

A guide: How to make changes to the Book of Order

The Book of Order Advisory Committee
August 2022



Who is this paper for?

This paper is for members of the Council of Assembly, Assembly Work Groups, Assembly Committees, Presbytery Executive Officers, and others who are bringing forward proposed Church policy changes that may need changes to the Book of Order.

What does this paper do?

This paper outlines the process by which changes to the Book of Order are made, including who must be consulted and when in the process they must be consulted.

Who prepared this paper?

This paper has been written by the Book of Order Advisory Committee.

Note: Some proposed policy changes may not need changes to the Book of Order. The existing provisions may allow the change being proposed. To clarify this please consult the Book of Order Advisory Committee for assistance.

Background: The Book of Order

The Book of Order (BOO), the Subordinate Standards of the Church, the legislation that established the Church and the constitutional agreements into which the Church has entered at times through its history comprise the Church's constitution. As our Church is a Reformed church, "reformed and always in need of reformation", changes to our Book of Order are always possible and often desirable as society and the church evolve and change.

The Book of Order can only be changed at a meeting of the General Assembly

The General Assembly is the only Church body that has the power to change the Book of Order. To make a change, the person or body wishing to propose a change, must follow the relevant Book of Order provisions and the General Assembly Standing Orders. These are appended below.



HOW TO MAKE CHANGES TO THE BOOK OF ORDER

There are limits on the General Assembly's power to make changes. Any change that might be regarded as turning the Presbyterian Church into a church that is not presbyterian needs an act of Parliament.

**All recommendations that ask the General Assembly to take any action must be made by way of a proposal.
(BOO 14.8 (1))**

Proposals to the General Assembly: Three types

There are three types of proposals that the relevant body or person can bring to the General Assembly. They are:

1. A proposal (other proposal, see BOO 14.8): These are proposals that ask the General Assembly to adopt a stance on some current issue or to urge the Assembly to adopt some general policy. An example might be: That the General Assembly support a ban on trout fishing in the Lake Taupo river catchment area. Such a proposal does not require a change to the Book of Order (but there might be some heated debate).
2. A proposal for legislation (also legislative proposal); These are proposals that recommend a change to the Book of Order. This paper is concerned with legislative proposals.
3. A proposal that a subordinate standard be changed.

Two types of legislative proposals

Certain sections of the Book of Order can only be changed under BOO 14.9 called the special legislative procedure. This is a long-established practice of the Church, that ensures that major changes to the Book of Order are considered by one Assembly, sent down to presbyteries and church councils for their consideration and can only be adopted at the following Assembly if a majority of those responding agree. Those sections of the Book of Order that can only be changed in this way are noted at the end of each chapter. (See also BOO 2.7.)

Those sections of the Book of Order not covered by BOO 14.9 can be changed at one sitting of the General Assembly.



Who can bring a proposal to change the Book of Order to the Assembly?

Any person, committee, workgroup, or council of the Church that has a right to bring a proposal or recommendations to the Assembly, can propose changes to the Book of Order (see BOO 14.8 (2) for a full list). However, unlike most other proposals or recommendations, any legislative proposal to the Assembly that recommends changes to the Book of Order must involve the **Book of Order Advisory Committee (BOAC)** at the initial policy stage and at the drafting stage. (See General Assembly Standing Order No 6.)

The Role of the Book of Order Advisory Committee

The BOAC are the ‘guardians’ of the Book of Order, and though any appropriate person or group can propose changes to the Book of Order. The BOAC has the responsibility of overseeing the drafting of any new provisions required to implement any proposed changes. The reason that the BOAC has this responsibility is to ensure that the Book of Order is consistent in its language and style, to enable it to report on how the proposal affects the polity of the Church and to consider the proposal in relation to the essential nature of the Presbyterian Church. The BOAC also checks to see if the proposed changes might impact other sections of the Book of Order, whether the definitions chapter may be affected, or whether a supplementary provision may also require change.

Why involve the Book of Order Advisory Committee in the initial ‘policy discussion’?

When any appropriate church committee or body wants to bring a legislative proposal to the Assembly that proposes major policy changes that will have an impact on the Book of Order, it is important to involve the BOAC early in the discussions.

The committee can help by:

- Assessing how any proposed changes are aligned with Presbyterian polity and providing feedback on this.
- Suggesting ways, the proposer might be able to achieve their purpose, making use of existing Book of Order provisions.
- Assessing the likely areas of the Book of Order that will need redrafting (including any supplementary provisions).
- Providing some initial drafts of provisions for information to the presbytery or workgroup to assist them in their thinking and deliberations.



HOW TO MAKE CHANGES TO THE BOOK OF ORDER

Once the presbytery, committee, or work group has finalised its work, and made the relevant policy decisions that will require changes to the Book of Order provisions, the BOAC becomes responsible for drafting the new or changed provisions. This drafting task is the sole responsibility of the BOAC.

So, when your committee or work group or presbytery begins a body of work that may result in changes to the Book of Order:

- Consult with the BOAC at the policy stage well before your final report,
- Provide the BOAC with general suggestions and areas of the Book of Order that you think your policy may change or impact,
- And then once your group has finished its work leave the BOAC to draft the changes.

The BOAC will:

- Provide advice at the policy stage,
- Draft new or changed provisions, and make sure that you have a chance to review them before they are presented to the General Assembly.





Appendix 1: List of relevant provisions in the Book of Order

- 2.7 Alteration of the Book of Order.
- 8.5 Initiating Proposals to the General Assembly.
- 14.8 Legislative or other proposals.
- 14.9 Special legislative procedure.

Appendix 2: Extracts From General Assembly Standing Orders

Assembly reports

1 All reports of committees, associated bodies and Assembly officials, with any recommendations, shall be sent to the Clerk of Assembly no later than a date nominated by the Clerk (“the closing date”). This date, and all other dates pertaining to matters before the General Assembly, shall be published no later than 31 March. All such reports and recommendations shall be printed and circulated to all those commissioned to attend the Assembly so as to arrive before Assembly opens.

2. Late reports

Late reports may deal only with matters that arise after the closing date. Such late reports are to be in the hands of the Clerk of Assembly no later than the late closing date.

3. Proposals for legislation

Legislative or other proposals under Chapters 8.5 and 14.8 of the Book of Order shall be in the form of certified extracts (signed as such) from the records or minutes of the relevant body with a suitably worded notice of motion and be in the hands of the Clerk of Assembly no later than the closing date. Late proposals for legislation may deal only with matters that arise after the closing date. Such late proposals are to be in the hands of the Clerk of Assembly no later than the late closing date.

6. Advice required for proposed changes to the Book of Order

Any recommendation or any notice of motion requiring a change to the Book of Order shall be referred to the convener of the Book of Order Advisory Committee (or his/her nominee) before it is considered by Assembly and the convener, on request, will be granted reasonable time to consider the proposed changes and report to Assembly before it is debated.

19. Ordering of business

Reports to the Assembly, proposals for legislation, appeals, complaints, references and notices of motion shall be presented as determined by the Assembly Business Work Group. Reports of committees and proposals for legislation, appeals, complaints and references shall normally have precedence over other notices of motion.