14.85.02 request the inter-Synod National Complaints Conversation to give leadership and resource the Assembly in relation to complaints, grievances and the Discipline processes of the UCA;
- 14.85.03 request the inter-Synod National Complaints Conversation to develop Terms of Reference for the group that include the following tasks:
- develop a training framework and training packages to resource the church in relation to Discipline;
 - develop consistency of guidelines and processes (minimum standards);
 - research funding options;
 - build a corporate history of complaints, on a meta data basis, for feedback into training and management processes;
 - identify issues (some of which listed above) for other councils to address;
 - collaborate with Synod / Assembly Task Groups in relation to recommendations from the Royal Commission;
 - bring recommendations to the ASC/ Assembly on any necessary changes; and
- 14.85.04 request the inter-Synod National Complaints Conversation to bring terms of reference to the ASC in March 2015 for adoption.

2. General Business

The General Secretary presented various items in Document 20.

14.86 It was resolved to:

- 14.86.01 a) receive the correspondence from the Formation, Education and Discipleship Working Group advising that it cannot take up the referral given to it through ASC minute 14.45.03; and
- b) request the Formation, Education and Discipleship Working Group to offer a process to the March ASC that will enable the 14th Assembly to have a discussion on membership based on already existing material;
- 14.86.02 appoint Rev Aigofie (Fie) Marino and Rev Swee Ann Koh as members of the Formation, Education and Discipleship Working Group;
- 14.86.03 a) note the resignation of Pearl Wymarra and Louise MacDonald from the UnitingJustice Australia Reference Committee; and
- b) appoint Rev Dr Margaret Mayman to the UnitingJustice Australia Reference Committee;
- 14.86.04 receive the correspondence from the UnitingJustice Australia Reference Committee;
- 14.86.05 a) receive the correspondence from the Defence Force Chaplaincy Committee; and

- b) acting under the authority of Regulation 3.3.8 (a)(iv) determine that the following bodies directly responsible to the Assembly shall appoint a person to the membership of the triennial Assembly
 Assembly Secretariat
 Christian Unity Working Group
 Church Polity Reference Committee
 Education for Ministry Working Group
 National Working Group Worship
 National Working Group on Doctrine
 Theology and Discipleship (mission expertise); and
 UnitingWorld;
 - c) apply this decision on the operation of Regulation 3.3.8(a)(iv) until amended by the Assembly Standing Committee;
- 14.86.06 acting under the authority of Regulation 3.3.8 (a)(v) determine that the following persons be appointed to the membership of the 14th Assembly:
 One youthful person (25 years or younger on the date of the commencement of the Assembly meeting) nominated by each Synod;
 Eight persons nominated by the National Reference Committee of Multicultural and Cross Cultural Ministry;
 Peter Andrews; and
 A person nominated by the Assembly Legal Reference Committee;
- 14.86.07 amend the boundaries of the Synods of NSW / ACT and Victoria / Tasmania such that the Howlong congregation is located within the Synod of Victoria and Tasmania;
- 14.86.08 a) (i) amend regulation 5.5.1 (h) to read:
 5.5.1 (h) In dealing with any complaint referred or made to it the Committee shall counsel and confer with the Respondent, the Complainant and such other persons as it considers desirable with a view to resolving the matter amicably, and make reports to the Synod, the Presbytery and other bodies as it thinks appropriate;
- (ii) determine that the effective date be 15 November 2014;
- b) request the Legal Reference Committee to provide a draft regulation such that Regulation 5.7.2(b) provides for a breach of a conciliated outcome or Agreed Outcome reached in the Committee for Counselling to be grounds for a complaint to be brought before the Committee for Discipline; and
- c) (i) establish a Task Group to review Regulation 5.5.1
 (ii) appoint Malcolm Wilson (convenor), Sharonne Price, Deidre Palmer to the Task Group with the Chairpersons of the Synod Committees for Counselling as corresponding members;
 (iii) request that a report be brought to the March meeting of the Standing Committee; and
- 14.86.09 note that the report of the Ministry of Pastor Working Group is not available for this meeting and has been rescheduled for the March 2015 meeting of the Standing Committee;
- 14.86.10 request the General Secretary to develop, in consultation with the Governance Committee and the Assembly Audit, Finance and Risk Committee, a process to assess funding projections in order to allow the Standing Committee in March 2015 to determine ministry priorities within the anticipated budget; and

14.86.11 extend the March 2015 meeting of the Standing Committee to include Monday, 23 March 2015.

3. Legal Identity and Structures of Governance, Response to Royal Commission Issues

The General Secretary introduced Document 16, consisting of a report on the meeting convened by the Assembly General Secretary in relation to the establishment a legal entity that can be held liable for any harm done in the context of the Royal Commission. Table discussion ensued.

14.87 It was resolved to:

14.87.01 receive the report; and

14.87.02 request the General Secretary to

- a) take the comments from this meeting to the next national consultation on legal identity and structures of governance in the UCA; and
- b) bring progress reports on this issue to each meeting of the Standing Committee.

4. Reflection on the Calling of the UCA

Glenda Blakefield introduced Document 8, consisting of a report from a small group on the long term Task Group: Who is God calling the Uniting Church to be? Table group discussion followed.

14.88 It was resolved to receive the report.

CLOSURE

The meeting closed at 4.00pm with prayer led by the President.

DATE FOR 2015 **20 – 23 March 2015**
 28 – 30 August 2015
 13 – 15 November 2015