

Assembly Executive Secretary

Recommendations

1. That the Assembly adopt the following change in regulations (adopted *ad interim* in 2008):
 - a. Repeal Chapter 14.12(2) and replace as follows:

“(2) The responsibilities of the Council of Assembly are to:

 - (a) act in place of the General Assembly between Assemblies to consider and determine administrative issues relating to the Church. In this regard the General Assembly delegates its administrative responsibility to the Council of Assembly between Assemblies,
 - (b) implement policy and strategy for the Church within the direction set by the General Assembly, to make recommendations regarding policy to the General Assembly, to implement decisions of the General Assembly and to report to the General Assembly on policy development and operations,
 - (c) review, form, reform and discharge groups to carry out General Assembly functions without infringing the powers of the General Assembly and to delegate functions to appropriate groups, persons, or bodies,
 - (d) receive reports from the groups referred to in paragraph (c) and to report policy issues to the General Assembly,
 - (e) act as a Commission of Assembly in appointing the Assembly Executive

- Secretary where
appointment by the General
Assembly is not possible
without the calling of an
emergency meeting,
- (f) oversee and direct the
Assembly Executive
Secretary in managing all
employees of the General
Assembly, and in relation to
the Assembly Executive
Secretary, to act as a
Commission of Assembly to
concur in the acceptance of
a call or resignation, or to
terminate an appointment,
- (g) receive nominations from the
nominating committee and
make appointments to the
Council of Assembly,
commissions, committees
and other bodies,
- (h) adopt a budget, allocate
funds raised for the work of
the General Assembly, and
apply untaged legacies and
donations as it sees fit,
- (i) adopt the accounts of the
General Assembly, report
these to the General
Assembly, and appoint a
person to review or audit the
accounts in accordance with
the Financial Reporting Act,
- (j) determine staffing and
resourcing requirements for
the General Assembly and
the Council of Assembly,
- (k) nominate co-conveners of
the nominating committee to
the General Assembly,
- (l) appoint a commission to
consider, prior to an
Assembly and if the Council
thinks it advisable to do so,
any particular matter which
has been submitted to the
Clerk of Assembly with the
instruction to the commission
that it must report to the
Assembly on that matter but

- not determine it,
- (m) summon a Special Assembly to determine proposals or references, after consultation with the Book of Order Advisory Committee,
 - (n) refer any appeal, proposal or reference to the Assembly Judicial Commission, after taking advice from the Book of Order Advisory Committee, and to appoint the Commission for the purposes of any such proceeding comprising:
 - (i) not less than 3 nor more than 5 members from the panel of Assembly Judicial Commission members, and
 - (ii) not more than 2 other members of the Church, being a person or persons particularly suited for appointment having regard to the subject matter of the proceeding, and
 - (iii) an advisor as to procedure, being a member of the Book of Order Advisory Committee or its nominee,
 - (o) consult widely within the Church where practicable,
 - (p) do anything else which the Assembly may direct."
- b. Repeal Chapter 14.13 and replace as follows:
 "14.13 Membership of the Council of Assembly
- (1) The Council of Assembly consists of:
 - (a) a convener nominated by the nominating committee and elected by the General Assembly,
 - (b) a deputy convener nominated by the nominating committee and elected by

- the General Assembly to complement the skills of the convener and, if the convener is not proximate to Wellington, to provide close liaison with the Assembly Executive Secretary,
- (c) six members nominated by the nominating committee, elected by the General Assembly and appointed from presbyteries/union district councils,
- (d) one nominee of Te Aka Puaho,
- (e) one nominee of the Pacific Islanders' Synod,
- (f) one member of the Council of Asian Congregations,
- (g) the Moderator of the General Assembly,
- (h) the convenors of the Leadership Subcommittee and Resource Subcommittee of the Council of Assembly.
- (2) There shall also be four associate members of the Council of Assembly as follows:
- (a) the Moderator of Te Aka Puaho,
- (b) a nominee appointed by the Synod of Otago and Southland,
- (c) the Assembly Executive Secretary,
- (d) a nominee of the Presbyterian Church Property Trustees.
- (3) That apart from the Moderator of the General Assembly, the Moderator of Te Aka Puaho and the Assembly Executive Secretary, each member of the Council of Assembly shall be appointed for a four year term with half the members of the Council of Assembly retiring and being replaced at each biennial

- General Assembly.
- (4) That, as circumstances necessitate, an additional two years' membership of the Council of Assembly be granted where appropriate to maintain good leadership, gender and other balances.
- c. Repeal Chapter 14.14(3) and replace as follows:
"(3) The procedure for nomination and election is to be set out in the supplementary provisions."
- d. Amend Chapter 14.26(3) to provide as follows:
"(3) Presbyteries, the Pacific Islanders' Synod, Te Aka Puaho and the Council of Asian Congregations may in accordance with the supplementary provisions appoint additional members to represent young people who are members of congregations of the Church or of a co-operative venture."
- e. Add in at the end of Chapter 14.31(7) the figure "30".
- f. Repeal Chapter 16.4(3) and renumber the subsequent subsections of Chapter 16.4 by reducing the relevant number by one.
- g. Enact new Chapters 16.13 and 16.14 as follows:
"16.13 Any income, benefit, or advantage gained by the Church must be used to advance the charitable purposes of the Church. No member, no associate member and no person associated with a member or associate member is permitted to take part in, or to influence, any decision of the Church in respect

of payments to or on behalf of the member, associate member or associated person of any income, benefit or advantage. Any payments made to a member, associate member or any person associated with a member or associate member, must be for goods or services which advance the charitable purpose of the Church and must be reasonable and relative to payments that would be made between unrelated parties.

16.14 In the event that the Church should dissolve or be wound up, if any property remains after the dissolution or winding up and the settlement of all debts and liabilities, that property shall be given or transferred to another organisation that is charitable under New Zealand law or for some other charitable purpose recognised under New Zealand law.",
while the existing Chapter 16.13 is to be renumbered 16.15.

2. That proposals for special legislation are sent from the General Assembly to parish councils and sessions as well as to presbyteries and that all responses from all courts to be considered of equal value.

Report

1 Special Legislative Procedure

The Book of Order replaced the Barrier Act (1697) with a similar provision called "special legislative procedure", the details of which can be found in Chapter 14.9 of the Book of Order.

Our Church's constitution requires significant legislative changes approved by one Assembly to be referred to presbyteries before the changes are considered by the succeeding Assembly. If, in the opinion of the General Assembly, the proposal requires urgent action, the General Assembly may, at the same time

as it remits the proposal to presbyteries, pass the proposal as an *ad interim* provision of the Book of Order having force until the next General Assembly meets.

If the majority of presbyteries approve the proposed change, the General Assembly has the discretion to pass it into standing law of the Church. If the majority of the presbyteries do not approve the proposal, the General Assembly must not accept it, and may resubmit the proposal.

The following matters were referred to presbyteries and union district councils (UDCs) under the special legislative procedure. These matters were approved by the majority of presbyteries and UDCs, and so are presented as recommendations to the General Assembly.

The 2008 General Assembly decided to repeal and replace sections of Chapter 14 and 16 of the Book of Order (as above):

Approved: (17) Northland (CTN), North Shore, South Auckland, Waikato, Taranaki, Manawatu/Wanganui, Gisborne/Hawkes Bay, Wellington, West Coast, Christchurch, Ashburton, Dunedin/North Otago, Clutha, Maitua, Central Otago, Southland, South Canterbury

Not approved: (1) Auckland

Did not vote: (4) Bay of Plenty, Wairarapa, Te Aka Puaho, Nelson/Marlborough

The 2008 General Assembly voted that proposals for special legislation are sent from the General Assembly to parish councils and sessions as well as to presbyteries and that all responses from all courts to be considered of equal value.

Approved: (11) Northland (CTN), Taranaki, Gisborne/Hawkes Bay, Wellington, Ashburton, Dunedin/North Otago, Clutha, Maitua, Southland, South Canterbury, West Coast Uniting

Not Approved: (7) North Shore, Auckland, South Auckland, Waikato, Manawatu/Wanganui, Christchurch, Central Otago.

Did not vote: (4) Bay of Plenty, Wairarapa, Te Aka Puaho, Nelson/Marlborough

As a majority of presbyteries voted in favour of both the proposal, Assembly has the discretion to enact them.

2 Audits

The records of presbyteries and Assembly groups are being audited as required by regulation 4 of the Standing Orders.

3 Commission of Assembly

The Commission of Assembly acts in place of the Assembly to approve property and financial transactions involving presbytery or General Assembly owned properties.

It also acts under part 1 of the Presbyterian Church Property Amendment Act 1996 whereby trustees may apply for the conditions of the Church trusts to be varied where their original conditions have become obsolete or unworkable.

The Commission of Assembly has met three times since the last Assembly.

To give approval for the Knox Centre for Ministry and Leadership to submit to the Church Property Trustees an application to sell the land known as the Arden Street car park to the Council of Knox College & Salmond College Inc.

To give approval for the sale of a surplus property (purchased some years ago by the Mission Resource Board) in Station Road, Ranui, Waitakere City, to Te Akoranga Play Centre Assoc Inc.

To approve the application by Te Aka Puaho to purchase the property at Moera, Lower Hutt, for use as a manse.

4 Conclusion

For four years, I have enjoyed the privilege of being the Assembly Executive Secretary. The diverse experiences provided within the role are a constant reminder to me of the diversity of our Church and the range of contexts within which we fulfill our shared mission and ministry.

In almost every way we are changing as a Church. Some of these changes we have little control over, but others provide opportunities to express our faith and hope to each other, our communities and the world about us, in ways that express anew our faith in a God whose very nature is that of Creator.

My overall experience of our Church is one in which I encounter faithful, generous and committed people who have a deep and genuine desire to see our Church play its full part in fulfilling the mission to which we are called by God.

I extend my gratitude to our Assembly staff, committee and Council members and all those who provide such wonderful support and encouragement for our work together.

Rev Martin Baker
Assembly Executive Secretary