

## Book of Order Rewrite Task Group

### Terms of Reference

The terms of reference approved by the Council of Assembly were as follows:

1. To prepare a new Book of Order of the Presbyterian Church of Aotearoa New Zealand for submission to the General Assembly, such preparation to include but not be limited to the following:

In light of the Church's subordinate standards, its goals, and priorities:

- Identify, review, and re-state if necessary how the church's constitutional bases are set out. The task group will need to report the scope of this task to the first 1999 meeting of the Council of Assembly for approval
  - Review how the role of assembly is stated
  - Review how the role of presbyteries/union district councils is stated
  - Review how the role of sessions and parish councils is stated
  - Review how the place of congregations is stated
  - Review the legal status of the Church
  - Review the processes and structure of discipline
  - Review the adequacy of the Book of Order in the light of the Church's commitment to the Treaty of Waitangi
  - Review how adequately the Book of Order takes account of the life of different ethnic groupings and cooperative ventures
2. To consult with the Council of Assembly, the Doctrine Committee, the Book of Order and Judicial Committee, the Mission Resource Board, the Commission on Diversity, and other relevant committees, presbyteries/union district councils, sessions/parish councils and such other persons, groups, or organisations it deems appropriate concerning what should be in the new Book of Order.
  3. To make recommendations to the General Assembly regarding the legal status of the Presbyterian Church of Aotearoa New Zealand.
  4. To regularly report progress to the Council of Assembly

The Task Group has not addressed the question of legal status because it has focused on the new Book, and because it is a task outside the expertise of the Group.

The terms of reference, in general, reflect the fact that the rewrite of the Book of Order began in a different context. Structurally and organically the Church is now of a different character. As it has worked the Task Group has sought to be conscious of this movement.

### Recommendations

1. That the General Assembly approve the new Book of Order for referring to presbyteries and union district \_\_\_\_\_  
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councils under the Barrier Act.

2. That the new Book of Order be adopted ad interim.
3. That the Conditions of Service Manual be adopted.
4. For the sake of certainty, Assembly resolves that the appendices in the present Book of Order remain in force unless otherwise revised in the new Book of Order or unless they are repealed or amended as set out in the appendix to this report.
5. That the Task Group be thanked and discharged.

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## Report

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### 1 Establishment

- 1.1 The Book of Order Rewrite Task Group was established as a result of a decision by the 1997 General Assembly that the Council of Assembly arrange for the preparation of a new Book of Order of the Presbyterian Church of Aotearoa New Zealand.
- 1.2 In 1998 the Council of Assembly approved terms of reference and identified members of the Task Group. Since then the Task Group has worked to review and rewrite the Book of order in keeping with its mandate.

### 2 Approach

- 2.1 As a result, it has identified an approach to recasting the Book of Order. This approach, as signalled to presbyteries/union district councils, has five key drivers. As a result the new Book of Order should:
  - Make room for a variety of expressions of being Presbyterian
  - Be easy for ordinary church members to read, understand and apply
  - Be written in clear and accessible language
  - Have a mission orientation
  - Regulate only where necessary.

### 3 A Collection of Books

- The Book of Order: this volume contains the constitution and regulations of the Church. Most of the Book of Order is protected by the process referred to in the present Book of Order as the Barrier Act.
- *Supplementary Provision - Conditions of Service Manual*: This manual contains the procedures relating to all those who serve within the Church including ministers, employees and volunteers. These procedures necessarily need to be flexible. As provided in the new Book of Order, Supplementary Provisions can be altered as required, but only following the process identified in the Book of order itself.
- Collections of documents: there are many valuable documents which are of particular significance to the Presbyterian Church of Aotearoa New Zealand. This collection is set out below in the appendix to this report

### 4 Process

- 4.1 The Task Group met in plenary three times each year and undertook much of its work through regional task groups. Early on members undertook a study of constitutions of partner churches in New Zealand and overseas.
- 4.2 Liaison with the wider church was a priority.
- 4.3 Once a general approach and philosophy had been identified this was signaled to stakeholders within the church including those identified in the Task Group's terms of reference
- 4.4 Regular reports were provided to the Council of Assembly
- 4.5 With the assistance of the Communications Department, a website was establish providing access for monitoring and comments
- 4.6 A series of focus groups were undertaken with presbyteries, union district councils, Association of Presbyterian Women and other interest groups to consider specific sections of the proposed new Book of Order and to ensure the approach taken was consistent with the perceived needs of the wider church
- 4.7 The Task Group reported to the 2004 General Assembly where a clear call was heard for further consultation with presbyteries/union district councils
- 4.8 That consultation was held in March 2006 and provided valuable comment to ensure the final draft presented to the 2006 General Assembly had support from the church at large.

### 5 Limiting Innovation

- 5.1 From the start the Task Group was wary of innovation. It was very conscious that its role was not one of policy development. As its work continued a number of issues arose from the exercise of its terms of reference that required consideration of new policy positions.

5.2 In each case the Task Group referred these either to the relevant policy group or to the Council of Assembly for decision. These matters included:

- Replacement of the Barrier Act - The Task Group considered a simpler process maintaining the same safeguards more appropriate. The matter was referred to the Council of Assembly who approved the proposal after referral to the Book of Order and Judicial Reference Group for comment.
- Clarification of the kinds of General Assembly - A regime of Assemblies including General, Special and Emergency received a positive response from the Council of Assembly.
- Membership - The Task Group suggested that there be only one form of membership. However, an alternative proposal was put to the General Assembly and approved.
- Membership of Presbytery - A proposal was made to clarify the criteria for membership of presbytery. This received support from the Resourcing for Mission Policy Group (ReForM).
- Times of Meeting of Presbytery - A proposal to update the present provision was made and received support from ReForM.
- Open Invitation to Communion - A proposal to reflect a policy of open access to all who seek to serve God's mission in the world was made and supported by ReForM.
- Teaching and Ruling Elder - A proposal to reflect the collegiality of teaching and ruling elders by including regulations referring to each in a chapter on eldership was approved by ReForM.
- Church Councils - A proposal to adopt *Church Council* as the generic term to refer to sessions, parish councils, leaders meetings, vestries and all other such groups received ReForM's support.
- Removal of Dissent with Complaint from Presbytery to Assembly - A proposal to remove the right of dissent with complaint from presbytery to Assembly on a matter referred to presbytery from a congregation or individual was rejected by the Council of Assembly and the Book of Order and Judicial Reference group.
- Baptism and "Membership" - A proposal that, in considering the identity, rights and responsibilities of participants in the congregation, baptism not be a presumed pre-requisite for such identity and rights was considered to be inconsistent with ReForM's position on baptism.
- Church Council Moderator - Ethel approved the suggestion that the Moderator of the Church Council could be elected by the Church Council. This, however, was clearly opposed by the presbyteries consultation in March of this year and is not included in the draft.
- Provision of Alternative Oversight for Congregations - The proposal that congregations not seeking stipendiary ministry could be offered oversight other than through an Interim Moderator received support from Ethel while the policy group also raised a concern that this provision should not be restrictive.
- Further issues raised without comment concerned the standard of audit or review required for congregations and presbyteries and whether only ordained ministers can exercise the role of Interim Moderator.

**6 Proposal**

- 6.1 The Book of Order and Conditions of Services Manual are being sent on cd to all commissioners and are on the Church's website.
- 6.2 The Task Group recommends adoption of the new Book of Order ad interim. It will necessarily require support under the Barrier Act process before it is fully in force.
- 6.3 Inevitably there will be some matters that members of the Church may wish to change. Our proposal is that the new Book be adopted and confirmed under the Barrier Act in 2008. Once confirmed it could immediately be the subject of any considered amendments. This would allow the Church to move forward and still provide opportunity for correction if that is deemed appropriate by the 2008 General Assembly.
- 6.4 The Task Group also recommends the adoption of the Conditions of Service Manual. These procedures may be amended at any time subject to the conditions and following the relevant process set down in the new Book of Order.

**7 Task Group Membership**

**Conveners:** Sir Rodney Gallen  
The Rev Chris Nichol

**Members:** Mr Peter Whiteside  
Mrs Timothe Mansfield (retired in 2004)  
Mr Stuart McRae (retired in 2005)  
Mr Glen Robertson  
Mr Garth Thornton (from 2003)  
The Rev Brett Johnstone  
The Rev Yvonne Smith

In addition, the Task Group benefited from the gifts of Dr Briar Gordon in the development of the initial draft.

**Sir Rodney Gallen and Chris Nichol**  
Co-Conveners

## **Appendix – Recommendations for treatment of appendices in the existing Book of Order**

Note: All documents will be available on the Presbyterian website and from the Assembly Office, unless otherwise specified and in addition to any other publication which may be suggested.

### **Supplementary Provisions**

E10 Code of Ethics contained in Conditions of Service Manual

### **Foundational documents**

B1 Agreement for Union 1901

B2 Uniting Act 1901

B3 Opinion on Agreement for Union and the Presbyterian Church of New Zealand 1901, by F.C. Spratt 1931

### **Constitutional documents**

C1 Declaratory Act 1892-93

C2 Statement of Fundamental Doctrines

C3 Statement on phrases “fundamental doctrines” and “substance of the faith” 1969

C4 What does it mean to subscribe to a statement of faith?

### **Statements of faith and polity guidelines**

C5 A simple contemporary statement of faith

C6 The faith we affirm together 1968

C7 An affirmation of faith

D1 Statement on the relation between the session and the minister

D2 Ordination and the eldership

D3 Statement on ordination

D4 Ordination and the ministry of word and sacraments

D5 Minister’s participation in ordinations and of elders in the nomination and election of elders

D6 Intepretative Statement on Act of Modification

D9 Provision of the sacrament of baptism

E1 Parish councils and elders

**Modification to Subordinate Standard**

B4 Act of Modification

**Assembly bodies**

D8 Office of the Moderator of the General Assembly – also published for each Moderator Designate nomination process

E15 Knox College and Salmond Hall – statements on relationships

E20 Responsibilities and Accountabilities (not including Assembly Employees section) - also to be published in Council of Assembly governance policies

**Processes to be followed**

Also to be published in Presbytery Clerk's Handbook:

E5 The selection, training and authorisation of elders to administer the sacrament of holy communion, and roles of presbytery and session

E5A Regulations in administering baptism

Also to be published in School of Ministry Handbook:

E13 Student Regulations

**Guidelines (also to be published in Presbytery Clerk's Handbook)**

E4 Presbytery visitation of a parish

E6 Guidelines on membership of courts, committees, groups and bodies

E7 Guidelines for granting ministerial seats on presbyteries

E7A Guidelines on professional costs

E8 Presbyterial certificates – guidelines

**Forms**

**Section H** - all forms also to be published in Presbytery Clerk's Handbook

H-18 To be available on Church's website and from Assembly Office

**Documents which need no further publication**

A1 Assembly Standing Orders – published at each Assembly

A2 Commemorative service – used for each Assembly

- E14 School of Ministry staff leave – included in employment agreements for School of Ministry Staff
- E30 Constitution of the Association of Presbyterian Women – to be published by APW
- G1 Conference of Churches in Aotearoa New Zealand – this organisation has been wound up
- G2 Churches Education Commission – to be published by CEC

