

CODE of the PRESBYTERIAN CHURCH OF TASMANIA

Chapter 5: THE PRESBYTERY

CONSTITUTION AND MEMBERSHIP

Definition

5.1 Presbytery is a court of the Church immediately above the Sessions within its bounds.

Formation

5.1.1 It is formed by the General Assembly which shall assign it a name and an area in which its authority shall be exercised.

5.1.2 The General Assembly shall appoint a time and place for the first meeting of the Presbytery to be formed.

5.1.3 The General Assembly shall appoint a Minister from the assigned area to convene, constitute and preside over the first meeting of the Presbytery until commissions of ruling elders have been sustained, the roll of members fixed and a Moderator elected from among the members.

Membership

5.2 Presbytery consists of:

- (a) all ordained and inducted ministers of Charges within its bounds;
- (b) ministers of the Presbyterian Church of Australia who have been appointed to a Special Charge or commissioned to a specialised ministry, for the duration of the appointment;
- (c) retired ministers who have retained their seats in the Presbytery or who have been received by transfer from another Presbytery;
- (d) other ordained persons who have been granted a seat in the Presbytery by rule, regulation or resolution of the General Assembly;
- (e) pastors who are also elders serving by appointment of the Presbytery;
- (f) a representative elder from each Charge or Special Charge within the bounds of the Presbytery, whose commission has been sustained at any meeting of the Presbytery;
- (g) other elders appointed by the Presbytery from Sessions within its bounds in order to maintain parity with ministerial members of Presbytery, such appointments being made each year after commissions have been sustained and a roll of members prepared;
- (h) Assessors appointed by the General Assembly.

Associations

5.2.1 Except where a judicial case is before it, Presbytery may, at any meeting, associate with itself:

- (a) any minister or elder present who is on the roll of, or under the jurisdiction of, another Presbytery;
- (b) any other person whom it resolves to associate;

5.2.2 On the invitation of the moderator, associated persons may take part in the proceedings of that meeting, but must not preside, vote, move or second a motion.

Election of Moderator

5.3 Presbytery shall elect from its members a Moderator to hold office for such time as the Presbytery determines, usually twelve months.

5.3.1 If, during the term of his office, a Moderator should die or cease to be a member of the Presbytery, the duties immediately devolve on the previous Moderator until the next ordinary meeting of the Presbytery.

Clerk

5.4 Presbytery shall appoint a clerk, usually but not necessarily a member of the court, to hold office at the will of the court.

Treasurer

5.5 Presbytery shall appoint a treasurer to gather, take charge of, disburse and account for all funds held by the Presbytery as it may direct.

Presbytery Fund

5.6 Presbytery shall establish a fund to meet its expenses. For this purpose, Presbytery may levy a rate on each Charge or Special Charge within its bounds.

5.6.1 Offerings made at services appointed by the Presbytery may also be used for this fund.

Commissions

5.7 Presbytery may appoint a Commission of its own members for a specified purpose and with power, membership and quorum defined by the Presbytery at the time of appointment.

5.7.1 The quorum of a Commission must not be less than three of whom two must be ministers.

5.7.2 A Commission of Presbytery shall not have the power to ordain ministers, dissolve a pastoral tie or pronounce sentence in a judicial case.

Committees

5.8 Presbytery may appoint such Committees, Commissions or Commissioners as it deems necessary to facilitate its work.

5.8.1 When Presbytery is sitting, these may meet only by leave of the court.

MEETINGS AND PROCEDURES OF PRESBYTERY

Quorum

5.9 Three members of Presbytery, two of whom must be ministers, constitute a quorum of the Presbytery.

Ordinary meeting

5.10 Ordinary meetings of Presbytery shall deal with any matters on hand and are held:

- (a) by adjournment from the previous meeting;
- (b) by special appointment of a higher court; or
- (c) in consequence of the constitutional revival of the Presbytery after its powers and functions have lapsed.

5.10.1 Ordinary meetings are held normally within the Presbytery's bounds at times and places determined by the court.

5.10.2 Ordinary meetings of Presbytery must be held at least once in every quarter of the year.

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Special meeting

- 5.11 At its ordinary meeting, Presbytery may call a special meeting, the business of which must be stated and recorded in the Minutes.
- 5.11.1 At a Special Meeting, only the specified business maybe dealt with and no other matters maybe introduced.

Urgent meeting

- 5.12 Presbytery may meet for an Urgent meeting to deal with urgent business when convened by the moderator on his own responsibility or on request of a quorum of members of Presbytery or on direction of a higher court.
- 5.12.1 Before proceeding to business, the Presbytery must approve and confirm the moderator's action in calling an Urgent meeting.

Notification of meetings

- 5.12.2 For an Urgent meeting, a minimum of three days' notice must be given and Presbytery may deal with no other matters than those specified in the notice.
- 5.12.3 Special and Urgent meetings of Presbytery may adjourn to meet again to complete the specified business but not on or after the next Ordinary meeting and for no other purpose.
- 5.13 Presbytery may meet outside its bounds only with the permission or by direction of the General Assembly.
- 5.14 In the event of Presbytery failing to fix a date for its next Ordinary meeting, or if there was no quorum on the day and at the time appointed for such a meeting, it is competent for a moderator, or for the clerk, with the moderator's agreement, to convene another Ordinary meeting.
- 5.14.1 Such a meeting shall be convened by a circular addressed to all members of Presbytery and mailed at least seven days before the meeting.
- 5.14.2 The circumstances in such a case shall be stated and recorded in the Minutes and reported by the Clerk of Presbytery to the next meeting of the General Assembly.

Death of a minister

- 5.15 On the occasion of the death of a minister, members of Presbytery at the funeral may meet afterwards to make arrangements for supply of the pulpit and other necessary matters. Minutes of such proceedings must be taken and presented with or without comment to the next meeting of the Presbytery.

Private sittings

- 5.16 Presbytery shall normally sit in open court, but may sit in private when it resolves to do so for reasons of necessity or expediency or when required to do so by a higher court or by the laws of the Church.

Agenda

- 5.17 Presbytery shall determine its order of business and an agenda for each meeting in accordance with guiding principles regarding procedure (Chapter 7). The agenda shall be adopted after approval.

Records

- 5.18 The Presbytery records shall be lodged in the custody of the Clerk of Presbytery and sent up annually to the General Assembly for examination and attestation.

Communicating decisions

- 5.19 Presbytery's decisions shall be communicated verbally to persons concerned if they are present in the court or by "Extract Minute" if they are absent or upon request. Letters may also be written to clarify any decisions made.

AUTHORITY, POWERS AND DUTIES

Authority of Presbytery

- 5.20.1 Without impairing any pre-existing rights of Sessions, Presbytery has authority over:
- all congregations within its bounds and their members;
 - its own members;
 - all ministers and licentiates who are not under jurisdiction of another Presbytery but who live and/or work within Presbytery's bounds; and
 - any other people or institutions placed under the Presbytery's jurisdiction by the General Assembly.

Duties and powers

- 5.21 The duties and powers of Presbytery relate to the following:
- public worship, including the preaching of the Word, doctrinal standards, administration of the sacraments and ordinances;
 - proper maintenance of discipline within its bounds;
 - welfare of congregations and their property including good maintenance and proper use of all assets and buildings;
 - pastoral care of the ministers within its bounds;
 - pastoral care, supervision, examination and licensing of students for the ministry under its jurisdiction;
 - appointment of Commissions or Commissioners for any task defined by the Presbytery;
 - all appropriate matters referred to it by higher courts of the Church or by Sessions and/or congregations within its bounds.

POWERS AND DUTIES RELATING TO THE MINISTRY

Candidates for the ministry

- 5.22 It is the right and duty of the Presbytery to judge the character and personality of candidates for the ministry and to ensure that communicants recommended by their Sessions as candidates are fit and suitable to proceed to training.

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Training

- 5.23** Presbytery shall arrange for such training as conforms to the standard set by the Presbyterian Church of Australia and will lead to lawful ordination of the candidate.
- 5.23.1** Presbytery shall maintain interest in the welfare and progress of candidates under its jurisdiction and receive from each candidate a written statement of each year's progress.

Trials for license

- 5.24** On completion of a candidate's course of training, Presbytery shall set trial for license. Upon satisfactory completion of these, Presbytery shall:
- (a) at a service of worship, license the Candidate to preach the Gospel; and
 - (b) grant to the candidate an Extract Minute of License in the prescribed form.

Status of a minister

- 5.25** Presbytery alone may determine the status of a minister of the Presbyterian Church of Australia under its jurisdiction.
- 5.25.1** The Presbytery shall recognise only such ministers as have:
- (a) been lawfully ordained by a Presbytery of the Presbyterian Church of Australia; or
 - (b) been received as ministers of the Presbyterian Church of Australia by the General Assembly of the Presbyterian Church of Australia; and
 - (c) not lost their status.
- 5.25.2** Presbytery shall declare that a minister has lost the status of a minister of the Presbyterian Church of Australia if and when:
- (a) he is deposed from the ministry of the Church as a result of a sentence passed by a competent court after formal process of discipline or on the grounds of stubborn opposition to lawful authority or wilful disobedience of the orders of a court; or
 - (b) he expressly repudiates, either by written declaration or verbally in the presence of the court, any or all of the requirements of the ordination and induction Formula; or
 - (c) after engaging in some non-ministerial work, he fails to make himself available for regular ministerial duties when Presbytery or a higher court requests him to do so; or
 - (d) after engaging in such work for a specific term approved by the Presbytery, he fails to return to regular ministerial duties within six months of the expiration of such a term when requested to do so by Presbytery or a higher court.

Resignation of a minister

- 5.26** If a minister of the Presbyterian Church of Australia wishes to resign his status, his resignation shall be dealt with, as far as applicable, in the same manner as the resignation from a Charge.

Certificates

- 5.27** Presbytery shall have power to grant and issue appropriate certificates to persons under its jurisdiction.

Certificate of status

- 5.27.1** A Certificate of Status certifies that the person named has been lawfully admitted to the status of a minister or licentiate of the Presbyterian Church of Australia and that, at the time of the issue of the certificate, he retains such status.

Presbyterial Certificate

- 5.27.2** A Presbyterial Certificate testifies to the character and conduct of a minister or licentiate.

Certificate of license

- 5.27.3** A Certificate of License is an Extract Minute of licensing certifying that the person named has been lawfully licensed to preach the Gospel of the Lord Jesus Christ.

Letter of commendation

- 5.27.4** A Letter of Commendation certifies the status of the person named for the purpose of recommending him/her to another court or authority of the Presbyterian Church of Australia, or to some other Church or Churches in cases for which there is no appropriate certificate.

A minister's right to a Certificate

- 5.28** Presbytery shall grant a Certificate of Status, and, unless there is cause to withhold it, a Presbyterial Certificate, to every minister within its bounds who either resigns his Charge or is about to be transferred to the jurisdiction of another Presbytery.
- 5.28.1** Any minister who is translated from one Charge to another does not require a Certificate of Status or a Presbyterial Certificate unless such is demanded by the Presbytery to the jurisdiction of which he is transferring.
- 5.28.2** A Presbyterial Certificate will not be issued to any minister or licentiate under discipline or if such process against him is pending.
- 5.29** For reasons it deems appropriate, Presbytery may grant a Letter of Commendation to ministers, licentiates, students for the ministry, elders or any other persons.

VACANCY AND SETTLEMENT PROCEDURES

Vacancy

- 5.30** A vacancy occurs in a Charge through: (a) the death of the inducted minister; (b) the summary suspension of the inducted minister; (c) the resignation of the inducted minister; (d) the translation of the inducted minister to another Charge; or (e) the failure of the Charge to meet Terms of Settlement.

Edict of Vacancy and appointment of Interim Moderator

- 5.30.1** Upon declaration of a vacancy, the Presbytery shall:
- (a) direct that an Edict of Vacancy be read in the Charge without delay, attested by the Session Clerk as read and returned to the Presbytery; and
 - (b) appoint one of its ministers as an interim moderator or interim moderator designate of the Charge.

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Interim moderator designate

- 5.30.2** Should a Presbytery determine that a vacancy in a Charge shall take place at a period of more than four weeks after such a decision is made, it may appoint one of its ministers as an interim moderator designate. The interim moderator designation shall be empowered:
- (a) to take all necessary steps to fill the vacancy up to, but not including, the insertion of a name in a Call;
 - (b) after consultation with the inducted minister, to convene and preside over such meetings of the Session, Board of Management, congregation and Selection Committee as are necessary for the filling of the vacancy, provided always that only business connected with the filling of the impending vacancy may be dealt with at such meetings.
- 5.30.3** The interim moderator designate shall enter into the title and full duties and powers of interim moderator only from the date on which the vacancy begins.

Powers of interim moderator

- 5.31** The interim moderator shall have full powers of an inducted minister in the Charge and shall arrange for the supply of the pulpit, pastoral care of families and conduct of ordinances in the Charge during the vacancy. A minister supplying in a vacant Charge shall not discharge any of the duties of an interim moderator without the authority of the interim moderator.

Procedure

- 5.32** Within six weeks of the reading of the Edict of Vacancy, the interim moderator or interim moderator designate shall convene meetings of the Session and Board of Management.
- 5.32.1** The Session shall revise the rolls of communicants and adherents and fix a date for a congregational meeting.
- 5.32.2** The Board of Management shall prepare a report on the financial position of the Charge and prepare proposed Terms of Settlement.
- 5.32.3** At the congregational meeting, the congregation shall:
- (a) consider the reports concerning the revised rolls of communicants and adherents;
 - (b) consider the financial statement and proposed Terms of Settlement; consider whether it desires to proceed to an immediate call to a particular minister or licentiate, and if not:
 - (d) appoint a Selection Committee; and
 - (e) report its decisions to the Presbytery by an Extract Minute.
- 5.32.4** The congregational meeting shall forward to the Presbytery:
- (a) the Extract Minute of its proceedings;
 - (b) attested rolls of communicants and adherents;
 - (b) the financial statement submitted by the Board of Management; and
 - (d) Terms of Settlement for approval.

Selection committee

- 5.33** A Selection Committee shall consist of:
- (a) the interim moderator or interim moderator designate;
 - (b) at least two members of Session;
 - (c) at least two members of the Board of Management; and (
 - d) such other members as the congregation shall determine.
- 5.33.1** All meetings of the Selection Committee shall be held in private.
- 5.33.2** The Selection Committee may:
- (a) select immediately a name to submit to the congregation;
 - (b) appoint a deputation to hear a minister, ministers or licentiate;
 - (c) arrange with a minister or licentiate to meet with the Committee and preach in the Charge.
- 5.33.3** As soon as unanimity is reached, the Selection Committee shall recommend to the congregation the name of one minister or licentiate only. (See 5.36)

Congregational meeting

- 5.34** At any stage of the vacancy, the Session may call a congregational meeting to hear a report from the Selection Committee, to ascertain what measure of agreement exists in the Charge, and, if advisable, to proceed to a call when the Terms of Settlement have been approved by the Presbytery.

Failure to call a minister

- 5.35** When a congregation fails or is unable to call a minister or licentiate within twelve months from the beginning of the vacancy, the Presbytery may appoint a minister or licentiate of its choice.

Meeting to proceed with a call

- 5.36** When the Selection Committee has reached agreement on the name of a minister or licentiate to be recommended to the congregation for call, the Session shall call a congregational meeting to hear the report of the Committee. The interim moderator shall conduct a service of worship.

Procedure

- 5.37** After the report of the Selection Committee is presented, a vote shall be taken on a motion to proceed to a call. If the motion is defeated, the Selection Committee shall continue its work or other arrangements shall be made. If the motion is approved, the following procedure shall apply:
- (a) a Form of Call shall be read;
 - (b) prayer for guidance shall be offered;
 - (c) a vote shall be taken on a motion to have the name of the Selection Committee's nominee inserted in the Form of Call, such motion being moved, seconded and voted on only by communicant members of the Charge;
 - (d) if the motion is approved, communicants shall be invited to sign the Form of Call and adherents shall be invited to indicate their agreement by signing a Form of Concurrence;
 - (e) commissioners not exceeding three in number at least one of whom must be an elder are appointed to take charge of the Form of Call and to give opportunity to communicants not present at the meeting to sign it, and adherents to sign the Form of Concurrence.

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5.37.1 Signatures of communicants and adherents taken at the meeting shall be attested by the interim moderator. Signatures of communicants and adherents not present at the meeting shall be attested by one or more of the commissioners has having been signed in his/their presence.

Vote

5.38 Approval ordinarily shall be shown by show of hands, but the interim moderator may direct, or any five communicants may claim to have the vote taken by division, by calling the roll of communicants or by ballot.

Call in new charge

5.39 On the occasion of the first call to a minister or licentiate in a newly erected Charge, all adherents not less than sixteen years of age, unless under process of discipline, are eligible to vote. The signatures of these shall be attested by the interim moderator.

Call presented to Presbytery

5.40 At the next meeting of the Presbytery, the interim moderator shall present the call together with a report of proceedings connected with it. The commissioners, if present, shall also be heard in support of the call.

Call sustained

5.41 Presbytery shall normally sustain a call when it finds that:

- (a) the person called is eligible to receive a call.,
- (b) all requirements have been lawfully fulfilled;
- (c) at least 60% of the communicants of the Charge have signed it.

5.41.1 Presbytery is not bound to sustain a call, even after a valid election, if, in its opinion, the greater good of the Church would be served by not doing so.

Call not sustained

5.42 Presbytery shall not sustain a call when:

- (a) Terms of Settlement are unlikely to be met;
- (b) arrears are owed to a former minister, licentiate or others supplying during the vacancy;
- (c) the manse falls substantially short of minimum standards laid down or is in an unsatisfactory condition;
- (d) it pronounces the call void as a result of receiving evidence that a minister or licentiate has either directly or indirectly canvassed the call.

5.43 When a call is not sustained, Presbytery may decide either to delay procedure until matters causing the delay are satisfactorily resolved or direct that proceedings within the Charge start afresh.

Right of appeal

5.44 Communicants or adherents present at the meeting where a name was inserted in a call and who are dissatisfied with the proceedings have the right of appeal.

5.44.1 Such appellants must: (a) make known their appeal at the time of the proceedings; (b) within three days provide the Session Clerk of the Charge with one copy of the appeal for immediate dispatch to the Clerk of the Presbytery; (c) provide the commissioners appointed to support the call with one copy of the appeal; (d) attend the Presbytery when the call is presented, to defend the appeal.

5.44.2 In Presbytery, the appellants shall state their case, the commissioners shall be heard in reply after which Presbytery shall give its ruling.

Appeal to General Assembly

5.45 Any person dissatisfied with the Presbytery's decision has the right of appeal to the General Assembly. Notice of such appeal must be given at the time when Presbytery gives its ruling.

Call to minister in same Presbytery

5.46 Upon sustaining of a call to an inducted minister in the same Presbytery, the Presbytery shall:

- (a) inform the minister concerned;
- (b) appoint one of its ministers to take the mind of the congregation of the minister who has been called;
- (c) issue an Edict of Translation;

5.46.1 When the call is taken up, the Presbytery shall hear: (a) one commissioner prosecuting the call* (b) two commissioners from the Charge of the minister called; (c) in reply, one commissioner prosecuting the call.

5.46.2 If the commissioners are unable to be heard, they may supply a written statement dealing with the translation.

5.46.3 Silence on the part of a Charge from which a minister is called shall be taken as agreement to the translation.

Minister's view

5.46.4 The minister called may then, or at any other stage of the proceedings, state his views in regard to the call.

Prayer for guidance

5.46.5 The moderator or another member of Presbytery shall then offer prayer for the guidance of God.

Resolution not to translate.

5.46.6 If the Presbytery resolves not to translate, all procedures in connection with the call shall be stopped and both Charges shall be notified accordingly.

Call placed in hands of minister

5.46.7 If the Presbytery agrees to the translation, it shall then place the call in the minister's hands. The minister may then:

- (a) accept the call;
- (b) decline the call;
- (c) request up to thirty days in which to consider the call.

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Dissolution of pastoral tie

5.46.8 If the minister accepts the call, the Presbytery shall:

- (a) fix a date and time for his induction;
- (b) issue an Edict of Induction;
- (c) dissolve with prayer the pastoral tie between him and his Charge from the date of his induction into his new Charge;
- (d) issue an Edict of Vacancy;
- (e) appoint an interim moderator or interim moderator designate to the vacant charge.

Translation under three years

5.47 Presbytery may agree to the translation of a minister from a Charge which he has held for less than three years only in special circumstances and shall report the approval and the reasons for it to the next meeting of the General Assembly.

Call to minister in another Presbytery

5.48 If the minister called is a member of another Presbytery, the call, together with other required documents, shall be sent to the Clerk of that Presbytery.

Call to minister without Charge

5.49 If a call to a minister without Charge is sustained, the call, together with other relevant documents shall be sent directly to him with the request that he signify within thirty days his intention to accept or decline the call.

Call to a Licentiate

5.50 A call to a licentiate shall be dealt with in the same manner as that of a call to a minister.

Minister from another country'

5.51 For procedure for the calling of a minister for a Presbyterian Church in another country, see 'Constitution, Procedure and Practice of the Presbyterian Church of Australia', 3.14.

Service of ordination/Induction

5.52 At a service of ordination and/or induction, the procedure shall be as follows:

- (a) the Edict of Ordination/Induction, duly certified as having been read, shall be laid on the table;
- (b) the Presbytery shall call for any objections in terms of the Edict;
- (c) if there are no objections or if objections are judged frivolous, the service shall proceed;" .
- (d) after the sermon, a member of Presbytery, appointed for the purpose, shall narrate the steps leading to the service;
- (e) questions appointed by the General Assembly of the Presbyterian Church of Australia shall be put to the licentiate/minister,
- (f) questions appointed by the General Assembly of the Presbyterian Church of Australia shall be put to the congregation;
- (g) the licentiate shall kneel, and by prayer, with the laying on of hands 'Of the ministers, the moderator shall ordain him to the office of
- (h). members of Presbytery shall extend the right hand of fellowship to the newly inducted minister,
- (i) the Formula shall be read by the Clerk and signed by the newly inducted minister,
- (j) a minister appointed by the Presbytery shall then charge the newly inducted minister and the congregation' with their duties- and responsibilities;
- (k) the name of the newly inducted minister shall be added to the roll 'of Presbytery, and he shall be recommended by the Moderator of the General Assembly to the Principal Registrar as a celebrant of marriages;
- (l) the Clerk shall send a certified notice of the ordination/induction to the Session Clerk of the Charge, to be engrossed in the Minutes of the first meeting of the Session thereafter.

Superannuation Fund

5.53 A minister must fulfil the regulations regarding membership of a Superannuation Fund prior to his ordination/induction.

5.53.1 A minister shall not be debarred from accepting a call or from being inducted into a Charge only because he is not eligible to become a member of a Superannuation Fund.

Resignations

5.54 After induction, a minister may resign his Charge only the Presbytery... No resignation shall be accepted until:

- (a) the Presbytery has made careful inquiry into the causes which led to it: and
- (b) the Charge has- declared to the Presbytery its mind in connection with such resignation.

5.54.1 Ministers who have resigned from the ministry of the Presbyterian Church of Australia. but have not become either members. or ministers of another denomination, and who wish to make application for reinstatement as ministers of the Presbyterian Church of Australia, should petition the presbytery within whose bounds they are residing.

5.54.2 After receiving the petition and granting the prayer of the petition, the presbytery shall appoint a committee to meet with the minister concerned. Such committees shall approach all other presbyteries in which the minister has ministered or resided to seek references and to make inquiries concerning the life and doctrine of the applicant. The committee shall then report to the presbytery which appointed it with recommendations.

5.54.3 If the presbytery resolves to reinstate the minister concerned his name shall be added to the roll of that presbytery until the applicant is transferred either by receiving a call or by other means approved by the General Assembly.

Leave of absence

5.55 No minister shall absent himself from his pulpit or from the pastoral care of his congregation for a period of more than six weeks without first obtaining leave from the Presbytery.. A minister applying for leave of absence shall present for the approval of Presbytery; (a) proposals for the maintenance of religious ordinances in the Charge during his absence; (b) any variation in the Terms of Settlement, during his absence, such proposed variation being' accompanied by' an Extract minute from the congregation setting forth the altered Terms of Settlement.

Suspension from office

5.56.1 The Presbytery may summarily suspend from office and declare vacant the pastoral Charge of any minister who

- (a) leaves his pastoral Charge for a period of more than six weeks without the permission of the Presbytery;
- (b) disowns the authority of the Presbytery;

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(c) acts in a manner considered by the Presbytery to be contumacious.

5.56.1 In such cases, the Presbytery may apply to the General Assembly to have the minister declared no longer a. y minister of the Presbyterian Church of Australia.

Associate minister

5.57 An associate minister is one who works in association with the minister of a pastoral Charge and is responsible to him as moderator of the Session and to the Presbytery which inducts him. An associate minister is required to fulfil all the duties and responsibilities of, and has all the rights of, a minister of the Charge except as limited by this. Clause.

Team ministry

5.58 A Team Ministry is one which may include ministers, elders and non-ordained members of a Charge.

5.58.1 The Ministers in the team shall enjoy all the rights and privileges and are required to fulfil all duties and responsibilities of a minister of the Charge.

5.58.2 Ministers in the team shall recognise the authority of the one to whom the Session has allocated the specialist ministry of team leadership and shall submit to that authority, but with right of appeal to the Presbytery.

5.58.3 The team leader shall be moderator of the Session, the other ministers sitting as ordinary members of the. Session.

5.58.4 Elders and non-ordained team members are appointed by the Session', and are under its authority and control, exercised through the office of Team Leader (Moderator of Session).

5.58.5 A petition to reallocate any specialist ministries within the team shall be made to the Presbytery. The petition shall state:

- (a) the circumstances making the reallocation desirable;
- (b) the stipend. and allowances to be paid to each in minister; .
- (c) the ability of the Charge to meet the financial 'Obligations involved;
- (d) the proposed new allocation of specialist ministries within the team;
- (e) any other relevant circumstances;

5.58.6 The Presbytery shall approve such application only when it is satisfied that:

- (a) the reallocation is desirable; and
- (b) the congregation is agreeable.

Temporary replacement of team leader

5.58.7 In the event of the team leader being absent from the Charge for more than six consecutive weeks, the Session may choose a minister from within the team to be acting team leader such action being reported in writing to the next ordinary meeting of the Presbytery.

Collegiate ministry

5.59 A petition to have a colleague, a colleague and successor, or an associate minister may be made, to the Presbytery of the bounds. The petition shall set forth:

- (a) the circumstances making the creation of a group or team ministry desirable;
- (b) the proposed allocation of specialist ministries within the team;
- (c) Terms, of Settlement for each minister;
- (d) evidence of the ability of the Charge to meet the financial obligations involved;
- (e) any other relevant circumstances.

5.59.1 The Presbytery may approve such application only when it is satisfied that:

- (a) the establishment of such a group or team ministry is desirable; and
- (b) the congregation is agreeable and, in the case of a colleague and successor, . it understands that he shall have the right to succeed to the office of sole minister of the Charge.

5.59.2 Should the Presbytery grant the prayer of the petition, it shall:

- (a) declare a vacancy to exist;
- (b) issue an Edict of Vacancy;
- (c) proceed thereafter as in the case of an ordinary vacancy.

Colleague unable to fulfil position.

5.60 In the event that 'any colleague is unable to fulfil either completely or. partly his position within the team through illness, mental incapacity or. any other reason, for a period in. excess of six months in any twelve-month period, the Session shall notify the. Presbytery in writing at its next ordinary meeting, and request the Presbytery to consider the Viability. of the pastoral tie.

Assistant to a minister

5.61 An assistant to a minister is appointed by the minister concerned, and notification of such appointment shall be given to the Presbytery. An assistant to a minister is not inducted to that office..

5.61.1 Such appointment shall be for a period not exceeding twelve months. Any extension of such appointment or any re-appointment shall be subject to the approval of the Presbytery.

Ministers working outside the Church

5.62 A minister desiring to accept an appointment outside the Presbyterian Church of Australia shall petition the Presbytery for leave to accept the appointment.

5.62.1 Such leave may be granted when the Presbytery is persuaded:

- (a) of the importance of the office; and
- (b) that is an office in which the work of the ordained ministry may be relevantly exercised.

5.62.2 Presbytery may approve the acceptance of the appointment for a specified period not exceeding five years in the first instance. At the end of that term, the minister concerned may request the Presbytery to extend the period of appointment up to a further five years, Any extension thereafter must have the approval of the General Assembly.

5.62.3 A minister granted approval to work outside the Presbyterian Church of Australia shall remain under the jurisdiction of a Presbytery

5.62.4 If the Presbytery is of the opinion that membership in the Presbytery is desirable in the interest of the Church, it may petition the General Assembly to grant such a minister a seat. in the Presbytery for the period of the appointment.

CODE of the PRESBYTERIAN CHURCH OF TASMANIA

Reports to Presbytery

- 5.63** A licentiate or a minister who is not:
- (a) the inducted minister of a Charge;
 - (b) a minister emeritus;
 - (c) a full-time chaplain to the Defence Force;
 - (d) a missionary working under appointment by the Committee for Australian Presbyterian World Mission;
 - (e) a minister holding a full-time appointment by the General Assembly, shall report at least annually to the Presbytery holding jurisdiction.
- 5.63.1** The report shall state:
- (a) period under review; and
 - (b) the nature of any other work undertaken during that period.
- 5.63.2** After consideration of such report, the Presbytery may summon such licentiate or minister to show cause why his name should not be removed from the register of licentiates or ministers eligible for a call. If on such hearing the Presbytery is satisfied that the licentiate or minister is no longer available for the duties of the ministry, it shall:
- (a) remove his name from the register of licentiates or ministers eligible for a call; and
 - (b) notify the Clerk of Assembly accordingly.
- 5.63.3** The Presbytery shall provide the Clerk of Assembly with a list of licentiates and ministers under its jurisdiction who are eligible for a call.
- 5.63.4** A licentiate or minister required to report to Presbytery under this rule is not entitled to be registered for the celebration of marriages without permission of the Presbytery holding jurisdiction.

Celebrants of marriage

- 5.64** The following shall be recommended to the Principal Registrar of Births, Deaths and Marriages as ministers of religion of this Church:
- (a) ministers, licentiates, pastors and others who have been nominated by the moderator of the General Assembly for registration as a minister of religion entitled to celebrate marriages;
 - (b) those whose transfer to the Tasmanian register has been approved by the moderator of the General Assembly.

Marriage register

- 5.65** On the death of a minister or pastor from a Charge, the Presbytery shall be responsible for the safekeeping of the Marriage Register and the marriage forms.

Presbyterial Visitation

- 5.66** The Presbytery shall visit all Charges under its care at least once every five years, the aim of such visitation being:
- (a) to ascertain how minister and congregation are fulfilling their calling under God;
 - (b) to bind the individual minister and congregation to the whole Church;
 - (c) to secure efficient and devoted service from all its members.
- Such visitation shall be in accordance with a form of visitation prescribed by the Presbytery from time to time.

Special visitation

- 5.66.1** If circumstances seem to require it, a Presbytery may appoint a special visitation of a particular Charge or Special Charge with a view to making inquiry and suggesting a remedy for any evils or difficulties which may be found to exist. Notification thereof is sent to the minister, the Session and the Managers who are bound to attend on pain of censure. The inquiries made by the Presbytery shall be confined strictly to the proper objects of the visitation.

