



**LUTHERAN  
CHURCH**  
OF AUSTRALIA

**NEW SOUTH WALES DISTRICT**

# **LCA NSW District Constitution and By-Laws**



*Walking together*  
**IN MISSION**

**March 2020**



# **CONSTITUTION AND BY-LAWS**

of the

**LUTHERAN CHURCH OF AUSTRALIA**

**NEW SOUTH WALES DISTRICT**

'By-Laws Part A' to the Constitution of the Districts are basically the same for all Districts for the purpose of uniformity. These regulations can only be changed by action of the whole Church in Convention, subject to the usual safeguards.

'By-Laws Part B' are instituted by a District for its own regulation provided that such By-Laws are not inconsistent with any other regulations of the Church.

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'By-Laws Part B' are instituted by a District for its Own regulation provided that such By-Laws are not inconsistent with any other regulations of the Church.

**CONSTITUTION**  
  
of the  
  
**LUTHERAN CHURCH OF AUSTRALIA**  
  
**NEW SOUTH WALES DISTRICT**

NOTE: Article IX Clause 2 of the Constitution of the Lutheran Church of Australia states:

The Constitution of each District shall be in accordance with the modal constitution for Districts prescribed by the By-laws, subject to such additions or modifications as may be required by the laws of the State or country within which the District is located, or as may be necessary or expedient by reason of local conditions or otherwise, provided that all such additions and modifications shall be approved by the General Synod or the General Church Council.

Note: Section XI. 3. of the By-laws of the Church states:

The Constitution and By-laws Part A of Districts laid down by the Church in pursuance of Article IX. 2. of the Constitution of the Church are By-laws of the Church.

**Interpretation**

In this Constitution and the By-laws made thereunder, unless the context or subject matter otherwise requires:

- a) 'the Church' means the Lutheran Church of Australia Incorporated;
- b) 'church worker' means any person within the District whose name is listed on the Register of Church Workers provided for in the By-laws of the Church;
- c) 'congregation' means a group of persons within the assigned area of the District adhering to the Lutheran Faith who regularly meet for the administration of the Means of Grace and who have constituted themselves as an organised body by the adoption of a constitution;
- d) 'lay member' means any member of a congregation of the District other than a pastor;
- e) 'parish' means a congregation or a group of congregations forming an entity which is served by one or more pastors;
- f) 'pastor' or 'member of the Ministry' means any person ordained to the Holy Ministry according to the rites and practice of the Evangelical Lutheran Church who has been received into the Ministry of the Church according to Article V. 1.;
- g) 'teacher' means any pastor or lay member called or appointed by the District or any of its congregations to serve on the teaching staff of a school or educational institution established and maintained by the District or congregation; and
- h) words importing the singular number shall be deemed to include the plural number.

## I. NAME

The name of the District is: LUTHERAN CHURCH OF AUSTRALIA, NEW SOUTH WALES DISTRICT, hereinafter called "the District".

## II. CONFESSION

The District accepts the Confession of the Lutheran Church of Australia Incorporated, viz:

- a) it accepts without reservation the Holy Scriptures of the Old and New Testaments, as a whole and in all their parts, as the divinely inspired, written, and inerrant Word of God, and as the only infallible source and norm for all matters of faith, doctrine and life.
- b) it acknowledges and accepts as true expositions of the Word of God and as its own confession all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord of 1580, namely, the three Ecumenical Creeds: the Apostles' Creed, the Nicene Creed, and the Athanasian Creed; the Unaltered Augsburg Confession; the Apology of the Augsburg Confession; the Smalcald Articles; the Small Catechism of Luther; the Large Catechism of Luther; and the Formula of Concord.

## III. OBJECTS

The District accepts the Objects of the Lutheran Church of Australia and shall promote them within its assigned area. These Objects are to:

- a) fulfil the mission of the Christian Church in the world by proclaiming the Word of God and administering the Sacraments, in accordance with the Confession of the Church laid down in Article II;
- b) unite in one body Evangelical Lutheran congregations in Australia and New Zealand for the more effective work of the Church;
- c) promote and maintain true Christian unity in the bond of peace;
- d) ensure that preaching, teaching, and practice in the Church are in conformity with the Confession of the Church;
- e) provide pastors and teachers and other church workers for service in the Church and its congregations and for this purpose to establish and maintain institutions for their training;
- f) encourage every congregation to carry out its mission to its local community;
- g) establish, develop and support new congregations where it is not possible for individual congregations to do so;
- h) support and cooperate with selected churches in other lands as they seek to carry out their mission;
- i) dialogue with other Christian church bodies;
- j) establish and maintain schools and other institutions and to foster all other means whereby the members of the congregation receive Christian education;
- k) cultivate uniformity in worship, ecclesiastical practice and customs in accord with the principles laid down in Article X. of the Formula of Concord;

- l) publish, procure, and distribute literature compatible with the Confession and principles of the Church;
- m) minister to human need in the name of Jesus Christ our Lord in the spirit of Christian love and service, and provide institutions and agencies for this purpose; and
- n) take such action as is necessary for the protection of the congregations, pastors, teachers, and other church workers in the performance of their duties and the maintenance of their rights.

#### IV. MEMBERSHIP

1. The membership of the District shall consist of congregations within its assigned area which
  - a) accept and hold the Confession of the Church;
  - b) accept the Constitution and By-laws of the Church and the District;
  - c) submit a Constitution acceptable to the Church and the District; and
  - d) undertake to participate in the work of the Church and the District and to promote their Objects.

Such member congregations shall be recorded in the official Roll of Congregations of the District and shall exercise their membership rights in accordance with the representation requirements outlined in the following Article VII. 2. (a).

2. The District shall consist of the congregations which are members of the Church in the area of the District.
3. Membership in the Church may be terminated by action of the congregation or by action of the Church, as prescribed by the By-laws of the Church.
4. A congregation which terminates its membership, or whose membership is terminated by action of the Church, shall have no claim upon the Church or District or the property or funds of the Church and of the District; but nothing herein contained prevents the Church from giving effect to any decision, award or recommendation made by any Church tribunal in accordance with the By-laws in consequence of any such termination of membership.

#### V. THE MINISTRY

1. The District recognises and upholds the Office of the Ministry as the office divinely instituted for the public administration of the Means of Grace. The members of the Ministry are the pastors of the Church, including the pastors emeriti, resident within the District, whose names are recorded on the Roll of Pastors.
2. A conference of the members of the Ministry, called the Pastors' Conference, shall be held in conjunction with the regular convention of the Synod of the District and at such other times as may be determined by the Synod or the Church Council.

#### VI. AUTHORITY AND POWERS

1. The District consists of congregations voluntarily joined together to establish a wider fellowship in the Faith and to promote and do work which congregations could not undertake and do effectively alone and therefore has power and authority to carry on its Objects as set forth in this Constitution, and to perform such other acts as may be incidental thereto.

2. The District, in accordance with the provisions of the Constitution of the Lutheran Church of Australia and this Constitution, shall have authority and power to make rules and regulations for the administration of its affairs.
3. The District shall have power to delegate the exercise of its authority to such persons and in such manner as it may deem advisable.
4. The District, through the Lutheran Church of Australia New South Wales District, Property Trust, shall have power to acquire, accept, hold, dispose of, lease, let, mortgage or otherwise deal with real and personal property and any estate or interest in real and personal property.
5. The District shall have power to do all such things as the District may think incidental or conducive to the attainment of the Objects of the District or any of them.
6. The jurisdiction of the District over the congregation shall, subject to this Constitution and the By- laws, include the following rights:
  - a) to ensure faithful adherence to the Confession of the Church;
  - b) to apply discipline when departure from the doctrine of the Church is evident;
  - c) to enlist wholehearted cooperation in the program approved by the Church or the District in the fulfilment of its Objects; and
  - d) to take action when persistent disregard of the resolutions of the Church or the District is evident;

but it shall not include power over the purely internal administration of a congregation, or power over the property of a congregation, except to the extent that the District has granted or lent money to such congregation or otherwise holds any interest in the property of such congregation.

## VII. THE SYNOD

1. The power of the District shall be exercised through the Synod, which shall be the highest constitutional authority of the District, with power to direct and control those to whom it has entrusted tasks or has delegated authority.
2. The Synod shall consist of:
  - a) lay delegates of the congregations who are elected by their respective congregations according to the representation prescribed by the By-laws Part B;
  - b) members of the Ministry of the District;
  - c) members of the Church Council;
  - d) headmasters of the Colleges of the District; and
  - e) the Treasurer

who shall comprise the voting members, known as "delegates".
3. Members shall serve as follows;
  - a) The lay delegates of the congregations shall serve from the commencement of the regular convention of the Synod to the commencement of the regular convention of the next Synod, and shall be eligible for re-election or re-appointment.
  - b) The members of the Ministry shall serve for such time as their names are recorded on the Roll of Pastors.
  - c) The members of the Church Council shall serve from the conclusion of the regular convention of the Synod at which they were elected to the conclusion of the regular convention of the next Synod, and shall be eligible for re-election or re-appointment, subject to the limitations hereinafter contained.



4. Casual vacancies may be filled by the body having the right of election or appointment to the position in respect of which the vacancy arises. The person elected or appointed to fill a vacancy shall hold office for the balance of the term of the member whose place needs to be filled.
5. Such other persons as may be prescribed by the By-laws Part B shall be entitled to attend meetings of the Synod as consultants without any right to vote.
6. In the absence of a delegate at a convention of the Synod, the right to vote may be accorded to an alternate appointed in a manner laid down in the By-laws to exercise that right.
7. The length of the synodical term shall be one year or such other period as may from time to time be prescribed by the By-laws Part B.
8. The Synod shall convene and be constituted at the beginning of the synodical term in a regular convention at a time and place determined by the Church Council. Notice of such regular convention shall be given to the members of the District by the Secretary as laid down in the By-laws Part B.
9. A special convention of the Synod
  - a) may be convened by the Bishop with the consent of the Church Council;
  - b) shall be convened by the Bishop at the request of the Church Council.

Notice of a special convention stating its purpose shall be given to the members of the Synod by the Secretary as laid down in the By-laws Part B.
10. When the Synod is not in session, matters of urgency may be referred by the Church Council to the voting members of the Synod for determination in the manner prescribed by the By-laws Part B.
11. Subject to this Constitution and the By-laws, the Synod may determine its own procedure.
12. The Synod may delegate all or any of its powers, authorities and duties to such persons or bodies and in such manner as it may see fit.

## VIII. OFFICERS AND ADMINISTRATION

1. The Officials of the District shall be a Bishop, Assistant Bishop, a Secretary and a Treasurer. They shall be elected for a term of office determined by the District. The Bishop and Assistant Bishop shall be pastors of the Church in the District.
2. The District shall have a Church Council, which shall consist of the Bishop, Assistant Bishop, Secretary and as many other members as it may determine in By-laws Part B. The Church Council shall have authority between the Synods to make decisions within the limits prescribed in the By-laws.
3. The District shall have a Finance Advisory Committee, which shall consist of the Treasurer and as many other members, including at least one pastor, as the District may determine in its By-laws Part B.
4. The District shall appoint as many Standing Committees as it may deem necessary for the carrying out of its Objects. The rights and duties of such Standing Committees shall be as defined in the By-laws.
5. The District may establish as many full-time executive offices for committees of the District as it may deem necessary. The manner of their establishment and of appointment of personnel to such offices and the duties of such personnel shall be described by the By-laws.
6. The District shall appoint such Commissions, tribunals and other bodies and officers as it may deem necessary and shall prescribe their duties.

7. All officials, Boards, Standing Committees, and appointees of the District shall have such rights only as have been expressly conferred upon them by the District, or by this Constitution or the By-laws, and in everything pertaining to their rights and the performance of their duties they are responsible to the Synod, and between conventions of the Synod, to the Church Council.
8. Auxiliaries approved by the Church may establish a branch in the District. Any constitution of a District Auxiliary and amendments thereto shall be subject to the approval of the Synod or Church Council of the District.

## IX. ZONES

1. The District may be divided into Zones, whose territorial boundaries shall be fixed by the District Church Council and may be altered by it.
2. The Church Council shall appoint a pastor as the Zone Counsellor from nominations made by the pastors of the respective Zone.
3. A meeting of the congregations and the pastors in each Zone, called the "Zone Conference", shall be held as determined from time to time by the District or the Zone. Any Zone Conference shall be chaired by the Zone Counsellor or the Zone Counsellor's representative.

## X. DISCIPLINE, ADJUDICATION, AND APPEALS

1. Ecclesiastical discipline shall be exercised in the District:
  - a) by a congregation against any one of its members who evidently departs from the Confession of the Church, or who manifestly leads an ungodly life;
  - b) by those to whom such authority is given in the By-laws against a pastor, teacher, or other church worker if the said pastor, teacher or church worker departs from the Confession of the Church, or is manifestly guilty of ungodly actions or life, or persistently disregards the Constitution, rules and resolutions of the Church;
  - c) by those to whom such authority is given by the Church against a congregation if it departs from the Confession of the Church, or if it refuses to exercise discipline against its members, or pastor or teacher or other church worker, or if it persistently disregards the Constitution, rules and resolution of the Church or of the District.

The manner in which such ecclesiastical discipline shall be instituted, the action to be taken, and the rights of appeal, shall be governed by the Scriptural principles and shall be as laid down in the By-laws of the Church.
2. The District shall have the authority within its area to adjudicate upon matters
  - a) which pertain to the interpretation of its Constitution, rules, or regulations;
  - b) which are in dispute between congregations of the Church and the District or the Church, or between congregations, or between pastors, or between pastors and congregations, or between pastors, teachers or other church workers and standing committees; and
  - c) which are submitted to the District and accepted by it for adjudication.
3. The Church and the District together shall establish a judicial system to deal with discipline and adjudication. The rules governing such judicial system shall be laid down in the By-laws of the Church.

## XI. DISSOLUTION

1. For dissolution initiated by
  - a) the Church: The Church in consultation with the District Church Council and/or its Synod shall outline the reasons and purposes for such a proposal to a General Synod for approval.
  - b) the District: The District through its Synod shall outline the reasons and purposes for its dissolution to the General Church Council. Upon agreement, the General Church Council shall present a proposal and subject to the agreement as required in the Constitution of the Church, article IX. 1, submit the proposal to a General Synod for approval.
2. Any decision for dissolution shall be made according to the following procedure:
  - 1) Notice of a motion to dissolve the District shall be given to the delegates of the General Synod.
  - 2) At least thirty [30] days written notice of a General Synod, specifying the intention to dissolve as a special motion, shall be given to the delegates of the General Synod
  - 3) The motion must be passed at a duly constituted General Synod by a majority of three-quarters of all the registered delegates of the General Synod.
3. In the event of such dissolution, the District shall recommend to General Synod the use or disposal of the assets.

## XII. BY-LAWS

1. The District through its Synod may petition the Church or its General Church Council to amend, alter, add to or repeal any of the By-laws of the District Part A.
2. The District shall have the power at a convention of the Synod to make By-laws Part B not inconsistent with the Constitution and By-laws of the Church, and not inconsistent with these or any amended rules for the regulation of its proceedings and the management of its business and affairs and for giving effect to the rules, and it may amend, alter, add to, or repeal such By-laws from time to time.
3. Where a convention determines, without prior notice on the agenda of a motion to amend, alter, add to or repeal a By-law, to deal with any such matter, the Bishop has absolute discretion to defer consideration thereof and voting thereon until the next day.

## XIII. ALTERATIONS TO THE CONSTITUTION

1. The District, through its Synod, in accordance with the procedure laid down in the By-laws of the Church may petition the Church or its General Church Council, to amend, alter, add to, or repeal any of the rules, except Article II and Article XIII Clause 1, which shall be considered fundamental and unalterable in their intent and meaning.
2. Notice of any motion to amend, alter, add to or repeal any of the rules shall be given on the agenda of the convention, and any such motion shall require a two-thirds majority of all the registered delegates at the Convention, unless the motion relates to an amendment, alteration, addition or repeal already approved or recommended by General Synod or General Church Council of the Church, in which case the petition shall require a majority of those voting.



**BY-LAWS Part A**

To the CONSTITUTION

OF THE LUTHERAN CHURCH OF AUSTRALIA,

NEW SOUTH WALES DISTRICT

**IV. MEMBERSHIP**

**Reception into Membership**

1. A congregation seeking membership in the Church shall make application to the Bishop of the District in which it will hold such membership. Its application shall be accompanied by a duly attested copy of its Constitution in which it
  - a) accepts and holds the Confession of the Church;
  - b) accepts the Constitution and By-laws of the Church and of the District;
  - c) undertakes to participate in the program and work of the Church and of the District;
  - d) agrees that where it cannot reach an amicable settlement on question of ownership or control of any of its property, it shall in keeping with 1 Corinthians 6 make every effort to avoid action in the civil courts by first seriously seeking to settle any differences through the mediation and adjudication of the judicial system of the Church;
  - e) agrees to submit to the Bishop of the District any amendments, alterations, additions, and deletions which it may make from time to time to its constitution for determination by the Church Council of the District that the amended constitution remains in conformity with Article IV, 1. of the Constitution of the Church.
2. Upon receipt of an acceptable application for membership the Bishop of the District with the approval of the Church Council shall admit the congregation into membership in the Church subject to ratification by the Synod. The Bishop shall notify the Secretary of the Church, whereupon the congregation shall be added to the official Roll of Congregations.

**Withdrawal from Membership**

3. A congregation may withdraw from membership in the Church by adopting the following procedure:
  - 1) The resolution of a congregation indicating the desire to withdraw must be adopted at a legally constituted meeting of the congregation by a two-thirds majority of all the voting members of the Congregation, and shall be submitted to the Bishop of the District within fourteen (14) days of adoption.
  - 2) The Bishop of the District or the Bishop's appointed representative shall negotiate with the congregation for at least ninety (90) days after receipt of the resolution.

- 3) After such negotiation the formal and final vote shall be taken at a legally constituted meeting of the congregation, the purpose of which has been published and at which the Bishop of the District or the Bishop's representative shall be present.
- 4) The final motion to withdraw shall require a majority of two-thirds of all the voting members of the Congregation. If it is resolved in the affirmative, a copy of the resolution shall be forwarded to the Bishop of the District, and upon its receipt the membership of the congregation in the Church shall terminate. The Bishop shall forward notice of withdrawal to the Secretary of the Church, who shall publish it in the official publication of the Church.
- 5) In the event of a group of members of the congregation resolving to remain in membership with the Church, the question of any equitable distribution of property rights shall be referred to the judicial system of the Church.

### Preaching Centres

4. The District recognises the existence of groups of persons adhering to the Lutheran Faith who regularly meet for the administration of the Means of Grace but who have not constituted themselves as an organised body by the adoption of a constitution. Such a group of persons has the status of being a preaching centre. The District recognises that a preaching centre has the same spiritual privileges and responsibilities as a congregation, and those who belong to a preaching centre are regarded as persons belonging to the District. However, a preaching centre does not hold membership in the District as defined in Article IV. 1. of the Constitution.

## V. THE MINISTRY

### General

1. The By-laws of the Church regarding the Ministry shall be applicable within the District.

### Pastors' Conference

2. The duties of the Pastors' Conference shall be to:
  - a) give guidance in matters of doctrine and confession;
  - b) foster theological studies by all members of the Ministry;
  - c) stimulate and give guidance to the members of the Ministry in the work of their calling;
  - d) foster fellowship between the members of the Ministry;
  - e) consider matters relating to the well-being of the Church and of the District in particular; and
  - f) make nominations for the position of Bishop and Assistant Bishop.

## VII. THE SYNOD

1. Lay delegates shall be voting members of the congregation.
2. The following shall be entitled to submit matters for discussion at the convention of the Synod of the District:
  - a) any congregation;

- b) any parish;
- c) any Standing Committee, Council, and Commission of the District, provided the matter is within its terms of reference;
- d) the Pastors' Conference;
- e) the Church Council, or its Executive; or
- f) the General Church Council of the Church, or its Executive.

### Nominations and Elections

3. The method of nominating the Bishop and thereafter in their order the Assistant Bishops of the District shall be as follows:
  - 1) All pastors whose names are recorded on the Roll of Pastors of the Church are eligible for the position of Bishop; only pastors of the District are eligible for the position of Assistant Bishop(s) in the District.
  - 2) Separate nominations for the offices of Bishop, First Assistant Bishop, and Second Assistant Bishop, if applicable, shall be made by ballot at the Pastors' Conference held immediately prior to the regular convention of the Synod.
  - 3) The first ballot shall be a ballot to establish a list of candidates for nomination. Before publication of the results of the ballot the committee conducting the election shall privately ascertain from each person whether he is willing to stand for election, and may confidentially make known to any such person the number of nominating votes cast in his favour. The committee thereupon, without divulging the number of votes cast, shall publish to the Pastors' Conference as candidates for nomination only the names of those willing to stand and, with the consent of the persons concerned, the names of persons who were not willing to stand for election.
  - 4) If the withdrawal of proposed candidates involves twenty-five (25) per cent or more of the votes cast by those present and voting, another ballot shall be held to establish the list of candidates for nomination. The names of all persons who were not willing to stand for election shall be made known prior to such ballot.
  - 5) By preferential ballot the list of candidates for nomination shall be reduced until there remain only those who have received at least twenty-five (25) per cent of the total votes cast, and these shall be declared to be the nominees of the Pastors' Conference for the office.
  - 6) Any nominees for the office of Bishop and for the office of First Assistant Bishop, if not elected to such office, shall with their consent automatically be nominees for the office of First Assistant Bishop and of Second Assistant Bishop (if applicable) respectively.
4. The method of electing the Bishop and thereafter in their order the Assistant Bishops of the District shall be as follows:
  - 1) The names of the nominees of the Pastors' Conference shall be submitted to the convention of the Synod at which such elections are to take place, and shall stand as the list of nominees unless the convention determines by resolution after reading of the relevant nominations that additional nomination or nominations may be made. For inclusion on the list each proposed additional nomination shall separately require the majority approval of those delegates present, the vote being taken by show of hands.
  - 2) The provisions of the preceding Section VII. 3.6) shall apply to the nominee whose name was added to the ballot paper by action of the convention.
  - 3) The elections shall be conducted by preferential ballot prior to the reading of nominations for all other elective offices in the District.

## VIII. OFFICERS AND ADMINISTRATION

### 1. The Bishop shall:

1)

- a. serve as the spiritual leader of the District and shall strive to preserve peace and order;
- b. have the general oversight of all congregations, pastors and lay workers in the District, and in fulfilment thereof shall make or arrange for official visits to congregations and parishes;
- c. have the general oversight of all elected or appointed church bodies or auxiliaries of the District and shall have official right to attend the meetings of any committee or auxiliary of the District or of its Executive;
- d. promote the general well-being of the Church in the District;
- e. receive, as the chief administrative officer of the District, direction, guidance and counsel from the Church Council; and
- f. perform such other duties as are Prescribed in the By-laws Part B.

2)

- a. a Bishop-elect shall normally assume office three [3] months after being elected;
- b. before a Bishop-elect assumes office, the outgoing Bishop shall
  - i. continue as Bishop
  - ii. use the intervening period to settle the affairs of the administration; and
  - iii. assist the Bishop-elect to become acquainted with the duties and responsibilities of the office.

### 2. The Assistant Bishop

- a) shall, in the event of the death or resignation of the Bishop, automatically assume the office of Bishop until the next Synod, but shall not terminate parish or other duties unless elected by the Synod;
- b) shall, by direction of the Church Council, assume office as Acting Bishop during the Bishop's sickness, absence or inability to carry out the duties of the Bishop; and
- c) may be requested by the Bishop to act as the Bishop's deputy whenever and wherever deemed necessary.

### 3. The Secretary shall

- a) perform those duties generally incumbent upon such an office, and as prescribed in the By-laws Part B;
- b) inform the Secretary of the Church of any changes in or additions to the Roll of Congregations and the Roll of Pastors.

### 4. The Treasurer shall

- a) perform those duties generally incumbent upon such an office, and as prescribed in the By-laws Part B;
- b) forward to the Treasurer of the Church at such times as shall be determined by the General Finance Council all moneys for the Treasury of the Church;
- c) forward annually to the Treasurer of the Church a financial statement of all receipts and expenditure of the District.



5. The Church Council shall

- a) ensure that the program and policies of the Church are carried out in the District;
- b) require annual reports to be submitted to it by all Standing Committees, commissions, and other appointed bodies, and shall make a careful study of these reports with a view to making recommendations for action by the Synod;
- c) refrain from interfering with the administration of any particular Standing Committee as long as the respective committee is functioning within established policy;
- d) initiate research into any sphere of activity in the District with a view to achieving greater efficiency in the promotion of the Objects of the District;
- e) recommend to the Synod the budget of the District for the current year, including recommended action on the budget of the committees of the District submitted to it through the Finance Advisory Committee;
- f) submit to the Synod a proposed budget for the following synodical period;
- g) recommend to the Synod projects involving provision for major capital expenditure on the basis of the recommendations made to it by the Finance Advisory Committee;
- h) recommend to the Synod a proposed program of projects involving major capital expenditure for the following synodical period or periods;
- i) take action in matters involving expenditure not covered by the budget or provided for by the Synod; and
- j) have power between conventions of the Synod to deal with matters of urgency submitted to it by any of the persons or parties entitled to submit proposals to the Synod, reporting on its actions to the next convention, or to submit any proposal to the voting members of the Synod.

6. The Finance Advisory Committee shall

- a) review the general financial policy, study the relation of the budget and proposals for projects involving the provision of major amounts of capital to the estimated financial resources of the District, and study the ratio of borrowed and gift money as used by the District, and make recommendations accordingly to the Church Council;
- b) examine the financial position of the District during the year, and make any necessary recommendations to the Church Council;
- c) receive from the Standing Committees their proposed current budget and proposed budget for the following synodical period, and make recommendations regarding their adoption to the Church Council;
- d) review proposals of committees for projects involving major capital expenditure and make recommendations to the Church Council regarding their financial feasibility and viability, their priority of importance, and the amount of capital to be granted.

## IX. DISCIPLINE, ADJUDICATION AND APPEALS

1. The By-laws of the Church regarding discipline, adjudication and appeals shall be applicable within the District.



## **BY- LAWS, Part B**

### **LUTHERAN CHURCH OF AUSTRALIA**

#### **NEW SOUTH WALES DISTRICT.**

'By-Laws Part B' are instituted by a District for its own regulation provided that such By-Laws are not inconsistent with any other regulations of the Church.

'By-Laws Part A' to the Constitution of the Districts are basically the same for all Districts for the purpose of uniformity. These regulations can only be changed by action of the whole Church in Convention, subject to the usual safeguards.

The Constitution of the District and its By-Laws Part A can be found in the LCA Constitutional Handbook.

#### **BY- LAWS, Part B OF THE LUTHERAN CHURCH OF AUSTRALIA, NEW SOUTH WALES DISTRICT**

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## 1.0 DISTRICT SYNOD

### 1.1 Convening of Synod

- 1.1.1 As a general rule the regular convention of the District shall be held every two years or at a time arranged by the District and the inviting congregation.
- 1.1.2. Notice of a regular convention shall be published by the Secretary in the official District periodical and the official organ of the Church at least three months before the date specified for the convention.
- 1.1.3. Notice of a special convention shall be published by the Secretary in the official District periodical or the official organ of the Church at least four weeks before the date specified for the special Convention.
- 1.1.4. The Agenda, setting out details of the matters to be dealt with at the regular convention of the District and Reports of Councils, and Standing Committees/Boards, shall be forwarded by the Secretary to all congregations at least three weeks before the date of the holding of the convention. Late proposals in writing and handed to the Secretary before the first business session of convention may be accepted by convention and placed on the Agenda. At its discretion Synod may admit new business during the days of convention.
- 1.1.5. The Agenda for a special Convention shall be forwarded to all Congregations at least one week before the date of that convention. At its discretion, Synod may admit new business during the days of Convention.
- 1.1.6. The bodies not covered by 1.1.4, District representatives and the accredited Auxiliary of the Church within the District shall submit a report of its activities to the regular Convention of the District through the Church Council.

### 1.2 Representation at Convention

- 1.2.1. Each congregation shall be entitled to one delegate for every one hundred communicant members or part thereof but with a maximum of three delegates for any one congregation.
- 1.2.2. Delegates shall be voting members (male or female) of the congregation they represent.
- 1.2.3. Congregations shall forward in writing the names and addresses of their delegates to the Secretary of the District.
- 1.2.4. When an elected lay delegate cannot attend a Convention and the Congregation cannot find a substitute from its midst, the Congregation may appoint an Active Communicant Member of another Congregation (not otherwise a District Delegate) to act as the alternate for its elected lay delegate at such Convention, provided such appointment is approved by the Bishop.
- 1.2.4.(a) If a lay delegate for reasonable cause cannot continue to attend a Convention, he/she may request that an Active Communicant Member (not otherwise a District Delegate) be appointed as his/her alternate by the Bishop for the remainder of the Convention.
- 1.2.4.(b) In each case the lay delegate shall upon the appointment of the alternate cease to be a District Delegate until the conclusion of the Convention.
- 1.2.5. An alternate shall have authority to represent only one (1) lay delegate at any one time.
- 1.2.6. The quorum at convention shall consist of one half plus one of the elected lay delegates, DCC members and members of the Ministry on active call.
- 1.2.7. Members of the Lutheran Church of Australia who are not delegates may take part in discussions at conventions but do not have the right to vote. Other visitors may attend but may speak only with the permission of the Chairman.

### 1.3 Standing Orders for the Transaction of Business

- 1.3.1. The business of convention shall be transacted under the chairmanship of the Bishop or his nominee, or in his absence, under the chairmanship of the Assistant Bishop or his nominee. In the absence of both the Bishop and the Assistant Bishop, Convention shall elect a Chairman.
- 1.3.2. The Chairman shall ensure that a quorum is present for the transacting of business.
- 1.3.3. Any person desiring to speak shall ask for the floor by raising his hand or otherwise indicating to the Chairman his desire to speak, and when called upon to speak he shall stand and address himself to the chair. No interruption to his speech shall be permitted except upon a point of order.
- 1.3.4. No motion or amendment may be discussed or voted on until it has been formally moved and seconded. Formal Proposals arising from reports of Councils and Standing Committees shall be regarded as having been moved and seconded.
- 1.3.5. At the request of the mover and seconder a motion or an amendment may be withdrawn.
- 1.3.6. Only one amendment to a motion shall be before the chair at any one time. After the amendment has been agreed to or rejected another amendment may be moved. Notice of further amendment may be given at any time. If an amendment is carried the amended motion becomes the motion.
- 1.3.7. Proposers of amendments shall, if so requested, present the amendments in writing to the Chairman.
- 1.3.8. Those taking part in the debate on a motion shall, unless the Chairman otherwise allows, speak only once to that question except as is necessary to clear up a misunderstanding or to exercise the right of reply.
- 1.3.9. The mover of the motion has a right of reply, which reply shall close the debate.
- 1.3.10. Seconded amendments are new questions and persons who have spoken to the motion shall be permitted to speak again.
- 1.3.11. The mover of a motion shall be permitted to speak for five minutes; other speaker shall be permitted to speak for three minutes. Convention may grant an extension of time to any speaker.
- 1.3.12. The Chairman shall give ample opportunity for speakers for and against a motion or an amendment to be heard. If there are no speakers against the question it shall be put without the right of reply.
- 1.3.13. Before a vote is taken the motion or amendment shall be read and the Chairman shall if so requested briefly explain the meaning of the motion or the amendment.
- 1.3.14. No motion may be brought forward which is the same in substance as a question which has already been resolved by Convention.
- 1.3.15. A motion to reconsider a matter already decided by Convention may be put to Convention only if it is moved and seconded by persons who voted with the majority when the question was originally put. If the motion to reconsider a matter is carried the previous vote on that question is cancelled and the original motion is again before Convention in the form in which it was put to the vote. A question may be reconsidered only once at the same convention.
- 1.3.16. Decisions be reached by consensus or by vote in the manner decided by the Chairman. If so requested by the mover of the motion or by ten or more persons entitled to vote, a ballot shall be held to determine the question. In the event of a disagreement as to the result of a vote, a recount or a second vote shall be taken.
- 1.3.17. If in the opinion of a person entitled to vote an irregularity occurs, he may immediately, without asking permission from the chair, rise to "a point of order" and shall be heard forthwith. He shall explain the point of order clearly and briefly without introducing new matter. The Chairman shall decide either to uphold or disallow the point raised and shall not allow the matter to be debated.
- 1.3.18. Deference shall be paid to the Chairman's authority and all present shall be seated whenever the Chairman rises to speak, and he shall be heard without interruption except if a point of order is raised.

- 1.3.19. If any objection is taken to any ruling of the Chairman, such objection must be taken at once and motion of dissent, to be submitted in writing, moved, which, if seconded, shall be proposed to Convention and debate thereon shall proceed forthwith.
- 1.3.20. The Chairman may call attention to continued irrelevance or tedious repetition on the part of a speaker, and may direct him to discontinue his speech.
- 1.3.21. If disorder should arise the Chairman may at his discretion announce an adjournment of Convention and leave the chair. Such action on the part of the Chairman shall cause convention to be immediately adjourned for a period of fifteen minutes.
- 1.3.22. The Chairman may speak briefly for the purpose of giving information. However, if he wishes to take an active part in the debate, the Assistant Bishop or a person elected by the Convention shall take the Chair.
- 1.3.23. Unless otherwise stipulated all questions shall be decided by a majority of the votes of those present and voting and for this purpose the Chairman has a deliberative vote. In the event of an equality of votes the Chairman may exercise a casting vote or he may defer the matter for further discussion and a further vote. For clarity, the NSW District Bishop has the casting vote in the case of a tie.
- 1.3.24. A delegate or other person entitled to vote who has not already participated in the debate may at any time, whether another speaker has the floor or not, move, "That the question be now put", which motion, if accepted by the Chairman, shall be put without amendment or debate. The Chairman shall have absolute discretion to accept or refuse the motion. The Chairman may also of his own volition put the question if he feels that adequate discussion has taken place. In either case the mover of the motion retains his right of reply. If an amendment is before the Chair, the closure motion shall apply to that amendment only.
- 1.3.25. A delegate or a person entitled to vote may at any time move "That the speaker be no longer heard" or "That the speaker be heard for a further limited period only". Such motions shall be put without amendment or debate. No other motion, except the closure motion or a motion dealing with the speaker's time shall be moved while a speaker has the floor.
- 1.3.26. A member may move "That the debate (or Convention) be now adjourned". Discussion shall be in order but only amendments as to time and/or place shall be permitted. The motion shall take precedence over other business before the Chair except points of order.
- 1.3.27. Any matters not dealt with in these Standing Orders shall be governed by the customary procedure at meetings.
- 1.3.28. Matters of conscience and of doctrine shall have precedence over other questions and any rules relating to time limits and number of times a person may speak may be suspended by ruling of the Chairman or by a majority decision of Convention.
- 1.3.29. Any of these Standing Orders may, if the need arises, be suspended in respect to any business of Convention provided that two-thirds of those present and voting consent.
- 1.3.30. All proposals on the Agenda shall be placed before Convention for discussion and decision unless withdrawn.
- 1.3.31. Any proposals or questions coming before Convention may be referred to special Committees for study and for report to the Convention by the Church Council prior to sessions or by Convention during sessions.
- 1.3.32. All proceedings shall be entered into a minute book with the exception of unseconded motions or amendments.
- 1.3.33. The District shall not be bound by any statements or plans contained in a report, but only specific resolutions on matters arising from such report and carried by Convention.
- 1.3.34. Convention shall not vote on any of the following proposals until the Finance Advisory Committee has submitted its comments on that proposal to DCC:-
  - 1.3.34.(a) proposals involving an expenditure of funds;
  - 1.3.34.(b) proposals seeking to amend a budget proposed by the Church Council; or
  - 1.3.34.(c) such other proposals in respect of which the Chairman applies this standing order.

#### 1.4 Standing Orders Relating to Finance

- 1.4.1. The treasurers of parishes, congregations, standing Committees and other bodies shall forward to the District all moneys received for or payable to the District or the Church.
- 1.4.2. All standing Committees and other bodies shall submit their annual budgets to the Church Council for review. The Church Council may refer the budget to the Finance Advisory Committee for further review prior to approval.
- 1.4.3. The Finance Advisory Committee may make recommendations regarding amendment of budgetary proposals and shall, if so requested by the body concerned, discuss the recommendations with that body. If agreement cannot be reached between the Finance Advisory Committee and the body concerned the matter shall be referred to the Church Council for decision.
- 1.4.4. All standing Committees and other bodies shall submit their annual financial statements to the Church Council for review.
- 1.4.5. All parishes, congregations, standing Committees and other bodies seeking financial assistance from the District shall first submit the application to the Finance Advisory Committee - forwarding such information as may be required by that committee.
- 1.4.6. A standing Committee or other body of the District shall not incur any financial liability greater than the amount approved by Synod unless it first obtains the approval of the Church Council.
- 1.4.7. The following rules shall apply in respect of formal applications by parishes, congregations, standing Committees, and other Fund of the Church or the District or for financial assistance from the Church or District in respect of the purchase, erection or renovation of property or plant:-
  - 1.4.7. (a) All applications shall be submitted on the approved application form to the Finance Advisory Committee for evaluation and presentation to the Church Council. The Church Council may in its discretion refer any such application to the next regular Convention of the District.
  - 1.4.7. (b) All applications shall be accompanied by estimates of costs, plans and specifications and such other information as will enable the application to be properly considered.
  - 1.4.7. (c) Where applicable, a master plan or long-range plan of the full development of the project is to accompany the application. Estimates of the costs of the various stages of development are also to be submitted.
  - 1.4.7. (d) The applicant shall after such consultation with the Finance Advisory Committee as is necessary submit its plans for the discharge of the financial liabilities incurred in respect of the project.
  - 1.4.7. (e) The applicant shall submit such further information as may be required by the Finance Advisory Committee or the Church Council.
  - 1.4.7. (f) An applicant for a loan or for financial assistance shall not commit itself (other than by way of an option to purchase the property) by contract or otherwise for the expenditure of money until its application has been approved.
- 1.4.8. The title deeds to all property of a parish, congregation, standing Committee or other body shall be held in trust by the NSW District or LCA.
- 1.4.9. Where a loan is made to a parish or to a congregation that parish or congregation shall give an undertaking in writing that any outstanding balance of the loan will be discharged in the event of:
  - 1.4.9. (a) the sale or other disposal of the property in respect of which the loan was made;
  - 1.4.9. (b) the parish or congregation being dissolved; or
  - 1.4.9. (c) the parish or congregation ceasing to be a member of the Lutheran Church of Australia, New South Wales District.
- 1.4.10. Where financial assistance is given by the Church or the District or a loan is granted by a Fund of the Church or District for the purpose of the construction, alteration or renovation of a building



such funds shall be paid only in satisfaction of a firm contract, an accepted quotation or other approved arrangement concluded in accordance with the normal practices of the building trade.

- 1.4.11. All property in respect of which there is a debt owing to the Church or the District or to a Fund of the Church or the District shall be insured so that the financial interests of the creditors and all parties are adequately covered.
- 1.4.12. Where the purchases or acquisition of property or plant is considered by the Church Council to be desirable or necessary but provision for such has not been made in the District Budget, the Church Council may, in consultation with the Finance Advisory Committee, authorise the purchase or acquisition of that property.
- 1.4.13. All capital expenditure for the erection or alteration of plant which would involve an increase in the Budget of the District must have the approval of the District.

## **1.5 Nomination and election of Officials of the District and Members of Standing Committees**

- 1.5.1. Candidates for the positions of Bishop and Assistant Bishop and Church Council additional Pastor shall be nominated by the Pastors' Conference. Candidates for the positions of Regional Pastors shall be nominated by the Pastors' Conference on a recommendation from the Pastors of each respective region. The Pastors' Conference shall submit the lists of candidates to Convention and may, if it thinks fit, submit one name only for each position.
- 1.5.2. Convention shall have the right to determine that additional names be added to the list of candidates submitted by the Pastors' Conference.
- 1.5.3. A name shall not be added to the list of candidates unless a majority of those present and voting agree.
- 1.5.4. The election of the Bishop, Assistant Bishop and Church Council additional Pastor shall be by preferential ballot unless there is only one candidate for a particular position in which case the candidate shall be declared duly elected.
- 1.5.5. Nominations for all other officers, for positions on Standing Councils and other positions shall be made by the Nominations Committee. Convention shall have the right to determine that additional names be added to the list of candidates submitted by the Nominations Committee.
- 1.5.6. The election of officers and members of Standing Committees shall be by preferential ballot if there are more candidates than positions to be filled.

## **1.6 Referendum**

- 1.6.1. The manner in which matters of urgency may be submitted to the voting members of the Synod in accordance with Clause 10 of Part VII of the Constitution of the District shall be: -
  - 1.6.1.(a) the question shall be submitted in a form which requires either an affirmative answer or negative answer;
  - 1.6.1.(b) the date by which voting shall be completed shall be fixed by the Church Council; and
  - 1.6.1.(c) a voting member of the Synod who does not cast their vote by the date fixed for the completion of the vote shall be deemed to have given affirmative answer to the question.
- 1.6.2. A matter which has not received substantial discussion at a previous session of Synod shall not be the subject of a referendum.

## **2.0 OFFICERS AND ADMINISTRATION**

### **2.1 The Bishop**

- 2.1.1. The Bishop shall be elected for two synodical terms and shall be eligible for re-election.

- 2.1.2. In addition to the rights and duties specified in By-laws, Part A, the rights and duties of the Bishop include: -
- 2.1.2.(a) in conjunction with the Secretary - to make the necessary final arrangements for all conventions of the District;
  - 2.1.2.(b) to have oversight at all conventions of the District and at meetings of the Church Council;
  - 2.1.2.(c) to present the Bishop's report to regular conventions of the District;
  - 2.1.2.(d) to see that all resolutions of convention of the District are acted upon;
  - 2.1.2.(e) to represent the District in his official capacity whenever and wherever necessary or to appoint a deputy to do so;
  - 2.1.2.(f) to arrange for the serving of vacant congregations and parishes;
  - 2.1.2.(g) to attend, or to authorise another person to attend on his behalf, meetings of congregations or parishes convened for the purpose of calling a pastor, teacher, etc.;
  - 2.1.2.(h) to submit, or to authorise a Regional Pastor to submit, after consultation with the Church Council where this is possible, recommendations regarding pastors, teachers, etc., to meetings of congregations and parishes convened for the purpose of calling a pastor, teacher, etc.;
  - 2.1.2.(i) in consultation with the congregations or parish concerned to arrange for the installation of pastors into new charges;
  - 2.1.2.(j) to arrange for the ordination of candidates for the Ministry who have been called to serve in the District;
  - 2.1.2.(k) to convene, if necessary, the first meeting of a newly-appointed Committee or for special reasons any meeting of a Committee;
  - 2.1.2.(l) to veto any resolution or action of a Committee or auxiliary which contravenes: -
    - 2.1.2.(l) (i) the Constitution, the By-laws, of the Church or the District,
    - 2.1.2.(l) (ii) resolutions or directions of Synod, or
    - 2.1.2.(l) (iii) the Confessions of the Lutheran Church of Australia.
  - 2.1.2.(m) Such veto shall be exercised not later than seven days after receipt of the minutes recording the resolution by informing in writing the Secretary of the body concerned, which may if it so desires request that the matter be referred to the Church Council.

## **2.2 The Secretary**

- 2.2.1. The secretary shall be elected at each regular Convention of the District and shall be eligible for re-election.
- 2.2.2. In addition to the rights and duties specified in By-laws, Part A, the rights and duties of the Secretary include to: -
- 2.2.2.(a) keep in the respective minute books accurate records of the minutes of: -
    - 2.2.2.(a) (i) the conventions of the District,
    - 2.2.2.(a) (ii) meetings of the Church Council, and
  - 2.2.2.(b) publish in the official District periodical or the official organ of the Church notices of regular and special conventions of the District;
  - 2.2.2.(c) receive and in conjunction with the Bishop to publish 'the Agenda and Reports for conventions and the District;
  - 2.2.2.(d) prepare and publish the Official Report of Convention of the District;
  - 2.2.2.(e) inform the responsible bodies and individuals as soon as possible after conventions of the resolutions affecting them;

- 2.2.2.(f) keep an accurate Roll of Pastors and all full-time servants of the Church and of all Congregations in the District;
- 2.2.2.(g) attend to such other duties as the District may from time to time determine.

### 2.3 The Treasurer

- 2.3.1. The Treasurer shall be elected at each regular convention of the District and shall be eligible for re-election.
- 2.3.2. In addition to the rights and duties specified in By-laws, Part A, the rights and duties of the Treasurer include to: -
  - 2.3.2.(a) oversee the receipt of the moneys collected by or payable to the District and the issuing of receipts for the moneys received;
  - 2.3.2.(b) oversee the payment of all moneys received into the banking account of the District of such banks or other institutions as are approved by the Church Council;
  - 2.3.2.(c) oversee payments as are authorised by the Church Council under the authority of the DCC;
  - 2.3.2 (c) i) Payments to be made by cheque duly countersigned by a person so authorised by the Church Council, or via electronic banking where such payment is more effective; and
  - 2.3.2 (c) ii) All payments including those by electronic banking are to be reported to the Church Council in regular financial statements;
  - 2.3.2.(d) oversee keeping an exact record of all moneys received and expended and other transactions in the form and manner required by the Church Council;
  - 2.3.2.(e) prepare a balance sheet, a statement of income and expenditure and such other financial statements as are required for publication or submission to regular conventions of the District;
  - 2.3.2.(f) report the state of the finances to the Bishop and the Church Council as required;
  - 2.3.2.(g) ensure the books and accounts are submitted to the Auditor for examination whenever required or when so directed by the Church Council;
  - 2.3.2.(h) oversee the placement in safe deposit as directed by the Church Council of all deeds and other important documents committed to their care.
  - 2.3.2.(i) hold 'ex-Officio' status on the Warrambui Management Board.

### 2.4 The Administrator

- 2.4.1. The Church Council may appoint an Administrator whose duties shall be to: -
  - 2.4.1.(a) notify all parishes of financial information including salaries,
  - 2.4.1.(b) notify all parishes of financial responsibility as directed by appropriate Committees;
  - 2.4.1.(c) ensure that all District properties are adequately insured;
  - 2.4.1.(d) act as insurance adviser to parishes;
  - 2.4.1.(e) implement real estate transaction decisions of District;
  - 2.4.1.(f) handle the business of District-owned cars and property;
  - 2.4.1.(g) act as financial consultant to parishes and congregations;
  - 2.4.1.(h) negotiate on behalf of the District concerning the parish subsidies, budget contributions, etc.;
  - 2.4.1.(i) serve as a resource person for the Bishop and District Councils;
  - 2.4.1.(j) liaise with Church, District and Regional authorities in all aspects of mission development;
  - 2.4.1.(k) arrange or conduct such studies, investigations, surveys, etc. as seen necessary or which are assigned to the Administrator by the Church Council.

- 2.4.1 (l) receive the moneys collected by or payable to the District and issue receipts for the moneys received;
- 2.4.1 (m) pay all moneys received into the banking account of the District of such banks or other institutions as are approved by the Treasurer;
- 2.4.1 (n) make such payments as are authorised;
- 2.4.1 (o) keep an exact record of all moneys received and expended and other transactions in the form and manner required by the Church Council;
- 2.4.1 (p) submit books and accounts to the Auditor for examination whenever required or when so directed by the Treasurer;
- 2.4.1 (q) place in safe deposit as directed by the Treasurer all deeds and other important documents;
- 2.4.2 the Administrator shall attend DCC meetings as a consultant.

## 2.5 NSW Statistics & Archives

- 2.5.1 The Council, shall, in the preparation of information for Synod, appoint a statistician to
  - 2.5.1.(a) Review the statistics from the parishes and congregations of the District recorded in Lutheran Church of Australia database, currently Lutherans in Australasia Members Portal (LAMP),
  - 2.5.1.(b) Prompt congregations to ensure currency and completeness;
  - 2.5.1.(c) Compile a summary of congregations for the regular Conventions of the District ;
- 2.5.2 Archives of the District will be collected and preserved in the Lutheran Archives managed by the Lutheran Church of Australia, Adelaide.

## 2.6 Standing Councils and Boards of the District

- 2.6.1 The following shall be the:
  - 2.6.1.(a) Standing Councils/Committees/Boards of the District: -
    - Church Council
    - Council for Lutheran Education VIC, NSW & TAS (CLE)
    - Lutheran Aged Care, Albury (LACA).
    - St. Paul's College Board.
    - Warrambui Board
  - 2.6.1.(b) Convention may abolish Standing Committees or elect other Standing Committees from time to time.
  - 2.6.1.(c) Convention may elect and Church Council may appoint other bodies for specific tasks who also shall follow the below guidelines unless Convention or Church Council determines otherwise.
- 2.6.2. No Standing Committee shall have a majority of its members from the one parish unless Church Council determines otherwise..
- 2.6.3. No person may serve on more than two Standing Committees in the District unless Convention or Church Council determines otherwise.
- 2.6.4. A person who is called by or works at the direction of a Standing Committee is not eligible for election as a member of that Standing Committee unless nominated by the Church Council.
- 2.6.5. All nominees for Convention election shall be members of the Lutheran Church of Australia, New South Wales District unless Church Council determines otherwise
- 2.6.6. Personnel appointed by Church Council shall be members of the Lutheran Church of Australia, New South Wales District unless Church Council determines otherwise.

- 2.6.7. The election or appointment of an officer of the District to a corresponding office in the Church shall render vacant their office in the District.
- 2.6.8. Any office or standing Committee of the District created otherwise than under the Constitution may be abolished by the District in convention or by the Church Council.
- 2.6.9. Members of Standing Committees shall be elected for one Synodical term at each regular Convention of the District.
- 2.6.10. The term of office of all newly elected officers and members of Standing Committees shall, unless otherwise stated, commence at the close of the regular convention at which they were elected.
- 2.6.11. All official books, records and correspondence of the officers and Standing Committees of the District shall remain the property of the District.

## 2.7 Rules Governing Standing Committees

- 2.7.1. Unless otherwise appointed each Standing Committee shall appoint at its first meeting after each regular Convention of the District its Chairman, Secretary, and such other officers and such sub-Committees as it considers to be necessary or desirable.
- 2.7.2. The duties of the chairman of a Standing Committee are: -
  - 2.7.2.(a) to arrange, together with the Secretary, for meetings of the Committee;
  - 2.7.2.(b) to preside at meetings of the Committee;
  - 2.7.2.(c) to ensure that all resolutions of the Committee are acted upon; and
  - 2.7.2.(d) in conjunction with the Secretary
    - 2.7.2.(d).(i) draw up an annual report for approval of the Committee and for presentation to the Church Council and., where applicable, the convention of the District; and
    - 2.7.2.(d).(ii) draw up an agenda for Committee meetings and if possible distribute it to members before the meeting of the Committee.
- 2.7.3. The duties of the Secretary of a Standing Committee are: -
  - 2.7.3.(a) to notify all members of the meetings of the Committee.
  - 2.7.3.(b) to keep a faithful record of the proceedings of the meetings of the Committee;
  - 2.7.3.(c) to receive and, as directed by the Committee, to attend to all correspondence.
  - 2.7.3.(d) to forward to the District Secretary sufficient copies of each meeting of the Committee for distribution to each member of the District Church Council within one month of the date of each meeting.
  - 2.7.3.(e) to see that Church Council receives the annually audited receipts and expenditure statement, balance sheet (if one) and proposed budget.
- 2.7.4. A Standing Committee whose operations are such that it handles substantial sums of money over and above normal travel and communications costs shall appoint a treasurer or, if considered necessary, appoint and employ an administrator or similar executive officer. Such an officer shall:
  - 2.7.4.(a) keep a true record of all moneys received and expended
  - 2.7.4.(b) make such payments as are authorised by the Committee;
  - 2.7.4.(c) furnish statements of receipts and expenditure at each meeting of the Committee
  - 2.7.4.(d) submit an audited income and expenditure statement and, where applicable, a balance sheet to regular conventions of the District
- 2.7.5. In the absence of the chairman of the Standing Committee the Vice-Chairman shall preside but if there is no Vice-Chairman, a Chairman shall be elected for the meeting.
- 2.7.6. One half of the members of a Standing Committee shall constitute a quorum for that Committee.

- 2.7.7. A special meeting of the Standing Committee shall be called by the Chairman within fourteen days of the receipt of a request for such from two members of the Committee.
- 2.7.8. A member of a Standing Committee shall cease to be a member of that Committee if they are absent without good cause from two consecutive meetings of the Committee.

## 2.8 The Church Council

2.8.1. The Church Council shall consist of:-

- (a) The Bishop.
- (b) The Assistant Bishop.
- (c) The Secretary who shall be a lay person.
- (d) The Treasurer who shall be a lay person.
- (e) One Pastor who shall be nominated by the Pastors' Conference.
- (f) Four lay persons who shall be elected by Synod at Convention.

2.8.2. A meeting of the Church Council shall be held within one month of receipt by the Secretary of a request for such a meeting submitted by three members of the Church Council.

2.8.3. In addition to its sphere of responsibility and authority as outlined in By-laws, Part A, the Church Council: -

- 2.8.3.(a) may fill vacancy in any office/position or on any Council, Board or Committee except those requiring nomination by the Pastor's Conference.
  - 2.8.3.(b) may, by notice in writing, remove from office any person holding a District position who in its opinion becomes incapable or un-worthy of their office;
  - 2.8.3.(c) shall, between conventions of the District, receive an incoming Pastor as a Pastor of the District and instruct the Secretary to record his name on the Roll of Pastors;
  - 2.8.3.(d) may give guidance and make recommendations regarding the reorganisation or realignment of parish boundaries or the creation of new parishes;
  - 2.8.3.(e) shall make such arrangements as it sees fit for the payment of relieving Pastors;
  - 2.8.3.(f) shall have authority to deal with all matters coming before it between conventions of the District;
  - 2.8.3.(g) shall have authority to appoint such sub-Committees and commissions as it may consider necessary or desirable.
- 2.8.4 At the request of the Bishop, the Church Council may elect a chairperson by majority vote. Where the vote is tied, the Bishop shall have the casting vote.
- 2.8.4.1 The chairperson shall be under the defined authority of the Bishop and at all times be subordinate to the Bishop.
- 2.8.5 The Bishop, Assistant Bishop, Church Council Chairperson (where elected), Secretary and Treasurer shall constitute the Church Council Executive.
- 2.8.6 The Church Council Executive shall carry out the responsibilities of the Church Council between the regular meetings of the Church Council. Any actions carried out by the Executive shall be reported to the Church Council at its next meeting.
- 2.8.7 The Church Council should aim to attract and maintain an approximate mix of diversity, skills, experience and expertise, with due regard for geographic and gender balance.

## 2.9 Finance Advisory Committee (FAC)

2.9.1. The Finance Advisory Committee shall consist of 6 members, made up as follows:-

- (a) District Treasurer

- (b) District Administrator
- (c) one Pastor appointed by the Church Council
- (d) three laypersons appointed by the Church Council

2.9.2 The Finance Advisory Committee shall act as an advisory committee to Church Council.

## 2.10 Council for Lutheran Education VIC, NSW & TAS

### 2.10.1 Name

The name of the Council shall be the Council for Lutheran Education VIC, NSW & TAS (CLE)

### 2.10.2. Objects

The objects of CLE shall be to:

- 2.10.2.1 Glorify the Triune God as the One who initiates, continues and brings to effect the Church's mission and ministry;
- 2.10.2.2 Affirm the Church as the Triune God's unique, chosen people whom he blesses with his presence and through whom he continues and effects his mission of reconciliation and ministry of new life;
- 2.10.2.3 Promote the mission of the Church in Lutheran schools, colleges, kindergartens and early learning centres (Educational Bodies) of the Church;
- 2.10.2.4 Promote Educational Bodies as agencies of Christian education in the Victorian and New South Wales Districts of the Lutheran Church of Australia (the Districts), and to give guidance in the development and coordination of the educational program of each District in this field;
- 2.10.2.5 Ensure that Educational Bodies owned and operated by the Districts and by congregations of each District meet appropriate legal, financial, educational and operational requirements.

### 2.10.3. Membership

- 2.10.3.1 CLE shall consist of ten (10) persons and include two members appointed by the New South Wales District all of whom shall be communicant members of the Lutheran Church of Australia.
- 2.10.3.2 Membership shall comprise:
  - a. Seven (7) members from the Victoria/Tasmania District, one (1) to be elected by the Victorian District Synod, after recommendation by CLE and a report from the Electoral Committee, and six (6) to be appointed by the Victorian District Church Council, including one (1) principal and one (1) business manager (from different schools) nominated by Schools Assembly to CLE and recommended to Vic/Tas District Church Council;
  - b. Two (2) members from the New South Wales District, to be appointed by the New South Wales District Church Council after consideration of the recommendation of CLE and ratified at the next Convention of this District;
  - c. One (1) pastor, to be nominated by the Bishops of the Victoria/Tasmania and New South Wales Districts and appointed by the Victorian District Church Council;
- 2.10.3.3 The nine (9) member representatives as listed in 2.10.3.2 (a) and 2.10.3.2 (b), (but excluding the nominees of Schools Assembly) shall be selected based on the expertise, skills, and background that they can bring to CLE and shall include a mix, to the extent practicable, of Education, Financial, Legal, Building/Development, Government, General Management or other specialist skills.
- 2.10.3.4 The term of office for all members shall be one Synodical term of two calendar years, commencing on 1st January following the Convention of the Victorian District Synod. Retiring members shall be eligible, where appropriate, for re-election or re-appointment but they would not normally serve for more than ten (10) years unless in exceptional circumstances.

- 2.10.3.4.1 In the year of a General Synod Convention, the term shall commence as soon as practical, but not more than three months after the District Synod. 2.10.3.4.2 CLE shall meet at least bi-monthly and for a minimum of six (6) times per annum
- 2.10.3.5 Consultants to CLE and the Executive, without voting rights, shall include:
- 2.10.3.5.1 The Executive Director, the Business Manager, Assistant Executive Directors and other executive personnel as determined by CLE from time to time
- 2.10.3.5.2 The Bishops of the Victorian/Tasmania and New South Wales Districts
- 2.10.3.6 In the event of a casual vacancy occurring, the respective District shall appoint a replacement to serve for the remainder of the term taking into account any recommendation from CLE.
- 2.10.4. Officers and Appointments
- 2.10.4.1 CLE shall elect a Chairperson at its first full meeting in the year following the Convention of the Victorian District Synod. The chairperson shall be elected for the Synodical term and be eligible for re-election. Should a Pastor hold the office of Chairperson, the position shall fall vacant immediately upon acceptance by that Pastor of a call to another district of the Church. Should the office of Chairperson otherwise fall vacant, CLE shall elect a replacement at its next meeting.
- 2.10.4.2 CLE shall elect a Vice Chairperson and a Secretary at its first full meeting after the Convention of the Victorian District Synod. The persons elected shall serve for the Synodical term and shall be eligible for re-election.
- 2.10.4.3 CLE may elect an Executive Committee that shall, if practical, be representative of both Districts and consist of the Chairperson, Vice-Chairperson, Secretary and at least one (1) other person.
- 2.10.4.4 Board for Lutheran Education Australia representative – CLE shall recommend to Victorian District Church Council, for approval, a representative from within CLE.
- 2.10.4.5 CLE may appoint standing committees, eg Mission and Ministry, Business and Education, as deemed necessary to fulfil its objects. Each committee shall be chaired by a member of CLE and include persons with appropriate skills and expertise for that particular committee's tasks.
- 2.10.4.6 CLE may appoint sub-committees and task forces as necessary to fulfil its objects and where prescribed, nominate appointments for District Church Council consideration.
- 2.10.5. Roles and Responsibilities
- The Roles and Responsibilities shall be:
- 2.10.5.1 The Districts
- The Victoria and New South Wales Districts receive reports from LEVNT concerning the activities of the Educational Bodies within its District and the activity of CLE. Each District may make resolutions concerning the operation of Educational Bodies within its District, having taken advice from its District Church Council and CLE. The Districts delegate responsibility for oversight of educational bodies to CLE.
- 2.10.5.2 The District Church Council
- The District Church Councils operate on behalf of their respective District between regular conventions. It recommends policies to the District and enacts the policies of the District.
- In regard to the relationship between a District Church Council, CLE and the Educational Bodies within the District, the District Church Council:
- 2.10.5.2.1 Executes documents required to be signed under Seal that bind the District to a legally enforceable obligation
- 2.10.5.2.2 Sets borrowing limits for the Educational Bodies on the recommendation of CLE
- 2.10.5.2.3 Victorian District Church Council only will appoint or remove the Executive Director, taking into account any recommendation from CLE



- 2.10.5.2.4 Approves the LEVNT Budget on the recommendation of CLE
- 2.10.5.2.5 Approves new borrowings of Educational Bodies on the recommendation of CLE
- 2.10.5.2.6 Considers recommendations from CLE in relation to the establishment or development or closure of the Educational Bodies
- 2.10.5.2.7 Receives reports from CLE through the Chairperson and/or Executive Director
- 2.10.5.2.8 Delegates to CLE the responsibility to ensure that Educational Bodies owned and operated by the District and by congregations of the District meet appropriate Church, legal, financial, educational and operational requirements
- 2.10.5.2.9 Victorian District Church Council only is responsible for all risk and legal liability for CLE and LEVNT and
- 2.10.5.2.10 Is responsible for all risks and legal liability for the Educational Bodies within its District.

### 2.10.5.3 The Council for Lutheran Education VIC, NSW & TAS (CLE)

CLE operates on behalf of the Districts assisting and ensuring the Educational Bodies are authentically Lutheran, educationally sound and financially viable by:

#### 2.10.5.3.1 Policy Direction and Compliance

- a. Developing and providing guidelines and policies for Educational Bodies in relation to Lutheran education and where appropriate, policies of Lutheran Education Australia
- b. Formulating funding policies for systemic Educational Bodies
- c. Developing strategic initiatives for the region and the secretariat
- d. Consulting with principals, teachers, Educational Body councils, Schools Assembly and any other interested groups in developing recommendations on significant policy changes
- e. Delegating to the Executive Director the responsibility of actioning the policies and decisions of CLE
- f. Concerning itself with all aspects of workplace or industrial relations that are likely to have an impact on Educational Bodies
- g. Making recommendations to the relative District Church Council in relation to the establishment, development or closure of Educational Bodies and applications from Educational Bodies or District grants and Church loans.

#### 2.10.5.3.2 Staffing

- a. Making recommendations to the District Church Councils on the appointment of the Executive Director
- b. Advising Educational Bodies generally
- c. Being indirectly involved with Educational Body councils in the calling of Pastors to Educational Body positions, and, as requested, assisting them in the appointment of the senior staff through the Executive Director.

#### 2.10.5.3.3 Supervision

- a. Directing the work of, and regularly reviewing, the performance of the Executive Director
- b. Approving the Budget of LEVNT
- c. Upholding and safeguarding the confessional teachings of the Church, especially as these relate to the nature, purpose and program of Educational Bodies
- d. Monitoring the financial, risk, compliance and governance performance of the Educational Bodies.

#### 2.10.5.3.4 Partnerships

- a. Promoting the cause of Lutheran education in the Districts, and promoting Educational Bodies as agencies of Christian nurture and outreach
- b. Facilitating co-operative working relationships with other sectors of education at State and Commonwealth levels
- c. Working in close cooperation with the Board for Lutheran Education Australia and other appropriate departments of the Church and Districts
- d. Acting in accordance with the general rules applicable to Departments and Committees of the Districts, and in compliance with rules of the General Church
- e. Consulting with Schools Assembly as provided under Section 5 of the LCAV By-Laws: SECTION IV.T. SCHOOLS ASSEMBLY
- f. Working in close partnership with Educational Bodies.

#### 2.10.5.3.5 Promotions and Communications

- a. Representing and acting on behalf of Educational Bodies in relation to governments, government authorities and political parties and to provide representation on relevant educational institutions or associations
- b. Communicating with stakeholders on all key matters pertinent to their operations.

#### 2.10.5.4 The Executive Director of LEVNT

The Executive Director has delegated authority to operate within the policy directions of the Council and manages day to day operations by:

##### 2.10.5.4.1 Managerial

- a. Managing the LEVNT Office
- b. Overseeing the planning and development of all Educational Bodies
- c. Ensuring appropriate reporting is in place from Educational Bodies
- d. Monitoring the financial affairs of each Educational Body, ensuring that practices and records are being maintained so that such affairs are in good order and audited
- e. Managing aspects of industrial relations in Educational Bodies where requested by a principal or council of an Educational Body
- f. Raising funds for LEVNT by means of annual subscriptions, fees, donations, levies or other means, from or on Educational Bodies in accordance with the approved budget
- g. Implementing decisions and policies of CLE.

##### 2.10.5.4.2 Support and Advice

- a. Providing advice and assistance to the Educational Bodies
- b. Providing support for the principals, Councils and leaders of the Educational Bodies and working collaboratively with them
- c. Providing guidance to Educational Bodies in relation to educational developments
- d. Promoting appropriate professional development for employees at the Educational Bodies
- e. Promoting the interests of LEVNT
- f. Promoting and assisting the Educational Bodies to carry out their common responsibilities as part of LEVNT
- g. Promoting the establishment and conduct of the Educational Bodies at all levels as agencies of Christian Education
- h. Representing and promoting the interests of Educational Bodies in the media and to the community.

#### 2.10.5.4.3 Staffing

- a. Appointing staff for LEVNT within the approved budget of LEVNT
- b. Participating on interview panels for the selection of principals, either personally or through the Executive Director's nominee
- c. Liaising with Lutheran Education Australia with regard to effective personnel planning, and advise Educational Bodies accordingly
- d. Developing and providing guidelines and policies in relation to Lutheran education.

#### 2.10.5.4.4 Partnerships

- a. Facilitating co-operative working relationships with other sectors of education at State and Commonwealth levels
- b. Working in cooperation with other officers of the District, the College of Directors and Lutheran Education Australia.

#### 2.10.5.4.5 Industrial and Compliance

- a. Ensuring that the Educational Bodies are adequately and properly represented in negotiations with employee associations and organisations and in proceedings of relevant industrial courts, commissions and tribunals, either Commonwealth or State, in connection with industrial disputes or industrial matters
- b. Maintaining constitutional authority and use, where desirable, the means provided by Law to enforce compliance with the provisions of any Act of the Commonwealth or any State, or any regulation made thereunder governing or bearing upon industrial matters or industrial disputes or any industrial award, determination or agreement and
- c. Representing and acting on behalf of the Educational Bodies in relation to governments, government authorities and political parties and to provide representation on relevant educational bodies.

#### 2.10.5.4.6 Communications

- a. Representing and acting on behalf of Educational Bodies in relation to governments, government authorities and political parties and providing representation on relevant educational institutions or associations
- b. Communicating with stakeholders on all key matters pertinent to their operations.

### 2.10.6 Appraisal of The Council

The effectiveness of CLE is measured to a large degree by the success of LEVNT and any reviews made of LEVNT, but CLE will regularly examine its processes by external and self-examination.

The Council will undertake an annual review that may be comprised of any of the following:

- Qualitative, quantitative or both;
- Formal or informal;
- Self-administered, administered by the Chairperson or an external consultant; or
- Focused on Council members and involve a wider body of stakeholders

#### 2.10.7 Accounts

The Council shall keep such books of account as are necessary for the proper and efficient functioning of the Council. The books of account shall be and remain the property of the Victorian District. The Council shall be responsible for financial planning, budgeting and reporting. The financial year shall be from 01 Jan. to 31 December.

### 2.11 Lutheran Aged Care, Albury (LACA)

#### 2.11.1. Name

The facilities of Lutheran Aged Care, Albury, shall be managed by the "Lutheran Aged Care, Albury Board of Management.

#### 2.11.2 Board Make Up

The Board shall consist of nine members including one Pastor.

2.11.2. (a) Seven elected by Synod and

2.11.2. (b) two nominated by the Board for Church Council appointment.

#### 2.11.3. Objects

The Board of Management shall:

2.11.3. (a) be responsible to the District for the conduct of the Aged Care Facilities and shall furnish annual reports to the District on its activities;

2.11.3. (b) give attention to the general management and well-being of the Aged Care Facilities, its buildings, staff and residents;

2.11.3. (c) have full jurisdiction over the affairs of the Aged Care Facilities and to that end shall carry on its own financial business furnishing an annual audited financial statement to the Church Council and Convention;

2.11.3. (d) have power to raise its funds by means of functions such as fetes, garden parties, etc., but may not appeal directly to congregations or parishes for funds except as authorised by the Church Council;

2.11.3. (e) have power to carry out necessary capital works or improvements but shall not incur extra liability without the consent of the District Convention or the Church Council;

2.11.3. (f) have authority to deal with, and enter into agreement with, government authorities or any other organisation to facilitate the operations of the Home. Such agreements should not incur additional liability without the consent of District Convention or Church Council

2.11.3. (g) interest itself in the general promotion of the work amongst the aged within the circles of the District, publicising this work in whatever way possible, pointing to needs for this kind of work;

2.11.3. (h) have the right to join any geriatric organisations concerned with such activity provided such membership is approved by the Church Council of the District after study of the Constitution of the geriatric agency;

2.11.3. (i) have the right to draw up any necessary rules for the proper and Christian running of the Home, to change such rules or add to them whenever necessary, and have the power to enforce the rules within the Aged Care Facilities;

2.11.3. (j) carry out its work in cordial cooperation with the Facilities Administrator, Director of Nursing and Supervisor and receive regular reports from them on the Aged Care Facilities, its residents and its current needs;

2.11.3. (k) as necessary, act in co-operation with the Lutheran Community Care of the District.

#### 2.11.4 Rules of Lutheran Aged Care Albury Incorporated

### Name

1. The name of the association shall be Lutheran Aged Care Albury Incorporated (referred to in these rules as "the association").

### Interpretation

2. In these rules, except in so far as the context or subject-matter otherwise indicates or requires:

"Church" means the Lutheran Church of Australia;

"Council" means the Church Council of the Lutheran Church of Australia (New South Wales District);

"District" means the Lutheran Church of Australia (New South Wales District);

"the Act" means the Associations Incorporation Act 1984;

"the Board" means the Board of Management of Lutheran Aged Care Albury;

"the Regulations" means the Associations Incorporation Regulations 1985.

The provisions of the Interpretation Act 1979 apply to these rules in the same manner as those provisions would apply if these rules were an instrument made under the Act.

### Objects

3. The objects of the association shall be:
  - a. To carry on, maintain and conduct the affairs of Lutheran Aged Care Albury on behalf of the Lutheran Church of Australia (New South Wales District).
  - b. To be responsible to the District for the day to day management and operation of the Lutheran Aged Care home and hostel facilities ("Lutheran Aged Care establishments") and community services for aged persons in the Albury region .
  - c. To promote the well-being of the residents and staff of the Lutheran Aged Care establishments.
  - d. To engage in fundraising and promotional activities.
  - e. To establish, acquire, take over, carry on and maintain on behalf of the District all types of public benevolent and public charitable institutions and in particular homes for elderly persons, convalescent homes, hospitals or hostels either gratuitously or otherwise but at all times irrespective of the religious creed of such persons.
  - f. To provide additional services for persons in the Lutheran Aged Care establishments or participating in community aged care programs gratuitously or otherwise in any manner whatsoever:
    - i. religious services, worship and teaching but at all times in conformity with the principles of the Church;
    - ii. medical, dental, surgical, nursing, ambulance and such other attendances and health care facilities as the association in its absolute discretion shall consider desirable;
    - iii. transportation facilities;
    - iv. grants of money, clothing or goods of any description or such other assistance as the association may in its absolute discretion consider desirable;
    - v. educational or recreational facilities;
    - vi. home care services;
    - vii. such other benefits as the association in furtherance of its objects shall in its absolute discretion consider desirable.

### Membership

4. The initial membership of the association shall comprise all members as at the date of incorporation of the Board of Management of Lutheran Aged Care Albury.

5. The association shall consist of nine persons, seven to be elected by the Synod Convention of the Lutheran Church of Australia (New South Wales District). Two persons to be nominated by the Board for appointment by Church Council. One member shall be a pastor of the Church. All members shall hold office for a Synodical term commencing from the conclusion of the Synod Convention of the District at which they are elected until they retire at the conclusion of the next Regular Convention. Retiring members shall be eligible for re-election to the association.
6. A vacancy on the association may be filled by the Council.
7. The association shall have a chairperson, a vice-chairperson and a secretary. These officers shall be appointed annually by the association.
8. The association may appoint sub-Councils for such purposes as it thinks fit, subject to such conditions or limitations as it thinks fit.
9. A person ceases to be a member of the association if the person:
  - a. dies;
  - b. resigns from membership;
  - c. is expelled from the association;
  - d. is not re-elected to membership by the Synod Convention; or
  - e. is absent from three successive association meetings without approval of the association.
10. A right, privilege or obligation which a person has by reason of being a member of the association is not capable of being transferred or transmitted to another person and terminates upon cessation of the person's membership.
11.
  - a. A member of the association is not entitled to resign the membership except in accordance with this rule.
  - b. A member of the association may resign from membership of the association by first giving written notice (being not less than one month or such other period as the association may determine) to the secretary of the member's intention to resign. Upon the expiration of the period of notice, the member ceases to be a member.
  - c. Where a member of the association ceases to be a member, the public officer shall make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

#### Register of Members

12. The public officer of the association shall establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member. Provision for noting the date of cessation of membership shall also be contained in the register.

#### Fees, Subscriptions etc.

13. Members of the association shall not be liable to pay any admission fees or annual membership fees.

#### Members' Liability

14. The members of the association have no liability to contribute toward the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.

#### Disciplining of Members

15.
  - a. A member may be expelled from membership of the association (or otherwise disciplined) if, in the opinion of the association, after affording the member an opportunity of offering an explanation of the member's conduct, that conduct is regarded as being detrimental to the interests of the association.
  - b. A member who wishes to appeal against a decision expelling or otherwise disciplining the member may do so by notifying the secretary in writing that he or she wishes the decision to be reviewed at the next general meeting of the association.

### Disputes Between Members

16.
  - a. In the event of a dispute arising between members (in their capacity as members), or between a member and the association, the following procedure shall apply.
  - b. Each side of the dispute shall nominate a representative who is not directly involved in the dispute. Those representatives shall then attempt to settle the dispute by negotiation.
  - c. Should the nominated representatives be unable to resolve the dispute within 14 days (or such other period as they may agree upon) the dispute shall be referred to a person mutually agreed upon for mediation.
  - d. If the dispute is not resolved by the above procedures it shall be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*.

### Council

17. The association shall be managed directly by its members in accordance with these rules and no separate Council shall be constituted, as the association is a body incorporated solely for the purpose of assuming the management role of the Board of Management of Lutheran Aged Care Albury.

### Powers

18. The association shall, subject to the directions of the District, have the following powers:
  - a. to control and manage the affairs of the association;
  - b. to perform all such acts and do all such things as appear to the association to be necessary or desirable for the proper management of the affairs of Lutheran Aged Care Albury.
  - c. to join any organisation for aged persons, provided such membership is approved by Council.
  - d. to administer the affairs of Lutheran Aged Care Albury on behalf of the District.
  - e. to deal with appropriate government authorities.
  - f. to operate Lutheran Aged Care Albury fundraising and charitable activities, where necessary using the charitable licences and authorities held by the District, upon being authorised by the District to do so.

### Specific Duties

19. The association shall:
  - a. authorise and supervise the payment of the operating costs of the Lutheran Aged Care establishments and community programs in accordance with the budget or budgets approved by the association;
  - b. have power to carry out necessary capital works or improvements as the association sees fit but shall not incur extra liability through borrowing without the consent of the District;
  - c. see to the proper employment of all staff of Lutheran Aged Care Albury;
  - d. make any rules necessary for the proper and Christian running of Lutheran Aged Care establishments, and to change any rules and to enforce those rules;
  - e. investigate and plan the capital requirements of Lutheran Aged Care Albury and submit reports and budgets to the District as required;
  - f. submit to the District annual financial statements and operating budgets as required,
  - g. engage fundraising and promotional activities, provided that there shall be no appeal directly to Church congregations or parishes for funds without the authorisation of the Council;
  - h. promote Lutheran Aged Care Albury facilities and services among the aged within the District, and among the general public;
  - i. provide a report on the activities of Lutheran Aged Care Albury to every Synod Convention of the District;

### Secretary

20. a. The Secretary of the association shall, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- b. It is the duty of the secretary to keep minutes of:
- i. all appointments of office bearers and members of the association;
  - ii. the names of members of the association present at meetings; and
  - iii. all proceedings at association meetings.
- c. Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

### General Meetings

21. a. An annual general meeting of the association shall be held each year within six months from the end of the financial year of the association.
- b. The association may, whenever it thinks fit, convene a general meeting of the association, but generally the association shall meet at least 11 times in each year at intervals of at least three weeks. A general meeting must be convened by the association within three months of receiving a written request to do so from at least three members of the association.
- c. At least 48 hours' notice (or such other period as may be unanimously agreed upon by the members) of all general meetings and notices of motion shall be given to members. In the case of general meetings where a special resolution is to be proposed, notice of the resolution shall be given to members at least 21 days before the meeting.
- d. In the case of the annual general meeting the following business shall be transacted:
- i. confirmation of the minutes of the last annual general meeting and any recent special general meeting;
  - ii. receipt of the association's report upon the activities of the association in the last financial year;
  - iii. election of office bearers and other members of the association
  - iv. receipt and consideration of a statement from the association which is not misleading and gives a true and fair view for the last financial year of the association's income and expenditure, assets and liabilities, mortgages, charges and other securities.
- e. i. The quorum for a general meeting for the day to day running of the association shall be five members in person. If within half-an-hour of the time appointed for a general meeting, a quorum is not present the meeting shall be dissolved.
- ii. The quorum for the Annual General Meeting and a general meeting – where a special resolution is to be proposed (see 21 c.) shall be six members present in person. If within half-an-hour of the time appointed for the commencement of the said meetings a quorum is not present, the meeting shall be dissolved.
- f. Voting at general meetings shall be by a show of hands unless a secret ballot is demanded. Decisions shall be made by a simple majority vote except for those matters which must be decided by special resolution where a three-quarter majority is required.
- g. In the case of an equality of votes the person appointed to chair the general meeting shall have a second or casting vote.
- h. At a meeting of the board, the chairperson or, in the chairperson's absence, the vice-chairperson shall preside. If the chairperson and the vice-chairperson are absent or unwilling to act, such one of the remaining members as may be chosen by the members present at the meeting shall preside.
- i. Nominations of candidates for election as office bearers or other Council members may be made at the annual general meeting or in such other ways as may be determined by the association at a general meeting.
- j. Written notice of all general meetings shall be given to members either personally or by post.



- k. Members who have items of business they wish considered at a general meeting shall give written notice of such business to the secretary. The secretary shall include that business in the next notice calling a general meeting.

#### Special Resolutions

- 22. The following changes can only be effected with the prior consent of the Council and the passing of a special resolution at a general meeting of the association:
  - a. a change of the association's name;
  - b. a change of the association's rules;
  - c. a change of the association's objects;
  - d. an amalgamation with another incorporated association;
  - e. to voluntarily wind up the association and distribute its property; or
  - f. to apply for registration as a company or a co-operative.
- 23. A special resolution shall be passed in the following manner:
  - a. A notice must be sent to all members advising that a general meeting is to be held to consider a special resolution.
  - b. The notice must give details of the proposed special resolution and give at least 21 days' notice of the meeting.
  - c. A quorum must be present at the meeting; and
  - d. At least three-quarters of those present must vote in favour of the resolution.

#### Insurance

- 24. The association shall effect and maintain insurance as is required under the Act, together with any other insurance which may be required by law or regarded as necessary by the association.

#### Funds - Source

- 25.
  - a. The funds of the association shall be derived from donations, bequests, fees or grants and, subject to any resolution passed by the association in general meeting, such other sources as the association determines.
  - b. All money received by the association shall be deposited as soon as practicable and without deduction to the credit of the association's bank account.
  - c. The association shall as soon as practicable after receiving any money, issue an appropriate receipt.

#### Funds - Management

- 26.
  - a. The funds of the association shall be used in pursuance of the objects of the association in such manner as the association determines, subject always to the directions of the Council.
  - b. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be signed by any two persons who are either members or employees of the association as are authorised to do so by the association.

#### Alteration of Objects and Rules

- 27. These rules may be altered, rescinded or added to only by a special resolution of the association.

#### Common seal

- 28.
  - a. The common seal of the association shall be kept in the custody of the public officer.
  - b. The common seal shall not be affixed to any instrument except by the authority of the association and the affixing of the common seal shall be attested by the signatures either of one member of the association and the public officer or two members of the association.

#### Custody of books etc.

29. Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the association.

#### Inspection of books etc.

30. The records, books and other documents of the association shall be open to inspection, free of charge, by a member of the association at any reasonable hour.

#### Service of notices

31. a. For the purposes of these rules, a notice may be served by or on behalf of the association upon any member either personally or by sending it by post to the member at the address shown in the register of members.
- b. Service of documents on the association is effected by serving them on the public officer or by serving them personally on two members of the Council.
- c. Notices sent by post shall be deemed to have been received two days after the date of posting.

#### Surplus property

Pursuant to section 53(2) of the Act, in the event of the winding up or the cancellation of the incorporation of the association, the surplus property of the association is to vest in the Lutheran Church of Australia (New South Wales District) Property Trust

## 2.12 Nominations Committee

- 2.12.1. The Nominations Committee shall consist of two Pastors and three lay persons and shall be appointed prior to each regular Convention by the Church Council.

- 2.12.2. The duties of the Nominations Committee are: -

- (a) to ask for and receive nominations duly signed by the proposer and the nominee from congregations or delegates to convention for all offices and Committees to be filled at convention and Church Council appointments;
- (b) to ensure that sufficient nominations are made to fill all vacancies;
- (c) at its discretion to make additional nominations;
- (d) to prepare all ballot papers; and
- (e) to conduct elections as required at convention.

## 2.13 NSW Regions

(nb: These carry out the function of Zones, listed in the Constitution, Section IX.)

- 2.13.1. There shall be five geographical Regions of the District known as the Coastal North, Coastal South, Canberra, Riverina and North-West Regions respectively with boundaries determined by the Church Council.

- 2.13.2 Pastors within each region shall choose a pastor from the region to be the Regional Pastor.

#### Objects

- 2.13.3. Each Regional Pastor shall: -

- 2.13.3. (a) Promote and strengthen closer fellowship between all congregations in the Region and thus within the District.
- 2.13.3 (b) Promote interest and support for the work of the Church within the District and in the entire Church especially assisting congregations to implement District Convention decisions and give positive recommendations and encouragement in making annual commitments to the District's financial needs.

- 2.13.3 (c) Work with real concern for the development of the Spiritual life of all congregations in the Region.
- 2.13.3 (d) Keep under observation parish boundaries with a view to ensure the most equitable, efficient and economic pastoral ministry in the Region.
- 2.13.3 (e) Alert congregations to the Scriptural injunction to prayer for sufficient church workers and help organise encouragement and assistance those persons motivated to study for full-time church service.

## 2.14 St. Paul's College

### Name

2.14.1. The name of the Company is St. Paul's College Ltd. (hereinafter called "the College")

### Confession

2.14.2. The College accepts the confession of the Church and the District as stated in the Constitution, namely:

- a) it accepts without reservation the Holy Scriptures of the Old and New Testaments, as a whole and in all their parts as the divinely inspired, written, and inerrant Word of God, and as the only infallible source and norm for all matters of faith, doctrine and life.
- b) it acknowledges and accepts as true expositions of the Word of God and as its own confession all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord of 1580, namely, the three Ecumenical Creeds: the Apostles' Creed; the Nicene Creed; and the Athanasian Creed; the Unaltered Augsburg Confession; the Apology of the Augsburg Confession; the Smalcald Articles; the Small Catechism of Luther; the Large Catechism of Luther; and the Formula of Concord.

2.14.3. The College requires that all instructions at and practice of the College shall conform to the doctrinal basis laid down in 2.14.2. hereof.

### Objects

2.14.4. Whereas the Christian home is the primary and fundamental agency of the spiritual nurture of a child; and whereas the Christian School provides an extension of the Christian home. and the most integrated education in that it provides the fullest possible awareness of the truth about the nature of man, his responsibilities and his ultimate destiny. the Church encourages the establishment of Christian schools.

2.14.5 The Objects of the College shall be:

- 2.14.5.(a) to provide the students with an integrated vision and understanding of the whole of creation and all of life under the Lordship of Christ.
- 2.14.5.(b) to provide an education which will prepare each student for a satisfying life in society through the proper development of his God-given talents and transmission of the best in our culture which will cater for his spiritual, intellectual, social and physical needs;
- 2.14.5.(c) to confront each child with the Gospel of Jesus Christ to the end that through the work of the Holy Spirit he who does not know Christ as his Lord and Savior may come to faith in him;
- 2.14.5.(d) to nurture the faith of each child in the Triune God through the Means of Grace administered in the local congregation and to increase the knowledge and deepen the understanding of the Christian faith through a regular program of religious studies based on the word of God;
- 2.14.5.(e) to build up a Christian Community which worships regularly, in which Christians discover and learn to use their spiritual gifts to minister to one another and in which the individual worth of each child as an actual or potential child of God is recognised;
- 2.14.5.(f) to foster potential leadership for the Church through congregational involvement and in particular through encouraging students to give thoughtful and prayerful consideration to taking up vocations within the Church;

- 2.14.5.(g) to build in its students an awareness of their responsibilities to God His Church and their fellowman and to the end that they may seek to serve God, the Church and society in their respective vocations.

#### Relation To The Church and District

2.14.6 The College shall be operated as a benevolent institution and not for monetary gain or profit to the Church or District or to any of its members.

2.14.7 Subject to the power of management vested in the Board, the College shall be open to persons without discrimination to class, race or belief.

#### 2.14.8. St. Paul's Board Constitution

Constitution of The St. Paul's College Board operating as LCA NSW District St Paul's College Association, Registered No. Y07553-20.

##### 1. Statement of Authority

- (a) The St Paul's College Board, hereafter called the 'Board' , shall administer the affairs of St Paul's College, Walla Walla, NSW, on behalf of the Lutheran Church of Australia, NSW District, hereafter called the 'District'.
- (b) The 'approved authority' for St Paul's College is the LCA NSW District St Paul's College Association, Registered No. Y07553-20.
- (c) The Board delegates to the Principal the authority to sign all documentation requiring the authorisation of the 'approved authority'.

##### 2. Organisation

- (a) The Board of Directors shall consist of not more than nine Members and include no more than two pastors of the Church. The members are appointed by LEVNT and ratified by the District. Non-Lutheran members may be appointed provided such appointments are made in accordance with the provisions of relative policies of the Church.
  - (1) All members shall be appointed to serve for one synodical term.
  - (2) The Principal and the Business Manager shall be consultants to the Board and attend meetings,
  - (3) The following may be consultants to the Board as mutually agreed between the Board and the Consultant:
    - a. a College Pastor called by the College
    - b. any other person as requested by the Board from time to time
- (b) The District Church Council may fill any vacancy on the Board that may occur between regular conventions of the District.
- (c) The Board shall elect the following officers from its own membership. The Directors who are members of the Church only are eligible for nomination to these Offices.
  - (1) Chairperson
  - (2) Vice Chairperson
  - (3) Chairperson of each Standing Committee and a Secretary, who will be appointed by the members of the Board at its first meeting after each regular Convention of the NSW District.
- (d) The Business Manager of the College shall be the Secretary of the Company.
- (e) The Chairperson will be responsible for the conducting of all meetings and for the appropriate recording of such meetings and the distribution of appropriate information.
- (f) Matters requiring a decision at any meeting of the Board shall be determined by a majority of votes of those present, and in the case of an equality of votes the motion shall be lost.

- (g) The quorum required for the transaction of business at any Board meeting shall be fifty percent plus one (50% + 1) of the Directors. In the case where there is an odd number of Directors, the number for the quorum shall be rounded down.
- (h) The Board shall appoint such sub-Councils for specific purposes, as it deems appropriate.
- (i) Each member of the Board is indemnified against any form of legal action under the rules of incorporation.

### 3. Specific Duties

The Board shall:

- (a) Authorise and supervise the payment of the operating costs of the College from within the budget as approved by the Board and ratified by the District Church Council.
- (b) Have power to carry out necessary capital works or improvements financed from the budget, but shall not incur additional liability without the consent of the District Church Council.
- (c) See to the proper employment of all staff required for the effective and lawful operation of the College, taking cognizance of Church directives, government, both State and Commonwealth, legislation and all other appropriate bodies within State and Commonwealth domains.
- (d) Investigate and plan the capital requirements of the school and submit reports and associated budgets as required.
- (e) Submit an annual financial statement and operating budget to the District Church Council
- (f) Promote St Paul's College amongst the membership of the NSW District and the wider community.
- (g) Report on the activities of the Board and the College to the annual Convention of the NSW District.

### 4. Appointment of Staff

- (a) Working in collaboration with the District Church Council and the Director for Lutheran Education (or representative), the Board shall appoint the Principal of the College.
- (b) Working in collaboration with the District Church Council and the Director for Lutheran Education (or representative), and in consultation with the District Bishop, the Board shall appoint the College Pastor.
- (c) The Board shall appoint a Business Manager.
- (d) The Board shall, after consultation with the District Bishop and with the prior approval of District Church Council, and after due process has been carried out, have the right to terminate the contract of the Principal, or the appointment of the College Pastor.
- (e) The Board delegates authority to the principal to appoint all remaining staff required for the efficient and effective operation of the College.

### 5. Delegation to the Principal

The management of the College shall be delegated to the Principal when the Board is not in meeting.

## 2.15 Warrambui Board

Name

2.15.1 The facility shall be known as the Warrambui Retreat and Conference Centre

#### Management

2.15.2. The Warrambui Board shall administer the affairs of Warrambui Retreat and Conference Centre on behalf of the New South Wales District.

2.15.3 The Warrambui Board shall consist of 11 members. 9 members shall be elected by the regular convention of the District, one being a pastor. Church Council appoints the Committee Treasurer and a Church Council representative.

2.15.4. A casual vacancy on the Warrambui Board shall be filled by the Church Council after consultation with the Warrambui Board.

2.15.5. The Warrambui Board shall elect a Chairman, Vice-Chairman and Secretary from among their own members. The Chairman, Vice-Chairman, Secretary and Treasurer shall constitute the Warrambui Executive.

2.15.6 Seven members shall constitute a quorum of the Warrambui Board.

2.15.7. The Warrambui Board shall meet at least 4 times annually.

2.15.8 The Centre Director will be a consultant to the Warrambui Board and will attend meetings as required.

2.15.9. The Warrambui Board may use other consultants from time to time.

2.15.12 The Warrambui Board may appoint committees for such purposes as it thinks fit.

#### Duties

2.15.13 The Warrambui Board shall:

2.15.13.(a). be responsible to the District for the conduct and operation of the Warrambui Retreat and Conference Centre.

2.15.13.(b). be responsible for the employment, termination and welfare of any staff required for the centre's operations.

2.15.13.(c). be responsible for maintenance, improvement and capital works at the Centre as long as it does not incur any additional liability without the consent of the Church Council.

2.15.13.(d). be responsible for the promotion of the Centre as a facility of the Church, within the District, and amongst other groups likely to make wholesome use of it.

2.15.13.(e). be responsible for the servicing of any capital debts incurred in the Centre's establishment and improvement.

2.15.13.(f). provide to Church Council an audited annual financial statement including a statement of any current liabilities.

2.15.13.(g). provide reports and financial statements for District Convention.

2.15.14 The Executive shall carry out the responsibilities of the Warrambui Board between the regular meetings of the Warrambui Board. Any actions carried out by the Executive shall be reported to the Warrambui Board at its next meeting.

### 2.16 Pastoral Care Team

2.16.1 The Pastoral Care Team shall consist of:-

(a) The Bishop.

(b) The Assistant Bishop and the Regional Pastors.

2.16.2 A meeting of the Pastoral Care Team shall be held at least 4 times per year.

2.16.3 A quorum shall be at least four (4) attendees.

## 3.0 CONGREGATIONS AND PREACHING CENTRES

3.1. Opening

3.1.1. No Pastor or congregation shall open a preaching centre without prior consultation with the appropriate Regional Pastor and with the District Church Council via the Bishop.

3.2. Closing

3.2.1 No preaching centre or congregation shall be closed without prior consultation within the appropriate Regional Pastor and with the District Church Council via the District Bishop.

#### 4.0 AUXILIARIES OF THE DISTRICT

4.1. Synod

4.1.1. recognises the role of Auxiliaries in the District: currently Lutheran Women of New South Wales.

4.1.2 encourages members to organise, affiliate and promote the special Christian objects of Auxiliaries within the Church and its congregations;

4.1.3. empowers Auxiliaries to form their own District Executive Councils, with the addition of a Spiritual Adviser(s) to be appointed by the Church Council

4.1.4. permits them to pursue and promote their own special objects within the District, provided that they are not contrary to the Constitution and By-Laws of the Church and District;

4.1.5. requests that a report be submitted to Church Council prior to the regular Convention of the District for presentation to Synod.

#### 5.0 NEW SOUTH WALES DISTRICT PROPERTY TRUST

5.1. Synod shall maintain, subject to Act No. 101, 1982 of New South Wales, a corporation under the name of "Lutheran Church of Australia (New South Wales District) Property Trust" in order to legally hold its own property and any property entrusted to it by the congregations, parishes or other organisations of the District. In Act No. 101, 1982 of New South Wales, where "President" is read instead read "Bishop".

5.2. The Trust shall consist of five (5) members, of whom -

5.2.1. two (2) shall be appointed by the Church Council from among its members; and

5.2.2. three (3) shall be members of the Lutheran Church of Australia elected by the Synod who may be, but shall not necessarily be, members of the Church Council

5.3. The Synod shall elect and Church Council appoint members of the Trust at each regular convention.

5.4. The members of the Trust appointed pursuant to subsection 5.3 above:

5.4.1. shall take office as members of the Trust immediately after the end of that convention;

5.4.2. shall hold office as members of the Trust until the end of the next succeeding regular convention of the Synod; and

5.4.3. if otherwise qualified, shall be eligible for reappointment as members of the Trust.

Lutheran Church of Australia  
**NEW SOUTH WALES DISTRICT**  
**Constitution: *Summary of Changes***

**2015 *Summary of the changes made to align NSW Constitution with latest LCA model Constitution of the Districts***

Items added to align with the model Constitution:

- additional note re: Constitutions and By-laws Part A of Districts are By-laws of the Church
- a section entitled Interpretation (a glossary)
- Article III. Objects – item f) “establish, develop, and support missions at home and abroad” has been expanded into 4 specific points
- Article VII. The Synod – point 6. has been added regarding alternate delegates to Synod, with corresponding additions to By-laws Part B, section 1.2
- Article XI. Dissolution (of a District)

Items changed to align with the model Constitution:

- References to President and Vice President changed to Bishop and Assistant Bishop
- Article X. Discipline, Adjudication, and Appeals – 1. b) and 2. b) changed to refer to “other church workers” instead of officer of the Church or servants of the District
- Article X. Discipline, Adjudication, and Appeals – 1. b) third point wording revised

Items changed to align with NSW By-laws Part B:

- Article VIII. Officers and Administration – 3. “Finance Council” changed to “Finance Advisory Committee”
- Article IX.1. Amended, for clarity, to read zone “boundaries shall be fixed by the District Church Council”

**By-Laws, Part A: *Summary of Changes***

**2015 *Summary of the changes made to align NSW By-laws Part A with latest LCA model By-laws Part A of the Districts***

Following the example of the LCA model - references to President and Vice President have been changed to Bishop and Assistant Bishop; references to Bishop as “he” have been re-worded; references to the Lutheran Church of Australia have been changed to “the Church”; the format has been tidied such that a single word is added to leading sentences, rather than being repeated for each item.

Specific items which have been changed from our existing By-laws Part A are:

- Section IV. Membership (of congregations) - point 1. (d) we are adopting the LCA model.
- Section IV. Membership – Withdrawal from Membership – point 3. 4) we are adopting the LCA model.
- Section V. The Ministry 2. (duties of Pastors’ Conference) - item (f) has been added as per the LCA model:  
(f) make nominations for the position of Bishop and Assistant Bishop.



- Section VII. 3.1 changed to indicate that only pastors of the District are eligible for the position of Assistant Bishop.
- Section VIII. Officers and Administration 1. The Bishop – existing items a) thru f) become (1) a) thru f) and (2) has been added regarding transition to a new Bishop:
  - (2) (a) a Bishop-elect shall normally assume office three [3] months after being elected;
  - (b) before a Bishop-elect assumes office, the outgoing Bishop shall
    - (i) continue as Bishop;
    - (ii) use the intervening period to settle the affairs of the administration;
  - and
  - (iii) assist the Bishop-elect to become acquainted with the duties and responsibilities of the office.
- Section VIII. Officers and Administration 6. The Finance Council has been re-named to “The Finance Advisory Committee”, to align with our By-laws Part B
- In the same section: item d) has been re-worded as noted below, to align with the LCA model:
  - d) shall review proposals of committees for projects involving major capital expenditure and make recommendations to the Church Council regarding their financial feasibility and viability, their priority of importance, and the amount of capital to be granted;
- Section IX. Discipline, Adjudication and Appeals has been added, as in the LCA model

## **By-Laws, Part B: *Summary of Changes***

**1992** 5/92 Edition: Prepared and printed by Mr Sydney Bartsch

**2002** 5/92 Edition updated with Synodical amendments from 1993 to 2001

2001 Synodical Convention directed the secretary to update the By-Laws Part B for Synodical endorsement at next Convention (Resolution 01-23)

Included in this document:

- Constitutions of various District groups
- Mission Statements of various district groups
- Other Statements of various District groups

Update printed in the Report Book for the 2003 Synodical Convention.

**2003** (1/3/2003) Amendments:

- to 2.14 (St Paul's College) name and Board size
- Additional DCC member nominated by LW NSW

2003 Synodical Convention adopted the tabled By-Law, Part B as the working basis for the District

**2004** (9/8/2004) Insert:

Palvelupiste DCC approved 09/02/93

**2009** (8/11/2009) 4/2009 Edition updated with Synodical amendments from 2007-2009

By Dianne Bergen, NSW DCC Secretary. Changes reflect the changed operating model the NSW District including:

- Establishment of a DCC Executive as a delegated subgroup of DCC
- Finance Advisory Council acting as consulting group to DCC
- The role and responsibilities of Regional Pastors in NSW District
- Increased use of electronic banking for payments and receipt of funds
- Use of LCA national database, LAMP, for statistical information
- Cessation of Committee for Mission, Lutheran Community Care of NSW, Regional committees and Turning Point Ministries.
- Renaming of Warrambui Management Committee to Warrambui Board
- Revised CLESER by-laws.

**2015** updated for approval at Synodical Convention March 2015.

To align with changes made to the LCA model Constitution and By-laws Part A:

- references to President and Vice President have been changed to Bishop and Assistant Bishop
- the format has been tidied such that a single word is added to leading sentences, rather than being repeated for each item

Specific items which have been changed from our existing By-laws Part B are:

- Section 1.2 Representation at Convention – additional points added following 1.2.3 to provide for alternate delegates, as per LCA model Constitution, Article VII, 6.
- Section 1.3 Standing Orders for the Transaction of Business – in 1.3.34 we have clarified the point that the Finance Advisory Committee submits its comments to DCC before certain proposals may be voted on at Convention
- Section 2.4 The Administrator – point 2.4.2 deleted, to separate the roles of Administrator and Treasurer, as passed by DCC at their meeting on 7 Nov. 2014
- Section 2.6 Standing Councils and Boards of the District – point 2.6.4 deleted, removing age restriction for members, as passed by DCC at their meeting on 6 Feb. 2015
- Section 2.9.1 noting the separation of the roles of Treasurer and Administrator, including both on the Finance Advisory Committee increases membership to 6.
- Section 2.10 Council for Lutheran Education, South Eastern Region – name change to Lutheran Education VIC, NSW & TAS (LEVNT) and revised terms of reference.
- Section 2.10.5, formerly “Duties”, has been completely re-written as “Roles and Responsibilities”.
- Section 2.13 Numbering corrected
- Section 2.14 Governance of St. Paul’s College, Walla Walla – to align with the Constitution of the College
- Section 5.0 Property Trust – to incorporate change of title from President to Bishop

**2017** Sections 1.5, 2.8, and 2.13 changed to reflect new DCC governance structure.

**2020** Sections 1.2.6 changed to clarify quorum for Synod. (District Synod March 2020)