



**LUTHERAN
CHURCH**
OF AUSTRALIA

LCA/NZ Constitution Review (Phase 1)

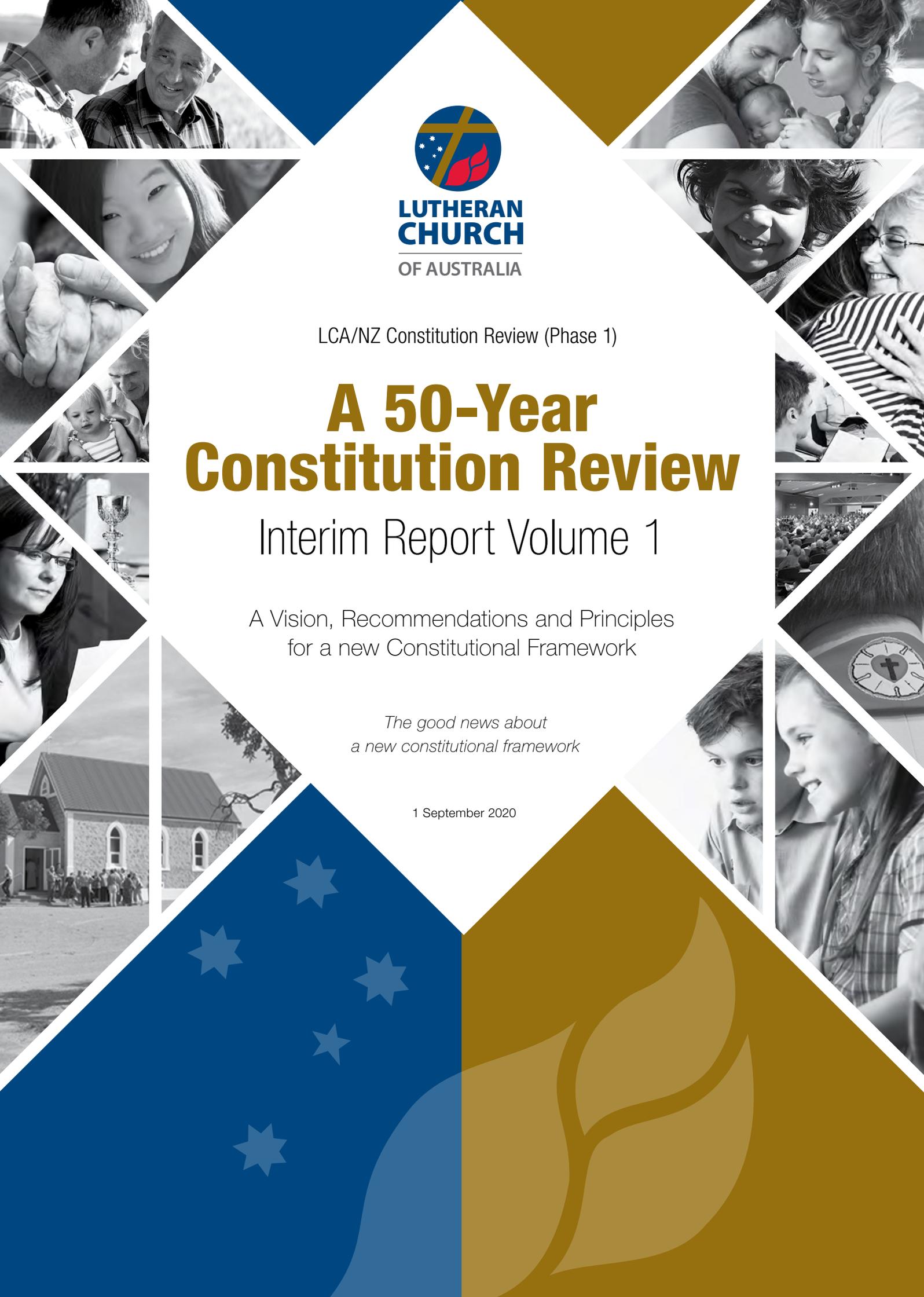
A 50-Year Constitution Review

Interim Report Volume 1

A Vision, Recommendations and Principles
for a new Constitutional Framework

*The good news about
a new constitutional framework*

1 September 2020





Romans 15:5-6

May the God who gives endurance and encouragement give you the same attitude of mind toward each other that Christ Jesus had, so that with one mind and one voice you may glorify the God and Father of our Lord Jesus Christ.

This is **Volume 1** of an interim report developed after listening to, reading submissions from or engaging directly with, interested church members.

This report is based on the review's terms of reference and on what church members have submitted to the review over the past six months.

Accordingly this report does not represent any official position of the church.

There is also a **Volume 2** that provides more detail about what church members have said so far in this review.

The review is about to enter a three-month period of further consultation with church members – this time via District offices and the Churchwide office.

Please consider participating in discussions to be held in each District and at the Churchwide level. Contact your District or the Churchwide office for more details.

In your service,

Les Stahl
Lead Facilitator

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Let us begin in reflection and prayer

Before we read further, let us stop and pray together, reflecting on our holy mission, our place in the world and our time in history.

Without vision the people perish

~ Proverbs 29:18 – Without the word of God, people go their own way

You must love the Lord your God with all your heart, all your soul, and all your mind. This is the first and greatest commandment. A second is equally important: Love your neighbour as yourself. The entire law and all the demands of the prophets are based on these two commandments.

~ Jesus Christ, Matthew 22:36-40 – Love God and your neighbour

I've got so much work to do today, I'd better spend two hours in prayer instead of one.

I know not the way God leads me, but well do I know my Guide.

Everything that is done in the world is done by hope.

~ reported quotes of Martin Luther

Traveler, there are no paths. Paths are made by walking.

Keep your eyes on the sun, and you will not see the shadows.

~ reported Australian Indigenous proverbs

Ki te kahore he whakakitenga ka ngaro te iwi/Without foresight or vision the people will be lost

(to show the urgency of unification and strong leadership)

He waka eke noa/A canoe which we are all in with no exception

(We are all in this together)

Naku te rourou nau te rourou ka ora ai te iwi/With your basket and my basket the people will live

(referring to cooperation and the combination of resources to get ahead)

~ reported Māori proverbs

Amen.

Let us continue in reflection . . . about our world, our countries and our church

The following is an excerpt from just one contribution to this review:

Australian Lutheran World Service (ALWS) is proud of its mandate from the LCA to serve as the overseas humanitarian aid and development agency of the church, translating the spirit of Christian love and faith of the church into effective services with and for those most in need.

Today ALWS is facing unprecedented calls upon its limited resources – with the global COVID pandemic, the world’s refugee population now exceeding 70 million, the number of displaced more than 40 million, and global inequality reaching new heights.

We recognise that many other Lutheran agencies and ministries face similar challenges posed by a declining Lutheran membership, rising operational costs, competition for resources and ever-increasing compliance and accountability demands.

Accordingly, for our future, to remain the LCA’s trusted channel for overseas aid and development action we need to

- sharpen our focus
- respond to a rapidly changing world
- leverage the partnerships and resources we have for deeper impact and change in people’s lives
- work smarter, more effectively and efficiently
- grow and sustain the gifts we have been given, and
- nurture the talents we have been blessed with.

As ALWS is in a very real sense the church in ‘active mission’, is there a way for ALWS to have a more central place within the life of the church, and not just get our mandate from the second-last object (Object (m)) in the church’s constitution? We hope that the new LCA constitution will highlight this fundamental diaconal commitment, with a focus on serving the poorest and most marginalised.

ALWS seeks to work even more closely with other arms of the church, leveraging our collective strengths and resources, to achieve this shared commitment to bringing love to life in Australia and around the globe.

Amen.



And the context of this report . . .

**‘We are preparing ourselves to update our Churchwide constitution.
Our church has commenced a half-century review of its constitution ...’**

These were the opening words of Bishop John Henderson in review communiqué No.1 on 13 December 2019.

A year and a half earlier the LCA Standing Committee on Constitutions (SCOC) had been actively continuing its watching brief in ensuring constitutional quality. In a paper in October 2018 it asked the church: ‘How does the Lutheran Church of Australia reconstitute itself today to reflect regulatory and governance requirements while enabling focus of activities to align with the mission and ministry objects of the church?’

General Church Board acted on SCOC’s advice to research this matter further. Hence this Phase 1 review.

During the consultations this year Bishop John said, referring to the ongoing journey of church, ‘in one sense our church is always “becoming” and never “is”’.

And what does Bishop John say in August 2020 after six months of consultations?
‘As a church, let’s look forward with 2020 vision.’

Let us pray . . .

Heavenly Father, we ask your Spirit of healing and peace to be with those suffering pain and misery at this time, wherever they may be – and faith and courage to those persons ministering to them.

Heavenly Father, in whom we live and have our being, so rule and guide us by your Holy Spirit that we are always walking in your sight and ministering to others in your name, through your Son, Jesus Christ our Lord.

Amen.

A summary of key points in this interim report

This review confirms earlier investigations by the LCA Standing Committee on Constitutions and what it suspected two years ago – that the existing constitutional document requires reconstituting, a reordering – in short, a re-formation.

So let's all journey together into a constitutional future by first leaning from our past.

Review findings indicate we should not try to cram our spiritual basis and our key regulations, policies and procedures etc into a single legal document that primarily exists for a legal purpose.

Instead, let's first have an easy-to-understand and inspiring **CHURCH CHARTER** as our flagship public document of our Australian and New Zealand church. Such a charter would begin by proclaiming Christ as Lord and Head of the Church, highlighting Holy Scriptures and the Lutheran Confessions. It would then describe who we are, why we come together, our missional objectives and how we work together to share the good news of the gospel.

As an evangelical Lutheran church we would continue to have a missional out-look, not just maintain institutional in-sight. We continue to support congregations and specialist ministries.

Secondly, we would sensibly order all the current administrative regulations (by-laws), policies and procedures, terms of reference and statements of duties into a separate churchwide electronic '**BOOK OF RULES**'.

Thirdly, we would have a **CONCISE LEGAL DOCUMENT** (a constitution) to provide us with a legal structure as well as being a document for those members of the church who need to access the legal clauses of the church.

Church members have also suggested that, over time, we order all the theological and doctrinal statements that General Synod has adopted, in a user-friendly way, into an easy to access churchwide electronic '**BOOK OF BELIEFS**'.

We would of course continue to keep safely all our church archives and historical documents including the Documents of Union, all Books of Reports etc.

The many different bodies that together make up our church would continue to keep their differing legal structures and continue to manage their own localised policies and procedures.

On this journey of improving the constitutional framework of the church we would ensure that all our processes meet modern standards of good stewardship, including those of good governance. As it said in the preamble to the then new LCA Constitution in 1966, '... we adopt this Constitution to govern our activity ...'.

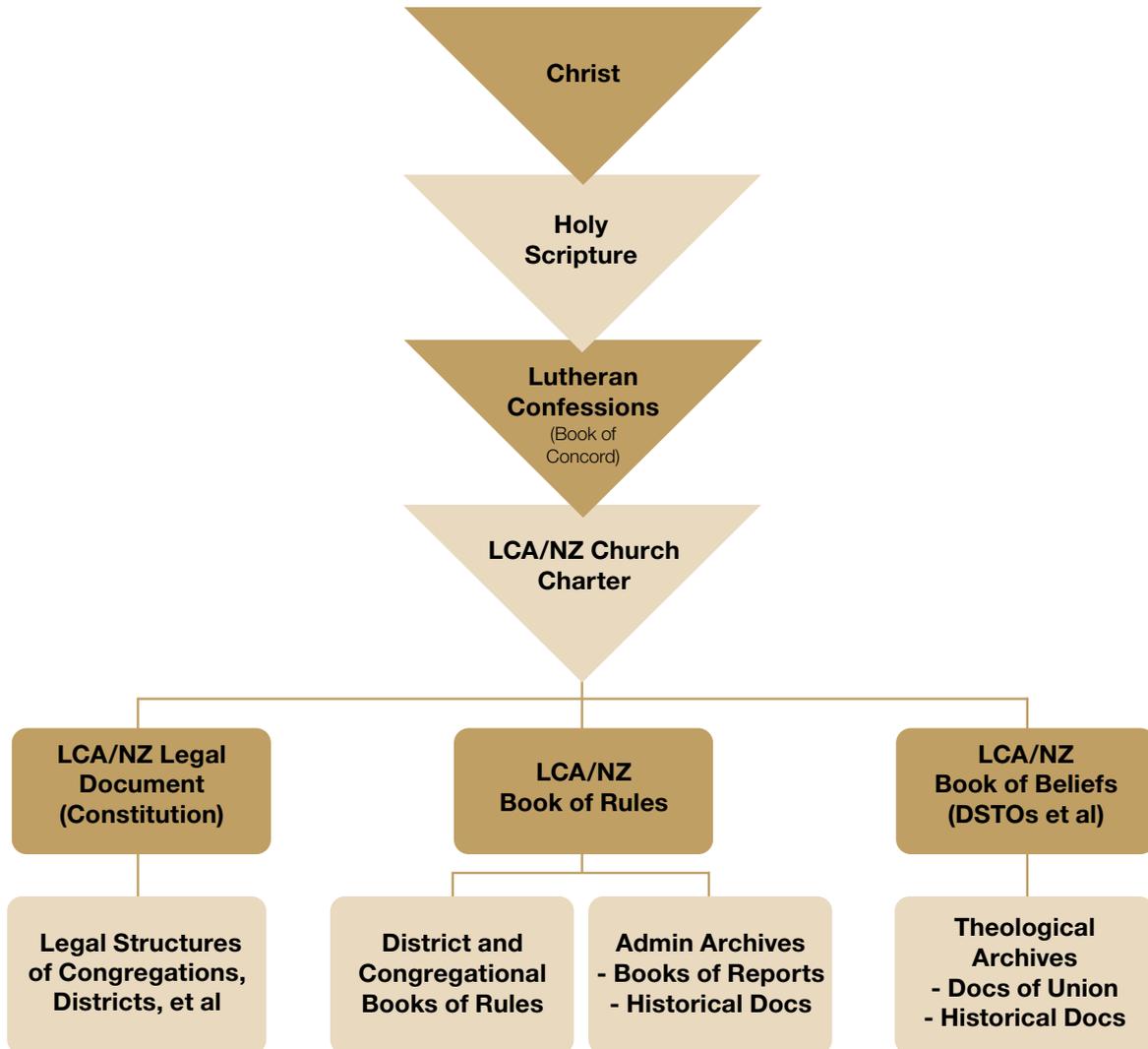
A number of 'principles' are outlined in this report to achieve the above, including:

- a more inclusive church name
- roles and responsibilities are made clearer
- the definition of congregational membership is updated, and
- some processes are brought up to date with current best practice, being:
 - the right for congregations to convene a special meeting of a Synod
 - General Synod nominations process, and
 - managing personnel matters within the church.

In addition, a number of important 'out of scope' issues reported to this review are noted for the information of the church.

The proposed new constitutional framework for the church is shown diagrammatically below.

Figure 1: Proposed **Constitutional Framework** for the church



Refer to Appendices 2, 3 and 4 for a sample-only outline of what this reordering of current constitutional content could look like in the proposed new formats of:

- LCA/NZ Church Charter (an 'Unincorporated Constitution' in secular language)
- LCA/NZ Book of Rules, and
- LCA/NZ Legal Document (an 'Incorporated Constitution' in secular language).

Opening remarks by review lead facilitator

‘God gave us the Bible, not a Constitution ...’

(a saying I’ve heard many times already in this review – Les)

A gospel-focused, loving church

It is obvious to me that respondents to this review love Christ and love Christ’s Lutheran Church of Australia and New Zealand. It is also obvious that it is our congregations, along with our other many types of communities of witness and service, that is our church in active ministry and mission – not our administrative structures of Districts and General Church etc per se (as important as these structures may be in enabling us to more effectively share the good news of the gospel).

Clearly there are great things about the Lutheran Church of Australia and New Zealand – and some of those attributes were listed in the 2015 LCA Governance and Administration Review Report. Other examples have been provided throughout this review.

Clearly the LCA/NZ is doing good work in witnessing for Christ and demonstrating the good news of the gospel at all levels of the church. Individual disciples are sharing Christ every day, many in quiet trusting ways. Small groups of church members meet for small group worship and for witnessing in their local community. Congregations are welcoming new participants from other cultures into the LCA/NZ, including Indigenous communities and refugees.

Districts are actively and directly involved in mission themselves on behalf of the members of the church (for example, aged and community services in Queensland). At General Church level, examples of active ministry include the witness of LCA International Mission and Australian Lutheran World Service, to name just two examples. Many pastors, bishops and other church workers work tirelessly every day on behalf of Christ.

Clearly all levels of our church are actively involved in ministry and mission. We are a church that wants to focus on ministry and mission.

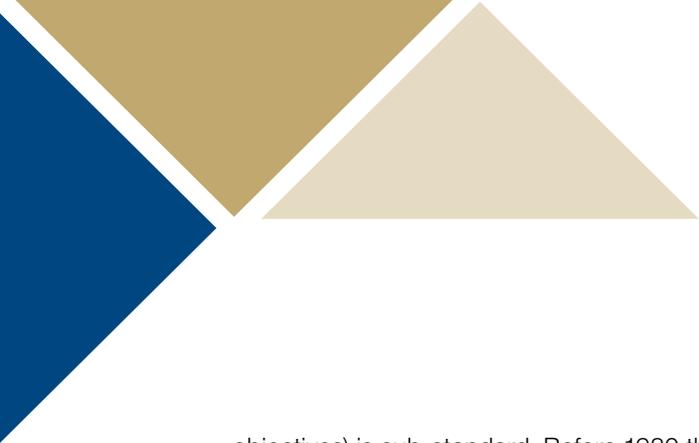
Disunity among unity, with some poor processes

It is equally clear to this review, as evidenced by the differing advice provided, that there are differences in view regarding theology, ecclesiology and church practice. The church is divided in a number of theological matters, with some divisions running deep. There is also not unanimous agreement within the church as to its ecclesiology. For example, some members think congregations should be ‘supreme’, others ‘Districts’, some others ‘General Church’. Some think supreme¹ constitutional power and authority within the church should rest with pastors in General Conference; others with bishops. (At least no-one suggested that supreme authority should lie with the position of General Church Bishop!).

A few church members said they couldn’t see any reason for updating the current constitution. A few people said the constitution is so broken and ‘out of date’ it should be thrown away and completely rewritten. The majority of church members said current constitutional content was insufficient. They wanted lack of clarity and seeming contradictions removed. They wanted it to be easier for the layperson to read, and they wanted more than just a legal document; they wanted a document (or documents) they could be proud of.

It is also clear that the governance of LCA/NZ (at its simplest level governance being how we choose to organise ourselves to achieve our scriptural

¹ ‘Supreme’ is not a word I typically use but I note that it was used in a previous LCA constitutional document and I only use it here as a faithful report of what some respondents advised this review.



objectives) is sub-standard. Before 1980 the Lutheran Church (and other Christian churches throughout the world) may have been leaders in good governance, but since the '90s, and especially in the 21st century, secular society has progressed in good governance in leaps and bounds² but sadly, not so in many churches. Assessed against international principles or acknowledged Australian standards of good governance, the LCA/NZ fails multiple tests.

Governance is important – that's what a constitution is about. The Preamble to the 1966 Constitution states, '... we adopt this Constitution to govern our activity ...' (Book of Reports, 1966, p113). As one congregation put it in their survey response, 'the church needs to be beyond reproach on all issues of governance and legal requirements. We should be ahead of the general community in terms of purity of conduct and protection of the vulnerable in our community'.

Why be fearful when we have Christ's good news?

Some church members are fearful that inappropriate change will occur to their beloved constitution. They fear the strong foundations and the traditions of this Lutheran Church will be 'watered down' or lost. Other respondents to this Review are fearful that not enough key improvements will be made to enable the church to exist, let alone thrive, over the next 50 years.

Still others are concerned with process – that an overall review of the LCA constitution and by-laws (which includes the District constitution and by-laws) serves no real purpose unless reviews of church identity, church purpose, church doctrine, church strategy and church polity (including church structures, church financing and church operations), in that order, are either undertaken at the same time as this Phase 1 Review or beforehand.

² Before the 1980s there were very few published explanations, principles or standards pertaining to 'good governance'. Nowadays there are many such 'frameworks' and 'guides' internationally and in Australia.

Yes, the church could have chosen this 'stepping stone' methodology – and may well still need to do so given current advice to this review – but the current review is only a Phase 1 review. The above-mentioned 'stepping stones' are indeed subsets of what needs to be outlined in an integrated way in any decent constitutional framework. Fortunately, the scope of work for this Phase 1 review requires it to analyse and set principles relating to all the above matters (clearly listed as points 1 to 5 in the terms of reference for this review – refer to Volume 2 of this report for the terms of reference).

Personally, I encourage all my brothers and sisters in Christ to maintain the peace and fearless joy of Christ. Believe fully that the LCA/NZ will appropriately discern what 'next step' processes it will need to put in place and what needs to change and what doesn't.

This is the beginning only of a serious half-century 're-formation' of the constitution

This Phase 1 of the 50-Year Review is about 'preparing the soil' for the church to thrive into the future. It has a clear and detailed terms of reference. It is about identifying the principles that should underpin an improved constitutional framework.

Accordingly, this is not a minor review of the constitution. It is not just focusing, for example, on grammar or sentence structure or the removal of typos etc. At the same time, it is only a constitutional review; it is focusing on ensuring that the framework for the church's constitution is still 'fit for purpose' and true to the objectives of the church, while at the same time meeting modern standards of good governance. This review is not going to change existing theology or change existing structures in the church, although it is likely to point out certain key issues that the church should better deliberate on.

A half-century constitution review must always assess the past and the present and identify what is needed for the foreseeable future. The past should

be honoured and learnt from, as it can still teach us much, but the past is not what the church is yet to face. It is the future the constitution must guide us through. The existing constitution has already done its job of guiding us through the past 50 years.

This review is using Scripture and the Lutheran Confessions as its two prime yardsticks. The review's other key yardsticks are: acknowledged standards of good governance, the original 1966 constitution and by-laws, common sense and plain English.

Specifically, this Review is about improving 'what is' in the current document we call the constitution – as imperfect as that may be in places. This Review is to improve the existing constitution using the above yardsticks, as well as provide feedback to the church about what its members say needs changing.

Accordingly, this is a faithful review of the existing documentation, not a review of the beliefs and paradigms that underpin what is reflected in the documentation. This means that it is not in scope for me to recommend a change to doctrine or theological practice, even though many of you argue that the church should do so. I am also not at liberty in this review to recommend changes to the authorities you bestow to certain gatherings within your church. Your current constitution makes you a synodical-based church and I cannot change that in this review. Yes, you could be a church where peak authority lies with lay members only or with pastors and/or bishops only, as some of you have suggested, but those discussions are not part of this review. I also cannot recommend changes to the types and numbers of structures you currently choose to use (eg Districts, pastors conferences etc) even though a structural review of your church may well be warranted as you have suggested, not the least because of your need, going forward, to reduce costs associated with maintaining current processes and structures.

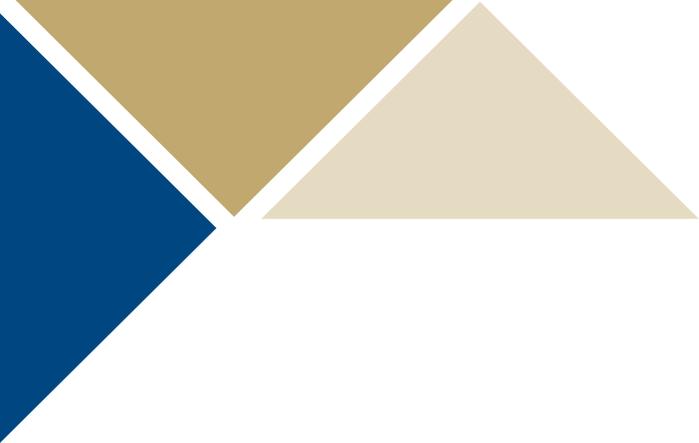
In summary, those members of the church who have to steward, use or rely on the existing constitution in their service to the church say overwhelmingly it needs a complete re-formation. In reality we are already a church of Reformation – both historically and now, given what many Lutheran congregations are nowadays already doing.

So what might change?

Don't underestimate the usefulness of this review in helping the church share the gospel of Christ. There is much we can do together to improve 'what is' in the current documentation. We can in this review improve the accessibility and useability of the key messages in the current constitution – to those persons who must use the document on a regular basis, to Synod delegates, to lay members and to those persons, young and old, and from different cultures who are considering becoming a member of this church.

We can make the central presence of Christ in the church more central in its constitution than as now. We can improve the clarity of existing text and remove inconsistency and, in some places, 'gridlock'. We can fill in the current omissions (for example, suggest a definition of what the role and purpose of a Synod is), we can improve some of the governance processes within the church, and we can bring the constitution better in line with current secular requirements on the church.

We can also improve the constitutional framework in a way that, should the church sometime in the future decide to change the type or numbers of its structures, authorities and powers, or doctrine, these changes would be easy to accommodate. These improvements, if made by the church, should certainly assist it to thrive into the foreseeable future.



Agreeing on the constitutional framework you have said is needed for the future of this church – and how everyone can still be involved?

I commend the patient and loving wisdom of church members that is outlined in the following pages. I encourage you, the reader, to join with your brother and sister church members – some of whom want to change more than what is outlined, and some who personally would like to change less – to find agreement and consensus on the way forward for this review. You will then have achieved an important step on the journey of the church into its future. Future discussions about ‘doctrine’ or ‘authority within the church’ or ‘cost efficiency of structures’ etc will then at least benefit from having an up-to-date, inspiring and understandable constitutional framework.

Don’t forget to join in the discussions within each District (and the Churchwide office if you are a Churchwide body) about these draft proposals. Find out from your District bishop how you can join in this agreement-building process.

God bless you all in your ministry for Christ and in your constitutional discussions. My prayer is that you all remain safe and well during the current global pandemic. My thoughts are particularly with our Victorian brothers and sisters at this time.

In due course I look forward to hearing back from Districts and the Churchwide office about feedback provided by church members. (I’m particularly interested in hearing further the thoughts of First Nations participants in the church, as well the views of students in Lutheran schools, our elderly members who live and ‘congregate’ in Lutheran retirement villages or aged care facilities, and congregations ministering in special circumstances). We can then, together, continue to progress this Phase 1 Review.

My personal thanks

In closing, I am humbled to have been allowed to read and listen to the many matters and concerns on the minds of church members in regard to the constitution. I thank each respondent to date for the passion and honesty of their sharing. I also thank those who gave of their time and expertise in completing surveys, submissions (including those who contributed handwritten submissions) and those who either provided great ‘quotes’ for this report or who participated in forums or working groups – including those members of the various Issues Analysis Groups, the LCA Standing Committee on Constitutions, the review team and all bishops (refer Appendix 1 for a list of church members who participated in these meetings).

I also wish to acknowledge the ongoing advice and support I continue to receive from the bishops, the review team, Peter Schirmer and Linda Macqueen. Finally I must thank my friend and collaborator, Rev Terence Corkin (Uniting Church) for his assistance during this review.

Thank you all.

Les Stahl
Review Lead Facilitator

PART A: An Interim Constitutional Vision, Recommendations and Principles

This part outlines:

- a draft vision of LCA/NZ that includes some governance process improvements
- draft recommendations for General Synod 2021, and
- draft principles for constitutional re-formation (for a new constitutional framework).

General Church Board is seeking further church member input and feedback on these three matters through each District and, if you are a Churchwide body, through the Churchwide office.

Refer to Part B of this volume for the review background and contextual information.

Refer to Volume 2 of this report to understand more about each of the specific principles.

We start with a 'pen-picture' (a vision) of our possible future.

A possible 'pen-picture' of the LCA/NZ after this review

*This 'pen-picture' incorporates 'what is' based on a common-sense reading of the existing LCA constitution (using the original 1966 constitution as a clarifying lens for any matters of confusion or inconsistency in the 2018 version), as well as improvements to some processes in order to ensure the church meets modern-day standards of good governance. For your assistance, these improvements are shown below in **blue highlight**.*

We are the Lutheran Church of Australia and New Zealand (LCA/NZ)³. Our church is one body in Christ. Although our many parts have different functions, we all work together in the mission of Christ and for the common good.

Jesus Christ is the Lord of the church.

Christ creates, sustains and empowers the church through the Holy Spirit at work in the preaching of the gospel and the administration of the sacraments.

Christ calls, authorises and empowers the church to do his will and he promises to be with it to the end of time.

We believe the Holy Scriptures reveal Christ's word to the church and his will for it. Accordingly, the Scriptures are the true source and norm of what we teach in the church. They are, therefore, the supreme spiritual authority within the LCA/NZ.

We interpret the Scriptures through the **Lutheran Confessions** because we believe that, incarnationally, they correctly guide us in interpreting Scripture.

Congregations are groups of persons adhering to the Lutheran faith who regularly meet for the administration of the means of grace and who actively engage in Christian witness and outreach. If they join our church they also accept and hold the teachings of the church; participate in the work of the wider church, and abide by the rules and standards of the church.

³ Rev Mark Whitfield (Bishop, Lutheran Church of New Zealand) said that 'while not critical, the inclusiveness that underpins the idea that New Zealand may be mentioned in the future name of the church is heartening to hear'.

These independent entities voluntarily join the LCA/NZ to participate in a wider fellowship in the faith and to promote and do work which congregations could not undertake and do effectively alone. This was also the original intent in forming the LCA/NZ.

Accordingly, LCA/NZ focuses on achieving this intent. This involves the church both supporting congregations as they engage in their ministry and mission for Christ as well as being a quality supervisor, ensuring each member congregation complies with the requirements of ongoing LCA/NZ membership.

This makes LCA/NZ neither a simple collection of independent congregations nor a top-down hierarchy. **LCA/NZ is a Lutheran fellowship of believers** that has a purpose, agreed mission objectives (Objects) and certain standards of belief and behaviour to which all members are expected to comply. It means that LCA/NZ has certain responsibilities and obligations towards congregations, and congregations have certain responsibilities and obligations towards the wider LCA/NZ. This is **'mutual accountability'**.⁴

LCA/NZ also operates on the principle of **'subsidiarity'**, meaning that authority to make decisions is placed whenever possible at the level of available decision-making competence closest to where mission and ministry is occurring. This principle encourages decision-making authority not to be placed centrally except for those decisions that are best made from a central position.

Within our agreed theological identity and beliefs we embrace the diversity of God's creation and are an all ages, all cultures, gender equal, family-focused and inclusive church. We embrace local **missional flexibility within order**⁵ – both theological and administrative order.

4 As Pastor David Altus (Bishop, SA-NT District) said during this review, 'It's important that we know the relationships between the parts that make up our church and also the rights and responsibilities of being associated with LCA/NZ – this includes not only in relation to ministries like aged-care and community services etc, but also because of the differing congregational models we are now seeing in LCA/NZ'.

5 As Pastor Robert Bartholomaeus (Bishop, NSW and ACT District) said, 'Mission is always messy and untidy. The constitution needs to provide order but it also needs to give freedom. Our "rules" should be freedom-giving.'

Every Lutheran is considered a missionary and ministry and mission occur at all levels of our church. **Specific ministries** within this church (also known as communities of witness and service) include ministry to young people, church planting, overseas mission, aid and development, the provision of Lutheran schools, early childhood education, services to older people, services to people experiencing disability and a range of community services to the vulnerable and those most in need (including refugees and those experiencing domestic violence and/or homelessness etc).⁶

Spiritual leadership of our church is provided by ordained **pastors and bishops** within our church. Lutherans value the **office of the ministry** and the distinctive and specialist role of pastors and bishops as servants of Christ. We also consider that ministry is pluriform, involving more than just pastors and so we value the work of other pastoral workers too, including **'licensed persons', chaplains and pastoral assistants**. We remain, but in the 21st century even more so, a 'pastor supported' church and not a 'pastor directed' or 'pastor centric' church.

Lutherans consider **the church of Christ is free to order itself** and to grant administrative authority to persons and groups of persons as it sees fit. This is because Jesus did not ordain any particular order as to how the church should be governed. As a human arrangement, the specific shape of the LCA/NZ is not dictated by Scripture but by the nature of its God-given task, by reason and by common sense, all informed by the spirit of the gospel. Our overriding concern here is to provide the **maximum of possibilities** for preaching the gospel, administering the sacraments and ministering to those in need. Our second priority is to meet the standards of good stewardship as well as secular requirements on the church. The polity we have chosen is that of a **synodical church** where both clergy and lay persons 'walk together' to oversee the good order of the church.⁷

6 As Pastor Paul Smith (Bishop, Queensland District) said, 'Congregations are ideal but other ministries are equally important'.

7 A self-evident principle of the Reformation is that, as a human arrangement, Church Councils etc can make wrong decisions from time to time. We just have to be aware of this.

The rule we remember when administrative tensions arise between people as they relate in the common task of ministry is:

The church is correctly ordered in the sense of Lutheran teaching when it is so constituted as to offer the office of the ministry a maximum of possibilities to accomplish its service of proclamation of the pure gospel and of the proper administration of the sacraments in the name and according to the commission of the church, and when it preserves a maximum of possibilities for the congregation which Jesus Christ himself has called through the Word and sacraments to live in the world and to carry out its service for human creatures. (Sasse)

To achieve its purpose LCA/NZ currently has the **structures** of general church, districts, zones and parishes.

Zones support small groups of congregations and local communities of witness and service.

Districts encourage and support parishes, congregations and other communities of witness and service in their ministry and mission activities and foster faithfulness. Some of that support may consist of assisting pastors and congregations with the paperwork associated with the modern world. The District also provides a quality assurance function for all members of the church by ensuring all bodies and pastors within its district meet the modern requirements of a church. On behalf of the members in a District, the District may also directly conduct ministry and mission activities itself (eg schools). The District operates consistently with the rules, regulations and programs set by General Synod, its District Synod, as well as the policies and procedures set by General Church Board and its District Church Board. Each District achieves these functions through the bodies of District Synod, Bishop, Pastors Conference, zone conferences and a District Church Board. We recognise that our Districts are of different sizes and differ in personnel and financial capability⁸.

General Church gives expression to the unity of the church, both theologically and administratively. The role of General Church is to discern the theology and doctrine of the church; to set the constitutional and governance framework and governance policies for the whole church; to support Districts in their work of supporting congregations, other ministries and pastors; to set the parameters for the training and ongoing development of pastors and other leadership positions within the church; to be the public face and represent the church nationally and internationally; to provide a quality assurance function for all members of the church by ensuring all Districts meet the requirements of LCA/NZ; and to do other things best done at the central level of a church (including inter-church relations, media liaison oversight and churchwide ICT services). General Church achieves these functions through the bodies of General Synod, Bishop, College of Bishops, General Pastors Conference and General Church Board.

We have **Synods** at both District and Churchwide levels. While pastors have a unique, God-given office, and they have a specialist pastoral role within the church, our congregations and synods are accountable for all major church-life decisions, spiritual and temporal, while always listening intently to pastoral advice. At Synod, together, the pastorate and the laity stand under the authority of the Scriptures and seek to receive from God what is most helpful for the church. Synods oversee both the spiritual and the temporal governance of the church.

Synods continue to reserve most of their powers and continue to engage with pastors conferences in the discernment of ecclesial and theological understandings of the church. Synods delegate the **responsibility for temporal governance matters within the church to boards reporting to them – one at the Churchwide level (General Church Board) and one board in each District (District Church Boards).**

⁸ As Pastor Mike Fulwood (Bishop, Western Australia District) said, 'It's important we always ensure that smaller Districts are taken into account as well as the larger Districts in planning processes, roles and responsibilities within the wider church'.



Although Synods delegate these important stewardship tasks, Synods remain the highest constitutional authority within their sphere of operations and both pastors conferences and church boards report to, and are accountable to, their respective Synod.

Special meetings of Synod: In accordance with good governance principles, a **51% quorum of congregations, as members, have the authority** (as bishops and certain church boards have now), to convene a special convention of a Synod. This 'good governance' principle is not a new principle for congregations; as early as the 1966 Model Constitution and By-laws for Congregations, a small number of voting members within the congregation (10 members suggested) could call a special meeting of the congregation.

General Synod: The function of General Synod is to be a time of whole-church worship and thanksgiving; a time of learning and sharing about the ministries and missions of the church; a time of discussion and adoption (or otherwise) of theological statements of the church; and a time of oversight of the administrative governance of the church. The power of the church is exercised through the General Synod, which remains the highest constitutional authority of the church, with power to direct and control those to whom it has entrusted tasks or has delegated authority. General Synod continues to reserve its right, as now, to make regulations (by-laws) and any other resolutions to do with the life of the church. Only doctrinal statements and theological opinions adopted by General Synod carry the authority of our church. Congregations elect voting members (delegates) to General Synod [via their District Synods](#).

General Church Board is elected by, and operates under delegation from, General Synod in accordance with acknowledged standards of good governance. General Church Board reports to and is accountable to General Synod. General Church Board governs the administrative side of the church.

It is empowered to make and maintain policies and procedures binding throughout the entire church consistent with the church constitution, its regulations (by-laws) and any other resolutions of General Synod. General Church Board also manages the legal structure requirements of General Church.

College of Bishops: The spiritual health of our church is overseen by our bishops (who come together as a 'college'). The College of Bishops has certain responsibilities in relation to pastors. It also keeps a watching brief over the church generally. It provides peer support; spiritual oversight of the Churchwide bishop; and when necessary it leads the church in agreement-finding as peace-makers. In genuinely urgent circumstances, a Synod or its church board may ask the College of Bishops to oversee the provision of urgent theological advice.

General Pastors Conference: Like the College of Bishops, General Pastors Conference has a number of pastoral, peer support and supervision functions. Constitutionally its major role, as a theologically skilled body, is to provide advice and guidance (considered recommendations) to General Synod about key theological and doctrinal matters.

Typically, when there are questions about the interpretation of our beliefs or doctrine, pastors research these questions under the oversight of the College of Bishops. Following input from men and/or women qualified in theology, and with the knowledge of what the people of our church think, pastors gather in conference to discern the will of Christ. Discernment occurs through discussion, reflection and prayer until consensus develops among the vast majority (*magno consensu*) of the pastors. Pastors then guide our General Synod by providing their recommended advice and they ask the church to test and then adopt their interpretation of Scripture.

The key to the constitutional relationship between General Synod and General Pastors Conference is that the Scriptures are the only rule and norm for all

matters of doctrine, faith and life.

District Synods: The function of a District Synod is to be a time of District-wide worship and thanksgiving; a time of learning and sharing about the ministries and missions within the District; a time of considering advice and/or guidance provided to it by District Pastors Conference; and a time of oversight of the administrative governance throughout the District. Congregations, District Pastors Conference and the District Church Board nominate voting members (delegates) to District Synod.

District Church Boards: A District Church Board is elected by, and operates under delegation from, District Synod in accordance with acknowledged standards of good governance. A District Church Board reports to and is accountable to both District Synod and General Synod. A District Church Board governs the administrative side of the District. It is empowered to make and maintain policies and procedures binding throughout the District consistent with the church constitution and its regulations (by-laws), and resolutions, policies and procedures adopted by General Synod, District Synod or General Church Board. A District Church Board also manages the legal structure requirements of the District. A District Church Board provides a report to both District Synod and General Synod on behalf of the District. It can also place items on the agendas of both District Synod and General Synod.

Decision-making throughout the church typically involves the input and meaningful participation of all relevant stakeholders within our fellowship of believers followed by productive (constructive and useful) and timely decision-making by a group of persons competent to do so. For genuinely urgent matters this process is simply of a shorter duration.

Our guiding books: After Scripture, the Confessions and our **Church Charter**, the church is guided by the contents of three electronic databases. The first is the **Book of Beliefs**. This 'book' contains all our

current doctrinal statements and theological opinions, both those that are binding throughout the church (ie adopted by General Synod), as well as those for guidance only. The second database is the **Book of Rules**. This 'book' contains all the binding churchwide administrative regulations (by-laws), resolutions, policies and procedures as well as non-binding guidelines. The third database is our Archival Database that contains historical records including Documents of Union, Synod Books of Reports and former theological and administrative documents (eg former DSTOs, constitutions, policies etc).

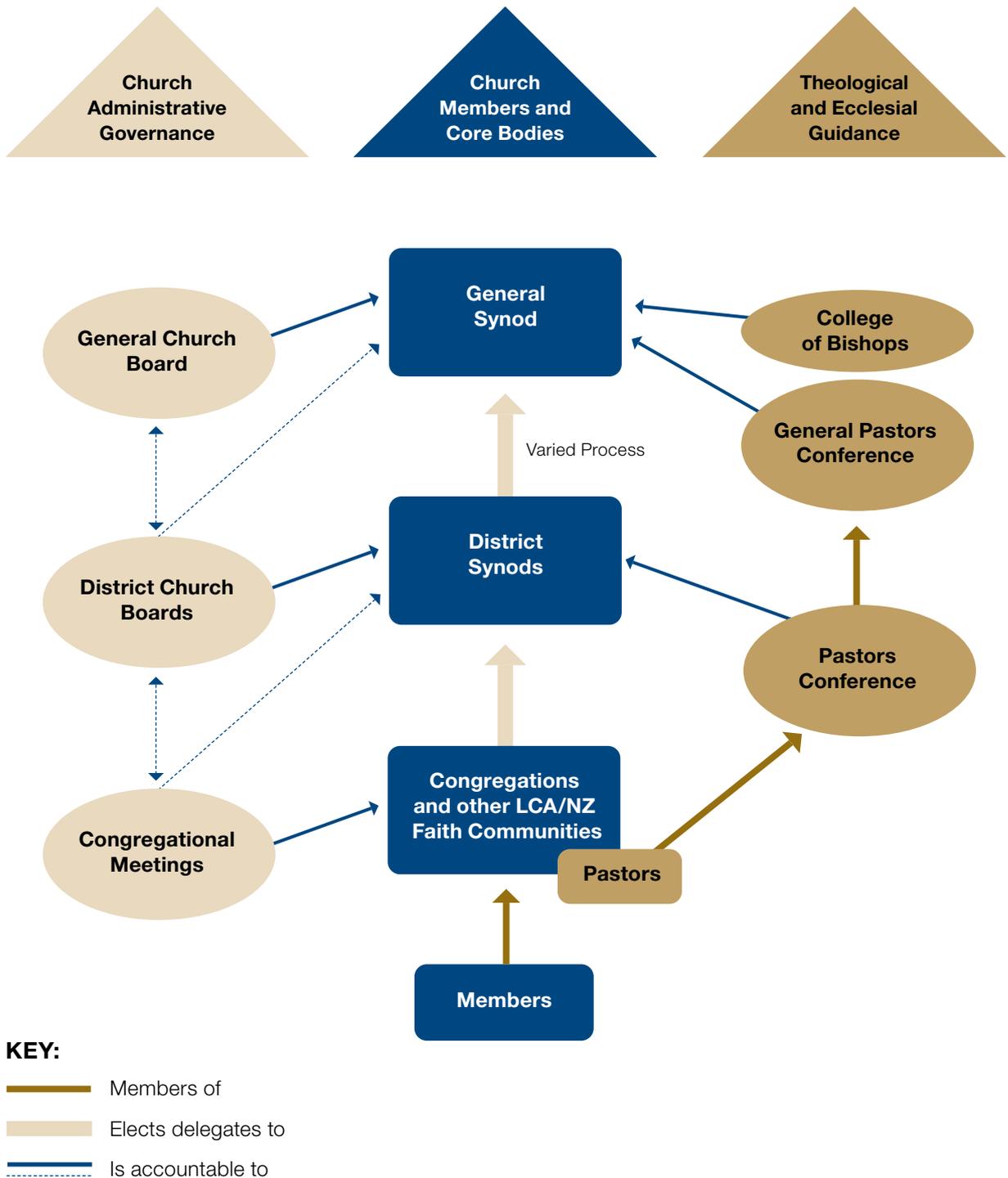
Our church would not be able to exist nowadays without the work of our valued **volunteers and employees**. We thank them very much⁹. While no-one likes bureaucracy, no-one likes chaos and anarchy either.

Our legal structures: Although we see ourselves first and foremost as 'church', we also maintain multiple legal structures throughout the church. To protect the people of our church as well as to meet secular legal and regulatory requirements, every part of our church is under the auspices of an incorporated entity of one form or another. At the General Church level we currently have the legal structure of an Incorporated Association (although this is proposed to change to that of a not-for-profit 'company' like Australian Lutheran College currently is). Each District is also incorporated in one way or another, as are most congregations and specialist ministries.

A diagram of current constitutional structural relationships follows, for those persons who like diagrams. (It includes the proposed varied delegate nomination process.)

⁹ An example of this appreciation was well summarised by Pastor Lester Priebbenow (Bishop, Victoria-Tasmania District) when he said, 'These people do phenomenal work behind the scenes, especially managing the risk, financial and industrial relations aspects of the post-modern world our church finds itself in'.

Figure 2: Current **constitutional structural relationships** diagram showing the one proposed variation to the 'Delegate to General Synod' nomination process



Interim recommendations to General Synod

Statement 1: The vast majority of the content, intent and meaning within the existing LCA constitution are not proposed to change. The main change is 'presentation' and using a style of language that is more readable for today's audiences.

Where change is proposed, much of the proposed change is simply to realign inconsistencies and contradictions in the 2018 version of the constitution with that of the original 1966 constitution (going back to the past to guide and sustain us for the future).

All other changes proposed below either highlight, or bring the church in line with, existing principles in its own Doctrinal Statements and Theological Opinions (DSTOs) and/or with the principles of modern-day good governance.

Because of the nature of this review, no changes are currently proposed at this stage of the review (even if they are required) to beliefs, doctrinal practices, the membership paradigm of the church, church structures or the future financing of the church. The review awaits further input from church members, via the Districts, about these matters.

Statement 2: Interim recommendations are:

1. **A reformed constitutional framework:**
That a clearer and easier to use framework for all LCA/NZ governance documents (spiritual and temporal) be adopted consisting of, under Christ, Holy Scripture and the Lutheran Confessions:
 - 1.1 A Church Charter (an 'Unincorporated Constitution' in secular terms)
 - 1.2 A Book of Beliefs (our Doctrinal Statements and Theological Opinions)
 - 1.3 A Book of Rules (our administrative regulations [by-laws], policies and procedures etc), and
 - 1.4 A legal document (an 'Incorporated Constitution' in secular terms).

Accordingly, the existing LCA constitution will be replaced by and reordered into three separate documents, being: Church Charter, Book of Rules, and a concise new legal document (the new 'Constitution').

2. **A name that better reflects who we are:**
If possible, the name of the church be made more inclusive, 'The Lutheran Church of Australia and New Zealand'.
3. **A focus on ministry and mission and inclusiveness:** The language and articles in these new constitutional documents be such as to allow for the maximum of possibilities for ministry and mission to occur at the local level. This would enable flexibility within theological and administrative order.
4. **Relationship therapy on the 'fellowship of believers':** The importance of close and constructive governance relationships between all parts of the 'body' of LCA/NZ be highlighted in the reordered documents, including:
 - 4.1 ensuring the implementation of the 1966 constitutional vision of an integrated fellowship of believers with a balance of authority and effectiveness throughout the church
 - 4.2 highlighting the principle of mutual accountability within all parts of the church
 - 4.3 highlighting the principle that to have authority you must also be submitting to authority
 - 4.4 clarifying all currently confusing and/or contradictory clauses (using the 1966 constitution, good governance principles and common sense as the clarifying lenses), including adding definitions or new wording as required, and



4.5 enabling each District Church Board to nominate from among its members up to two delegates to General Synod so there is available at General Synod the wisdom and knowledge of its District Church Boards who are themselves active in both governance and mission.

5. **A church that is respectful and 'people-focused'**: In accordance with our Lutheran values and practices we ensure that:

5.1 decision-making processes in the church, as well as being efficient, are 'people-focused' and involve the meaningful participation of members whenever possible

5.2 all specialist ministries of our church have a mechanism for their 'voice' to be heard at synods, pastors conferences and General and District Church boards, and

5.3 the existing definition of 'membership of a congregation' is updated to reflect acceptable modern practice within our church to being:

5.3.1 *'Members' of the church are children of God baptised in the name of the Triune God and their name added to the Roll of Baptised Members of the Congregation*

5.3.2 'Voting member' is defined as a *baptized member over the age of 18 years who has affirmed their faith in accordance with Lutheran teaching under the rite of Affirmation of Confession and their name added to the Roll of Voting Members of the Congregation.*

6. **A church of good governance**: That our church processes be brought up to date with good governance principles, including:

6.1 members (currently congregations) having the right for a 51% quorum of them to call a special meeting of their synods: District Synod or General Synod

6.2 congregations and pastors electing their delegates to General Synod through their delegates at District Synod, to ensure the best possible membership of General Synod

6.3 making it clear that the role of General Church Board and each District Church Board is to govern the temporal side of their Synod, on behalf of their Synod, always being compliant with church rules, regulations (by-laws), policies and procedures, and being accountable to, and reporting to, Synod

6.4 ensuring the personnel management, ecclesial discipline and judicial systems of the church meet modern standards of best practice

6.5 ensuring all church processes have at least one level of appeal, and

6.6 ensuring a 'best fit' legal structure for the future of LCA/NZ.

The **specific principles** that will enable the creation of this new constitutional framework are outlined in the next section of this report. These principles create a 'one body' suite of integrated principles. Accordingly, all the listed principles are considered essential to be implemented for the church to achieve an optimal constitutional framework for the future of the church.

Statement 3: This review has benefited from the widespread input of church members. In addition to advice provided about the best future constitutional framework for LCA/NZ, a number of important **‘out of scope’ issues** were reported to this review, which are outlined in Volume 2 of this report. These are matters the church should follow up.

While there appears to be general consensus on why this church exists, there are clear differences of opinion between church members in the areas of:

- who should make up our church (and voting delegates) in the future, particularly in regard to:
 - the many and growing specific ministries of the church, and
 - the form of any future ‘individual membership’ paradigm in the church.
 - what we believe about certain key matters, particularly:
 - the ongoing applicability/truth of all content in the Lutheran Confessions, and
 - the process of interpreting Scripture and doctrine within the church,
- particularly in relation to gender issues, including ordination. (Many respondents consider the church unnecessarily discriminates against women.)
- what the church wants to achieve over the next 50 years, that is, what should the missional objectives of the church be for the future
 - how we organise ourselves to achieve what we want to achieve, particularly in relation to
 - financing the church into the future
 - a cost-efficient and sustainable structure for the church
 - operational matters regarding pastors, volunteers and succession planning
 - our future relationships with the specialist ministries of Lutheran schools, early childhood services, older persons services, community services and disability services, and
 - how best to continue to support ALWS in its ongoing ministry of aid and development.

Specific principles for updating the LCA/NZ constitution

What follows is a list of proposed principles.

The purpose of these principles (when complete and if approved by General Synod) is to provide 'the framework that will guide the development of a new constitutional structure for LCA/NZ' (from review terms of reference). This is the task of this review. (To read more about what church members said about these principles, refer to Volume 2 of this report.)

Thank you to everyone who has contributed their thoughts to this review to date.

'No change' principles

1. **Lutheran Confessions:** No change to existing representation of the Lutheran Confessions, that is, no change to the existing text of current Article 2. (It is noted that some respondents did want to make changes.)
2. **Doctrine:** No change to existing doctrine (or doctrinal practice) statements currently in the constitution. (This is because this is a constitutional review, not a review of doctrine.)
3. **A wider fellowship of faith:** No change to the fundamental reason for LCA/NZ's existence – that is 'congregations voluntarily joining together to establish a wider fellowship in the faith and to promote and do work which congregations could not undertake and do effectively alone'. At this stage in this review only congregations (as defined in the existing constitution) remain the organisational 'members' of the church. (There is a view however that this definition of membership should be broadened for the future. More discussion is needed here).
4. **We are one church:** No change to conceptually remaining one church, in the 'unity of the Spirit'. The analogy of seeing the church in unity as one Lutheran 'body' with (say) Districts being the 'arms' of the wider church, working to support the many 'legs' of the church that are actively engaged in ministry and mission, is still strongly supported. The updated constitutional documents will accordingly span, speak to and direct (where necessary) all parts of the Lutheran Church of Australia and New Zealand (as the constitution does now).
5. **A synodical church:** No change to the polity of the church – we remain a synodical church at both District and General Church levels, where nominees from clergy and laity, the 'priesthood of all believers', walk together in overseeing the church. There is no change to the current 1:2 pastor to lay persons delegate ratio at synods. There is no change to voting ratios – routine business passes by simple majority vote; Church Charter and theological matters require a two-thirds majority vote.
6. **Authorities and powers:** No change to existing Authorities and Powers as outlined in Article 6 of the existing constitution. Authorities elsewhere in the constitution are clarified but unchanged except in relation to congregations, who, as members of the church, have their authority enhanced to be able, as a 51% quorum, to call a special meeting of Synod. (Only bishops and church boards can do that at this time.)
7. **Church structures:** No change to structures – all existing church structures remain. There are no changes proposed to the types of structures in our church. We continue with our structures of congregations, parishes, General Synod, District Synods, zones, College of Bishops, General Pastors Conference, District Pastors Conferences, General Church Board and District Church Councils/Boards, a Churchwide office and District offices etc. (This is because this review is not a structural review of the church.)

8. **Variation clauses:** No change to existing Dissolution and Alteration clauses. It is proposed that existing Dissolution clauses (Article 11) and the Alteration (to the constitution) clauses in Article 13 do not change.
9. **Stewardship and governance:** No change to the church's view that we must strive for good stewardship, including good governance:
 - a) LCA/NZ will continue to strive for stewardship and governance processes and documents that are clear, effective and efficient, and which do not duplicate each other. They will be as cost-efficient as possible for the church to maintain while continuing to meet the high standards set by Scripture, our Confessions, our values and modern standards of good governance.
 - b) In our church, governance will be supportive of the diverse ministry and mission environments in which we live out the gospel. Our governance policies and processes should all be structured in a way to maximise the possibilities of achieving the ministry and mission of Christ's church.
10. **Leadership:** No change to the importance of servant, collegial and competent leadership throughout the church.

Improvement principles recommended

11. **Reformation of the constitution:** This fundamental organisational document of our church needs to firstly speak of us as a servant church of Christ, only then listing the standard operating procedures of our church and only then describing us in legal terms. Accordingly, without losing anything from the existing constitution, a re-formation is proposed: that the contents of the existing Constitution be reordered into three distinct documents: a Church Charter, a Book of (Administration) Rules, and a concise legal document¹⁰.

That is, based on input from church members, it is proposed to go back to the past and have several key 'documents' going forward for our church.

The first document, the **Church Charter**, would be an inspiring document we can all use and be proud of. The Church Charter would outline who we are, why we come together as church, what we believe and how we choose to organise ourselves (ie local ministry flexibility within theological and administrative order). This charter would include all the broad-level statements in the existing constitution. It would also reference (point to) our doctrinal statements and theological opinions.

The second 'constitutional' document would be an easier-to-understand '**Book of Rules**' consisting of the existing administration regulations (by-laws), resolutions, policies and procedures etc of the church. This electronic 'book' will inform and direct us as to how we implement the stewardship and governance processes of the church.

¹⁰ If this reordering were to occur, each document would be as concise, easy to comprehend with no functional duplication or lack of clarity within them or between them. The importance of clarity in constitutional documentation was reinforced during the review by David Dreckow, Chair, LCA Standing Committee on Constitutions.

The third document would be a concise **legal entity document** (an incorporated constitution) for those who need to access the General Church's legal clauses.

In the Church Charter, as many articles as possible would be written 'descriptively' rather than 'prescriptively'. For most matters to do with mission and ministry all three documents would be written in a way that is flexible enough to be a help, and not a hindrance, to differing local mission and ministry contexts.

This review has also been advised that existing doctrinal statements and theological opinions (DSTOs) should remain together in an electronic 'book', to continue to assist church members access those documents easily too. A name suggested for this collection of key documents is **Book of Beliefs**.

12. In the proposed **LCA/NZ Church Charter** we would:
- Acknowledge Christ:** Begin the Charter acknowledging that Jesus Christ is Lord and Head of his church (rather than waiting, as we do now, to say that in clause 6.1 on page 4 of our existing Constitution).
 - Highlight Holy Scripture and the Lutheran Confessions:** We would include Article 2 (our Confessions) unchanged. We could also add some explanatory statements in another article so all members (and prospective members) of our church can understand the importance of the Confessions (it was reported that the current lack of explanation of how to understand Article 2 has prevented some active worshippers from taking the step into membership).
 - State our 'who, why, where, what and how':** We would say boldly, proudly and

in modern language that connects with people: who we are; why we come together as church; our context (ie Australia and New Zealand); what our purpose is; how we plan to achieve our purpose (our mission objects and strategies); and how we will relate to each other in doing so – our key processes, structures, offices and authorities. This is the best ‘people focused’ sequence of information for any organisational charter.

- d) **Highlight ministry and mission:** We would note that our church is all about ministry and mission and we would provide a short description of these terms to maximise reader understanding (referencing the appropriate DSTOs).
- e) **Highlight support to congregations:** We would note the importance of congregations and other LCA/NZ faith communities. We would note we aim to empower and support them with the maximum flexibility and local autonomy possible as they engage in and/or support Lutheran ministry and mission activities.
- f) **Explain congregational membership:** We would include an updated definition of individual ‘membership’ of a congregation. The definition would be brought in line with common current practice. We will continue to encourage active worshippers to become a ‘member’ of an LCA/NZ congregation, and therefore a member of LCA/NZ.
- g) **Note the centrality of the office of ministry and of pastors:** We would say the divinely instituted office of ministry remains central to the health and vitality of the church and that we value the distinctive and specialist role of pastors and bishops as servants of Christ and spiritual leaders. We would note the importance of providing

ongoing support to both general and specific ministry pastors (including professional development and reducing administrative requirements as best we can).

- h) **Note we value other pastoral workers too:** We would note that ministry is pluriform, involving more than ordained pastors and that we value the important work of other pastoral workers too including ‘licensed persons’, chaplains and pastoral assistants and the importance of providing ongoing support to them.
- i) **Note we are a church of mutual pastoral support:** We would note we remain a ‘pastor-supported’ church and not a ‘pastor-directed’ or ‘pastor-centric’ church. As our pastors, ‘licensed persons,’ and chaplains support our congregations and other ministries with spiritual leadership so we commit to supporting them and their pastoral assistants as they carry out their important ministry of supporting us as church.
- j) **State our structures foster mutual support and accountability:** We would include a statement that outlined the mutuality of relationships between congregations, Districts and the General Church function and how by working together, we live out the vision, of ‘one church’.
- i) To assist in achieving this vision it is proposed to vary one existing nomination process to enable congregations and pastors to elect their delegates to General Synod via their District Synod. In addition, District church boards, being important boards within the church, should each be able



to nominate up to two delegates to the Convention of General Synod in their own right. This variation to existing process will assist the synods in the church in 'walking together' more (by creating better constitutional links between them) as well as assisting in ensuring the best possible candidates comprise General Synod, thereby assisting General Church to model good governance for the whole church.

- ii) There is no proposed change to ensuring that all Bishops in Office and all sitting members of General Church Board remain voting delegates at General Synod.
- k) **Note we are a synodical church:** The role and responsibilities of Synods would be outlined (as this is not defined in the current Constitution). The functions of a Synod are proposed to be firstly 'celebratory', secondly 'educational' and thirdly 'business' – both theological and temporal oversight.
- l) **Note the role of Districts and their bodies:** We would explain the role of Districts, District Synods, District Church Boards and District Pastors Conferences. We would note the importance of Districts in fostering faithfulness and in supporting congregations and other communities of witness and service.
- m) **Note the role of General Church:** We would say General Church gives expression to the unity and mission of the church, both theologically and administratively.
- n) **Note the role and functions of General Synod** and that at its Convention we 'walk together' as the faithful – 'as church.'

We would note the special relationship between General Synod and General

Pastors Conference. We would note that while only General Synod can determine the authorised theological statements of the church, in doing so it must be governed by the will of Jesus Christ as revealed in Holy Scripture. Accordingly General Synod draws heavily on the considered spiritual guidance and advice (recommendations) of General Pastors Conference.

We would note that while General Synod also oversees the administrative governance of the church, it delegates the day-to-day administrative governance of the church to General Church Board in accordance with the Church Charter, the Book of Rules, the LCA/NZ legal document and acknowledged standards of good governance.

General Synod continues to be the only body within the church that can approve changes to the (proposed) Church Charter, the LCA/NZ legal document, District constitutions, and the terms of references of the College of Bishops, General Pastors Conference, General Church Board, District Pastors Conferences, District Church Councils and the statements of duties pertaining to the officers and offices of these bodies; and any model constitutions for congregations within the church.

General Synod continues to reserve its right, as now, to make regulations (by-laws) and resolutions to do with the life of the church.

- o) **Note the role of General Pastors Conference** (which is unchanged).
- p) **Note that General Church Board** oversees the day-to-day administrative governance of the General Church in accordance with acknowledged standards of good governance. In line with the Church Charter, Book of Rules, the legal document of the

church and the resolutions and regulations (by-laws) made by General Synod, General Church Board is empowered to make and maintain administration policies and procedures applicable and binding throughout the entire church. At all times General Church Board is accountable for its decisions to General Synod (as is a District Church Board to both its District Synod and General Synod).

- q) **Note we value the spiritual leadership of bishops and the College of Bishops.**
- r) **Note the importance of collegial leadership** within the church, including that modelled by pastors, synods, pastors conferences and the boards, councils, commissions and committees of the church.
- s) **Note we are an inclusive church:** We would affirm that, within our core theological identity and beliefs, we embrace the diversity of God's creation and the importance of being an all ages, all cultures, gender equal, family focused and inclusive church. Accordingly we will be a welcoming church encouraging participation by all, including young people, in our congregations and other ministries.
- t) **Acknowledge First Nations peoples:** We would acknowledge that our church ministers in lands that have been occupied for millennia by original inhabitants. We would note that our church will continue to understand, value and respect the histories, cultures and contributions of the First Nations peoples of both Australia and New Zealand.
- u) **Acknowledge we are now a multicultural church:** We would note we are a church that ministers in multicultural societies and that we welcome our brothers and sisters in Christ from other cultures. We understand the desirability of continuing to become a

church with members from many cultures and language groups. We would note that, as well as giving, our church receives and learns from our cross-cultural participants. All our key processes should be respectful, culturally inclusive, our key documents should be easy to read for the lay person and available in several languages for our non-English congregations.

- v) **A voice for specialist services:** We would note that all LCA/NZ communities of witness and service (such as cross-cultural ministries, youth ministries, ministries with Indigenous persons, aged-care ministries, schools, early childhood education, LCA/NZ community services and overseas mission, aid and development) have opportunity for adequate 'voice' within our church, including at synods.
- w) **Note members oversee church governance:** In accordance with good governance principles we would note it is members (currently congregations) and current officials of the church who oversee the governance of the church. That is, it is nominees, both clerical and lay, from congregations who meet regularly for word and sacrament that overwhelmingly make up the decision-making synods of our church.

Accordingly, until the definition of 'member' changes, other voting members at our synods should be limited to office bearers such as bishops, members of the church board for that synod and, in relation to General Synod, up to two representatives from each District Church Board.

- x) **Note we are a socially responsible church:** We would note we expect high standards of conduct from all those within the church and that we actively utilise transparent mechanisms to hold people and agencies accountable for any behaviour that is sub-standard.
- y) Note our church has legally recognised structures.

13. **In the proposed LCA/NZ 'Book of Rules' we would:**

- a) Include all the existing regulations (by-laws) not allocated to the new Church Charter or the new legal document. We would also include existing General Synod resolutions, policies, procedures, terms of reference and statements of duties that are currently scattered within the LCA Constitution, the By-laws and the many Books of Reports.

Regulations (by-laws) remain for Synod determination only as now. (Accordingly no changes are proposed to existing Article 12 By-laws).

Existing documentation would be ordered in a user-friendly way, reviewed for currency and quality (eg each policy and procedure should meet the existing governance and policy standards of the church). The Book of Rules would be in two parts: Part A and Part B.

Part A would include only those principles, frameworks, regulations, policies and procedures that must apply churchwide, including to General Church, Districts, congregations and other ministries. Wherever possible this part would be written in a way that enables flexibility for the development of localised policies and procedures etc.

Part B would include principles, frameworks, regulations, policies and procedures that

apply only to the General Church function and its boards, agencies and committees etc.

- b) Include (at the beginning of the book) a glossary of definitions for all key terms used in the Church Charter, the Book of Rules and the church's legal document.
- c) Include an excerpt from the (suggested) 'Book of Beliefs' that explains in plain English the theological and ecclesial terms the reader will find in any of the constitutional framework documents.
- d) Include the church's existing Governance Framework and governance policies.
- e) More efficiently state what is a 'congregation', 'congregational membership' and a 'preaching centre' by amalgamating into one section the information currently stated in Articles 1.2.2, 4.1, 4.2 and By-law 4.4.
- f) Detail the responsibilities of General Synod and District Synods including existing meeting and voting procedures and the duties of delegates.
- g) Detail the special relationship between General Synod and General Pastors Conference.
- h) Detail the role, responsibilities, accountabilities and authorities of the College of Bishops.
- i) Note existing practice where, in a genuinely urgent circumstance, a synod or its delegated board (ie General Church Board or a District Church Board) can call on the College of Bishops to arrange and provide urgent theological/ecclesial guidance.
- j) In accordance with good governance principles add a clause to Article 7.10 to also enable congregations (as the members of LCA/NZ) to convene a special meeting of General Synod if 51% or more of members agree in writing to do so.

- k) Detail the role and the governance and administrative responsibilities, authorities and accountabilities undertaken by General Church Board on behalf of General Synod.
- l) Detail the role and the governance and administrative responsibilities, authorities and accountabilities undertaken by District Church Board on behalf of its District Synod.
- m) Detail the flows of offering income and other financial policies and procedures.
- n) Detail the roles and responsibilities of officers and administrators of the church. It will be made obvious that, until varied by the church, bishops have three key roles outlined in the current constitution being: spiritual leader, active participant in the governing bodies within the bishop's areas of responsibility and also chief administrative officer (effectively a 'managing director' in secular language) of those areas of responsibility.
- The current roles and responsibilities of the Churchwide executive officer and District administrators will also be detailed.
- o) Consolidate and clarify the decision making process framework that applies throughout LCA/NZ.
- p) Note that personnel management is a specialist temporal responsibility and accordingly all personnel management issues to do with pastors, volunteers and paid staff, including ecclesial discipline, will fall under the temporal responsibilities of the church to manage in accordance with best practice (including best ecclesial discipline practice). While pastors are recognised by the church as servants of Christ, the church is also required to recognise them as employees if paid by the church or as volunteers if not – and they have to be supported as such.
- q) Detail the judicial system of the church, ensuring it meets modern management and judicial standards.
- r) Note in relation to ecclesial discipline that:
- i) the church's policy on ecclesial discipline should continue to be approved only by General Synod, based on ecclesial advice from General Pastors Conference, governance advice from General Church Board and legal advice from church lawyers and industrial relations experts, and
 - ii) the implementation of that policy be overseen by the chief administrative officer of each synod (currently the bishop), and
 - iii) ecclesial discipline panels should be convened only by a person with acknowledged personnel management process skills, with other members of the panel consisting of at least one bishop, an ecclesial specialist and a representative from the relevant synod.
- s) Include the procedural details of existing Article 10 (Discipline, Adjudication and Appeals) as appropriate.
- t) Detail how we try to ensure all church documents are kept up to date.



14. **In regard the future LCA/NZ legal document (the new 'Constitution'):**

- a) We would note the church is in its essence a fellowship of believers and therefore does not narrowly define itself by its legal status. The church establishes legal entities in order to operate in particular contexts and meet its obligations to the state; these structures are not the Christian basis of our relationships with each other.
- b) The church will have a legal structure which meets all secular requirements on the church and which offers the best legal protections for the church and its members, without such legal structures affecting the fundamental basis of our relationships with each other as a fellowship of believers.
- c) Earlier and current discussions within the church indicate it may be best for LCA/NZ to change from an 'Association' structure incorporated only in South Australia to a nationwide not-for-profit 'Company' structure. Thorough legal and taxation advice needs to be obtained before the church can make any decisions in this matter.
- d) If legally possible, the preference is to have our church name better represent the breadth of its members by varying it to the Lutheran Church of Australia and New Zealand (LCA&NZ).

PART B: Background and context to this review

What is the Phase 1 LCA/NZ Constitution Review?

The purpose of the review is to recommend a constitutional framework that has longevity and reflects who we are, why we exist, how we are governed, is consistent with contemporary standards, and is of such a nature that requires minimal changes over time.

The terms of reference for this review can be found in Volume 2 of this report. The terms of reference and Review communiqués can be found on the LCA website www.lca.org.au/constitution-review

The terms of reference recognise ‘the depth and complexity of the issues to be addressed’ in this review.

Why are we having this review?

Although the real and true nature of a Christian ‘church’ almost defies being defined (constrained?) by a document, we do live in a world where some form of written and legal ‘Constitution’ is either required or is in the church’s best interest. (This tension has not changed much over the centuries – refer Luke 20:25: ‘Render to Caesar the things that are Caesar’s, and to God the things that are God’s’).

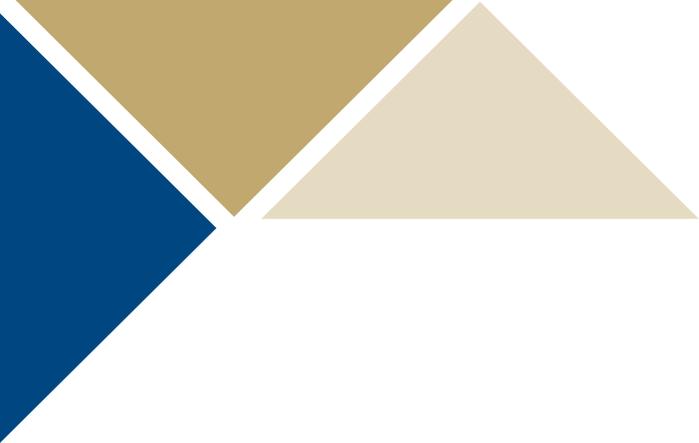
At the 2018 General Synod, General Church Board (GCB) signalled the need to have a look at the constitution. This followed many years of amendments and additions to the Lutheran Church of Australia (LCA) Constitution, a churchwide Governance and Administration Review in 2014, and advice from the LCA Standing Committee on Constitutions. As the terms of reference for this review say: ‘In summary, the exercise of providing further bandaids to the current Constitution may only result in further risk of confusion and non-alignment...’

In June 2018, the LCA Standing Committee of Constitutions (SCOC), as part of its ongoing research to ensure constitutional quality, was advised by a lawyer expert in church constitutions of a proposed constitutional framework whereby the churchwide governance of the LCA could be undertaken through a not-for-profit company limited by guarantee, with the mission and ministry activities of the church continuing through an unincorporated structure. Subsequently SCOC posed the following question to the church in a paper in October 2018, ‘How does the Lutheran Church of Australia re-constitute itself today to reflect regulatory and governance requirements while enabling the focus of activities to align with the mission and ministry objects of the church?’

General Church Board acted on SCOC’s advice to research this matter further. The SCOC paper was updated in July 2019 which led to the drafting of the terms of reference for this Phase 1 review.

Ten reasons why the review was needed were listed by GCB. In summary they were:

1. There are important questions about the risks and benefits of keeping LCA’s current single constitution document, which holds in one document both its ecclesial-related provisions and secular legal identity as an incorporated association. Other churches have made changes.
2. The culture of the church has changed. In 1966 there was a stronger understanding by members, and in particular Convention delegates, of the teachings of the church and its practices ... but with the passing of time, reliance has been focused on the content of the constitution, and not its history.

- 
3. The practice and expressions of the church have and will continue to evolve. Church planting, more fluid membership definitions and changes in approaches to faith formation (eg less emphasis on confirmation) are among the changes which challenge the assumptions upon which the constitution and by-laws were based.
 4. There are questions about the organisational structure and relationships within the church. What are the principles that underpin these arrangements and impact on the prospect for change?
 5. There have been many changes in governance practice over the past 50 years. In 1966 any management or operational 'policy' of the church was documented by means of by-laws. By-laws are no longer used in modern institutional constitutions and are largely replaced by policy. The regular changes to the by-laws (a number of changes were adopted at the 2018 Convention of General Synod) highlight a need for the ability to accommodate changes in a timely manner.
 6. The constitution contains few definitions and relies on implied understanding. As an example, members today are unable to ascertain what is a confessional, theological or doctrinal matter – all these words are used in the constitution and are often interpreted as being inter-changeable.
 7. The Synod-approved review of the church's ecclesiastical discipline policies and processes will include an assessment of Article 10 in the constitution and related by-Laws, which deal with church discipline.
 8. The constitution as currently written has evolved and contains, as a consequence, contradictions and lack of clarity with regard to key governance, management, operational and practice matters.
 9. Changes in the external environment impact on the LCA/NZ. In more recent years, the federal and state government authorities that have oversight of incorporated bodies ... have required a stronger emphasis on governance principles in institutional constitutions and the development of policies that demonstrate governance and consistency over management and operations of an entity.
 10. The recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse will also require further policy development to ensure the church's compliance with any legislation the federal government will introduce.
- During the first half of 2020 seven additional reasons for wanting this review were provided to the facilitator by church members. These additional reasons are:
1. Our constitutional document/s should be inspiring, not a dry and complex legal document. 'Why not reorder it into an inspiring Charter, then have all the policies, procedures and terms of reference, and then the "legal speak"! Such a Charter could inspire and give guidance like the Theses of Agreement did in 1966'.
 2. Our constitutional documents need to be shorter and easier to read for the lay person. In 1966 the constitution consisted of 25 pages. It is now 52 pages!
 3. Our church and its membership profile have changed over the past 50 years. It is important to reference the desirability of a culturally diverse church and new models of ministry that already exist within LCA/NZ, such as Indigenous congregations, cross-cultural ministries and church plant communities.
 4. The need to support congregations even more in the areas of pastoral support, cross-cultural support and reducing paperwork/administrative requirements.

5. The need to reduce current inefficiencies and duplication of effort between areas of the church, partly because of the way the current constitution is written.
6. The need to reduce ongoing costs at District and Churchwide levels.
7. The need to better utilise modern technologies to achieve improved communications, effectiveness and efficiencies.

These are the 'starting issues' this review is to address. Taken together, these matters are not only inhibiting the ministry of the church today as reported by church members, they also pose significant risks for its future.

It is very important to note that this is a review of the existing LCA constitution and not a review of Lutheran beliefs and/or current theological practices. It is also not a structural review of the church.

What is this 'Phase 1' review to do?

The scope of work for this review requires an analysis of relevant issues and concerns with the current constitutional arrangements including, but not limited to, the matters raised above, in the following areas:

1. ecclesial and theological – how we represent the LCA/NZ as church (including the LCA/NZ's self-understanding of church and ministry)
2. governance and accountability (including issues such as authority and powers)
3. relationships (including between Districts, congregations, institutions, agencies and General Church functions)
4. legal and compliance (policies, legislation, regulation), and
5. operations (including finance, personnel).

In late 2019 a facilitator was appointed to lead the review. A group of volunteers from within the LCA/NZ who have experience and expertise in governance and constitutions was also formed to provide support for the facilitator.



What is the Phase 1 reviewer to do?

After reviewing key documents provided and engaging with interested parties the facilitator is to analyse the issues identified and then provide a report to General Church Board in early 2021 that outlines the key principles under which the LCA/NZ Constitution should be updated. The report is also to include recommendations. General Church Board will then progress the matter with the Convention of General Synod. A widely consultative approach is being taken by the reviewer.

Where is the review up to?

This review consists of three stages. We are currently in Stage 2, two-thirds of the way through this 'Phase 1' Review.

Stage 1 involved engaging with interested parties and analysing key issues.

Stage 2 involves writing an interim report (Volumes 1 and 2), a period of further engagement with church members and then reviewing feedback.

Stage 3 is to write the final report in early 2021 (depending on COVID-19 impacts of course).

How have church members been involved?

The first half of this Review invited congregations, Districts, boards, councils, other bodies and agencies of our church and individuals to engage directly with the review. This included:

1. Through regular communiqués, Bishop John Henderson alerted church members as to how they could be involved and of progress in the review.
2. A special webpage for this Review on the LCA website and articles in *The Lutheran* have encouraged people to read Review documents and contribute their thoughts.
3. Relevant articles were uploaded to the review webpage for church members to access.
4. An electronic survey was developed for church members who wanted to share key ideas. Congregations were encouraged to meet about this matter and provide their thoughts to the review.
5. A second electronic survey was issued specifically to young members of the church.
6. Church members were also invited to make submissions to the review and a review email address was publicised.
7. The facilitator sought additional information from persons involved in cross-cultural ministry, Indigenous ministry and youth ministry (these enquiries are ongoing).
8. Input from church members was also passed on to the reviewer by the volunteer members of the support group to this Review.
9. To date, a number of church members have participated in four Issues Analysis Groups:

Theological and Ecclesial, Key Definitions, Membership, and Legal and Compliance.

10. The facilitator undertook multiple follow-up telephone and email conversations with a number of people.
11. Bishops participated in interviews with the facilitator and were also engaged in meetings to do with this review.
12. District administrators were invited to participate and have.
13. Managers within the Churchwide office have also engaged with the review.

Details of guidance provided by the above church members are noted in Volume 2 of this report.

Over the next three months of this review church members will again be invited to get involved and provide feedback on this interim report but this time, feedback from members and bodies is to go via Districts (or the Churchwide office if you are a Churchwide body). The review is now focused on finding collective consensus on the way forward to achieve the new constitutional framework.

APPENDIX 1

Participants in review groups to date

REVIEW TEAM	
Name	Congregation/Parish
Paul Argyle	Palmerston North NZ
Ralph Brinkmann	Trinity, Devonport Tas
Nancy Fox	St Paul's, Sydney NSW
Bruce Lockwood	St Peter's, Indooroopilly Qld
Rev Mark Vainikka	St Andrew's, Brisbane Qld
Rev Andrew Vanderwal	St Paul, Ceduna SA
Faye Schmidt	Bethlehem, Adelaide SA

ECCLESIAL AND THEOLOGICAL ISSUES ANALYSIS GROUP	
Name	Congregation/Parish
Rev Robert Hamann	Our Saviour, Springwood NSW
Rev Dr Michael Lockwood	Redeemer, Toowoomba Qld
Rev David Schmidt	Prince of Peace, Everton Hills Qld
Assoc Prof Lisa Schmidt	Bethlehem, Adelaide SA
Dr Norma Koehne	St John's, Geelong Vic

KEY DEFINITION ISSUES ANALYSIS GROUP	
Name	Congregation/Parish
Rev Andrew Vanderwal	St Paul, Ceduna SA
Prof Wendy Mayer	Immanuel, North Adelaide SA
Dr Gillian Heintze	St John's, Minyip Vic
Rev Neville Otto	St Paul's, Box Hill Vic
Margit Hubbers	Our Saviour, Rochedale Qld

MEMBERSHIP CRITERIA ISSUES ANALYSIS GROUP

Name	Congregation/Parish
Faye Schmidt	Bethlehem, Adelaide SA
Paul Argyle	Palmerston North, NZ
Rev Dr Vic Pfitzner	Bethlehem, Adelaide SA
Rev Dale Gosden	St John's, Unley SA
Rev Nathan Hedt	Lakeside Lutheran Fellowship, Vic

LEGAL AND COMPLIANCE ISSUES ANALYSIS GROUP

Name	Congregation/Parish
Alison Doecke	St John's, Unley SA
David Kalisch	Holy Cross, Belconnen ACT
Martin Kriewaldt	St Andrews, Brisbane Qld
Kim Baumeler	St Peter's, Hobart Tas

LCA COMMITTEE ON CROSS-CULTURAL MINISTRY

Name	Congregation/Parish
Pamela Dalgliesh	St Paul's, Box Hill Vic
Richard Collyer	Gippsland Parish, Vic
Rev Brian Schwarz	Langmeil, Tanunda SA
Jenny Pietsch	Moorabbin Dandenong, Vic
Rev Ani Sumanti	Trinity, Pasadena SA
Tim Yiu	Queensland Asian Church, Qld
Rev Matt Anker	Bethlehem, Adelaide SA
Rev Brett Kennett	St Paul's, Box Hill Vic
Rev Michael Prenzler	Pilgrim and Adelaide Deaf Community Church, Magill SA
Dr Tania Nelson	St Paul, Blair Athol SA
Craig Heidenreich	Trinity, Pasadena SA

'KEY REPRESENTATIVES FORUM' (not already listed above)

Name	Congregation
David Dreckow (LCA SCOC)	St Michael's, Hahndorf SA
Rev James Pietsch	St Pauls, Wellington NZ
Stephen Kroker	St Pauls, Glenelg SA
Neil Young	Good Shepherd, Ringwood Vic
Ward Westphal	Immanuel, Woden ACT
Rev Peter Hage	St Johns, Perth WA
Graeme Lienert	St Johns, Perth WA
SA-NT Bishop David Altus	St Paul's, Blair Athol SA
NSW & ACT Bishop Robert Bartholomaeus	Lifeway, Epping NSW
WA Bishop Mike Fulwood	St Lukes, Parkwood WA
Vic-Tas Bishop Lester Priebbenow	Good Shepherd, Ringwood Vic
Qld Bishop Paul Smith	St Peters, Indooroopilly Qld
LCNZ Bishop Mark Whitfield	St Paul's, Wellington NZ
LCANZ Bishop John Henderson	Holy Trinity, Hampstead, SA

OPERATIONAL ISSUES MEETING

Name	Synod Office represented
Angela Rodgers	South Australia - Northern Territory
Lester Dreckow	Western Australia
Russell Veerhuis	NSW and ACT
Stephen Mildred	Victoria - Tasmania
Debbie Venz	LCA Churchwide
Peter Schirmer	LCA Churchwide

OTHER ASSISTANCE PROVIDED

Name	Assistance Area
Marilyn Wall	Reconciliation Action Plan liaison
Dr Nigel Long	Reconciliation Action Plan liaison
Linda Macqueen	Church Member Survey coordination and webpage
Jodi Brook	Young Persons Survey coordination
Janette Lange	Archival research and retrieval
Daniel Wiltshire	Review IT

APPENDIX 2

Conceptual sample-only of a Church Charter

Please note that none of the words in this attachment are recommendations; they are simply a conceptual format sample for your reflection. That is, this document does not exist for real; it is just an example of what could be discerned.

If developed, the Church Charter would be a shorter document than that outlined below, but for this first exposure 'sample' we deliberately over-included possible articles and text. The final Church Charter could be a document of less than 10 pages.

It is not any individual articles or 'words' that we are seeking feedback on at this time, rather, we seek feedback on the recommended concept of developing a plain English, mission-focused Church Charter. Please join in your District or Churchwide Office discussions.

Lutheran Church of Australia and New Zealand

CHURCH CHARTER

Preamble: This Charter is the pre-eminent public document of the **Lutheran Church of Australia and New Zealand**. This document is supported by several other key documents including:

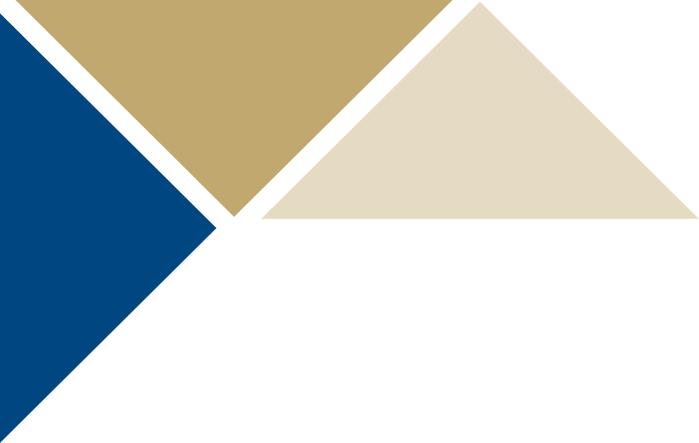
- LCA/NZ Book of Beliefs (Doctrinal Statements and Theological Opinions)
- LCA/NZ Book of Rules (Church Standard Administration Policies and Procedures etc), and
- LCA/NZ Legal Constitution.

All of these documents can be found on the LCA/NZ website.

1. Christ is Lord and Head of the Church

Jesus Christ is the one Lord and Head of the church, and all power and authority exercised by the church is governed by his will as revealed in his word. As the Son of God, he is the full revelation of the Father's saving will that is made effective in the church through the power of the Holy Spirit.

Adapted from
existing clause 6.1



2. Who we are

We are a community of faith. We are the Lutheran Church of Australia and New Zealand. We are a fellowship of Christians who strive to live every day in accordance with our Lutheran Confessions.

New (from review respondents)

Our church consists of congregations of baptised members (both lay and clergy) that meet regularly for word and sacrament. If accepted as members of the church, such member-congregations are registered in a roll of congregations.

From existing clauses 4.1 and 4.2 and BLs 4.1, 4.2 & 5.5.1

Our church also witnesses and serves by providing educational services, community services, family services, services to older people and overseas mission, aid and development services, to name a few. Some of these services are organised at congregational level, others at District and/or Churchwide levels. Some of these services even have registered congregations within them.

From existing LCA documents and feedback from review respondents

3. What we believe – our Lutheran confession

The church 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.

From existing clause 2.1

The church 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*.

From existing clause 2.2

4. Why we come together as church

Our congregations and specialist ministries voluntarily join together to establish a wider fellowship in the faith and to promote and do work which they could not undertake and do effectively alone.

Adapted from existing clause 6.2

5. The purpose of our church

- | | |
|---|-----------------------------------|
| 1. To fulfill the mission of the Christian church in the world by proclaiming the word of God and administering the sacraments in accordance with the Confessions of the church. | From existing Object 3.1.1 |
| 2. To nurture and enable members to grow in the Christian faith, encouraging each other to daily live our Lutheran confessions. | New (from review respondents) |
| 3. To encourage every congregation to carry out its mission to its local community and to minister to human need, wherever need occurs, in the name of Jesus Christ our Lord in the spirit of Christian love and service. | Existing Objects 3.1.6 and 3.1.13 |

6. How we will achieve our purpose (our strategies). We:

- | | |
|---|---|
| • unite in one body Evangelical Lutheran congregations in Australia and New Zealand for the more effective work of the church | From existing Object 3.1.2 |
| • promote and maintain true Christian unity in the bond of peace | From existing Object 3.1.3 |
| • welcome and provide appropriate ministry to and with people from all different cultural backgrounds | From LCA CCCM |
| • ensure that preaching, teaching and practice in the church are in conformity with the Confessions of the church | From existing Object 3.1.4 |
| • 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 | From existing Object 3.1.5 |
| • establish, develop and support new congregations where it is not possible for individual congregations to do so | From existing Object 3.1.7 |
| • support and cooperate with (selected) ¹¹ like-minded churches in other lands as they seek to carry out their mission | From existing Object 3.1.8 and CCCM |
| • dialogue with other Christian church bodies | From existing Object 3.1.9 |
| • establish and maintain schools and other institutions and to foster all other means whereby the members of the congregations and others receive Christian education | From existing Object 3.1.10 and LCA Schools |
| • cultivate (uniformity) unity in worship, ecclesiastical practice and customs in accord with the principles laid down in Article X of the <i>Formula of Concord</i> and church policy | From existing Object 3.1.11 and respondents |

¹¹ The proposal is to update the words 'selected' and 'uniformity' with more understandable terms that don't change the original meaning intended for the previous words.

- publish, procure and distribute literature compatible with the Confessions and principles of the church From existing Object 3.1.12
- provide institutions and agencies to minister to human need, particularly to the 'forgotten' and to those in most need, and From existing Object 3.1.13 and ALWS
- maintain and promote a culture of care in all areas of the church and its activities, so that all people, especially the vulnerable such as children and the aged, are protected against any form of spiritual, emotional, physical and sexual abuse by ensuring that: From existing Object 3.1.14
 - appropriate governance and leadership structures are in place
 - policies and procedures are appropriately prescribed
 - a culture of safety and care for children and all people is actively encouraged and practised, and
 - the wellbeing of congregations, pastors, teachers and other church workers in the performance of their duties and the maintenance of their rights is supported and promoted.

7. **Our focus is ministry and mission**

We focus on supporting our faith communities to engage in and/or support Lutheran ministry and mission activities (such as educating others in the Christian faith and caring for the most needy – those most forgotten, both domestically and internationally).

New (from review respondents)

In the Christian context we see **personal mission** ('good news-ing') as the daily sharing of the gospel by individual Christians, which happens through a combination of words and actions in our personal relationships every day. We see **congregational mission** happening most effectively, like in the New Testament, through teams of people working intentionally together, that is, actively participating in a local mission team from a congregation or local faith community. **Organisation-wide mission** can be a congregation – wide strategy, or an organised public strategy at District and/or Churchwide levels, or the public work carried out by dedicated services including Lutheran schools, aged care services, ALWS etc.

8. Acknowledgement of First Nations peoples of Australia and New Zealand

We acknowledge that we minister in lands that are young and old.

The church is committed to continuing to understand, value and respect the histories, cultures and contributions of the First Nations peoples of Australia and New Zealand.

The church plans to continue to listen to the voices of First Nations peoples, promote positive race relations, demonstrate respect to First Nations peoples, and increase understanding, value and recognition of First Nations cultures, histories, knowledge and rights through cultural learning.

From draft LCA
Reconciliation
Action Plan

9. Our Australian and New Zealand context

We are an inclusive church that ministers in multicultural societies and we welcome our brothers and sisters in Christ, young and old, and understand the desirability of continuing to become a church with members from many cultures and language groups. We also note we value the participation and contribution of young people. We note that, as well as giving, our church receives and learns from our cross-cultural members, our members experiencing a disability and our young people.

Our vision is to achieve the vision the Apostle John received and recorded in Revelation 7 – a vision of people from every nation, tribe, people and language, young and old, worshipping together, all contributing their special gifts to the praise of God. The goal is not just to form mono-ethnic Lutheran communities of Christians; it is to form integrated worshipping communities of people from diverse cultural and ethnic backgrounds. It is a vision of 'love coming to life' in the form of welcoming, culturally-sensitive communities, where differences do not divide but are seen as God's colourful and abundant blessing, where joy in Christ and the unity he gives are experienced.

It is a vision of communities that are prepared to learn from each other, to give and to receive and to be flexible in the way that we minister to each other. Our church family continues to reflect on the 1 Corinthians 12 image of the body of Christ in which there is 'neither Jew nor Gentile'. We recognise we need both young and old people in our church and brothers and sisters from other ethnicities to experience a full expression of the body of Christ.

From LCA
Committee on
Cross-Cultural
Ministry

10. How we relate to each other within our church

We strive to maintain and promote a culture of warm Christian fellowship and love – a ‘people-focused’ culture of care and support.

Our culture (how we go about doing everything every day) is our faith incarnate. Our culture flows directly from our values which are based on our beliefs (Scripture and Confessions).

Scripture informs us to relate to each other organisationally by seeing ourselves in a fellowship of love with one another (*koinonia*) (1 John 1:3). Further, ‘Our Lutheran teaching and practice also informs us to organise ourselves in a way that is one of reciprocal accountability between pastor and congregation’. Also ‘Synod ... elects a synodical bishop (pastor) and again the relationship is one of reciprocal accountability’.

The values that underpin our behaviour to each other include: Christian fellowship and love, respectful relationships, listening, being humble, wellbeing and care, supporting, cooperating and building up one another, participation by believers, teaching and learning, compassionate actions and service, ministering to human need, unity and peace, order and consistency, integrity, stewardship excellence, effectiveness and accountability.

From existing Object 3.1.14 and from Review Ecclesial and Theological Issues Analysis Group et al

From LCA Governance Framework 2020

11. Individual membership

We are a welcoming and inclusive church. Our ‘members’ are children of God baptised in the name of the Triune God with their name added to the Roll of Baptised Members of the congregation. Our ‘voting members’ are baptised members over the age of 18 years who have affirmed their faith in accordance with Lutheran teaching under the rite of Affirmation of Confession with their name added to the Roll of Voting Members of the congregation.

If you would like to join our fellowship of believers, start by reading the *Small Catechism* and then the *Large Catechism*, both available in modern translations.

From Review Membership Issues Analysis Group

New (from review respondents)

12. The office of ministry

The church recognises and upholds the office of the ministry as the office divinely instituted for the public administration of the means of grace. For this purpose it receives into its ministry, by ordination or by colloquy of ministers ordained elsewhere, men whose qualifications for the office have been established and who:

- accept and hold the Confessions of the church;
- accept the constitution and by-laws of the church; and
- undertake to participate in the work of the church and to promote its objects.

Such members of the ministry are recorded in the official Roll of Pastors.

Existing clause 5.1

13. **Our pastors and bishops**

Pastors are highly valued members of our church. They are equal members in our fellowship of believers but they have a specialist and God-ordained role. They are servants of Christ and, as such, servant leaders.

New (from review respondents)

Accordingly the church invests time and resources enabling each pastor to grow into the pastoral role. The church understands their prime role is spiritual guidance and pastoral care. Our church understands modern-day regulations and paperwork requirements and so we actively support pastors in order to free them to the maximum extent possible for their pastoral role.

Our pastors are properly prepared and well-equipped for pastoral work in the 21st century. In terms of training, after an initial period of education and training, pastors are supported with an individualised continuing education program to assist them in the further development of all aspects of their ordained ministry.

Bishops in our church are pastors who have a special role to fulfil but by virtue of their office only, they hold no greater theological authority than any other of our pastors.

As well as being servants of Christ, our pastors are also considered by secular society as employees (when paid) or volunteers (when unpaid). Our church strives to always maintain high standards in personnel practice.

14. **We value other pastoral workers too**

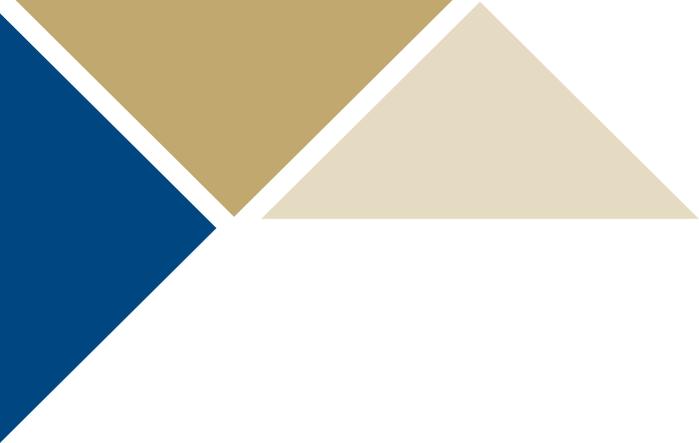
We value the important role 'licensed persons', chaplains and elders/pastoral assistants perform and the importance of providing ongoing support to these servants as well (including ongoing training opportunities).

New (from review respondents)

15. **Effective servant leadership**

Persons elected or appointed to positions of leadership, governance and management within the church act as servant leaders – stewards acting on behalf of and for church members as a whole. Wherever practicable, leaders will discern by 'walking with' the members (that is, we involve members meaningfully in the decision-making processes of the church).

New (from review respondents)



16. Importance of good stewardship

Stewardship involves the effective and efficient nurturing, governance and management of God's resources, including being competent at what one does.

New (from review respondents)

Our church recognises two streams of governance within it: theological guidance and temporal governance.

Theological guidance is stewarded by pastors. Pastors gather together at District level as a Pastors Conference and at the Churchwide level as General Pastors Conference.

Temporal governance is managed at the congregational level by voting members of the congregation and at District and Churchwide levels by boards consisting of qualified persons elected by the appropriate synod.

Our church governs and manages itself consistent with contemporary governance and management standards. We are clear about 'who is responsible for what', especially when functions and/or processes are shared between people or across structures. We ensure that everyone who holds an office in the church has both the spiritual and temporal skills and competencies to carry out their role well on behalf of the church. We avoid duplication wherever possible.

The church acknowledges the importance of compliance with the laws and regulations of the lands in which we operate.

Our church also meets good governance standards by ensuring that governance within the church is overseen by representatives of the members of the church – and only the members of the church – both clergy and lay (most of who are nominees from our congregations).

17. Importance of good 'processes' throughout our church

All processes within the church (and therefore within all our structures) aim to meet the high standards set by Scripture, our Confessions, our values and modern principles of good governance. This means that all our key processes include meaningful participation by church members, Christian discernment and ethical, skill-based decision-making, while being fair, transparent, efficient and timely.

New (from review respondents)

18. How we structure ourselves

Most of our **congregations** are legally independent entities that self-govern the day-to-day activities of their congregational life. Although they are responsible for their internal administration and property, in order to remain a part of this church they abide by this Church Charter and the theological and administrative rules of the church. Congregations elect representatives to a District Synod which, along with its board, oversees the mission and ministry of the church within the synodical region.

Adaption of Clause 6.7 and from Review respondents

These regional entities called **Districts** provide both a support and quality-assurance function to congregations and communities of witness and service within their jurisdiction. An example of support provided to congregations by Districts is the oversight of pastors. Some Districts also provide ministry and mission services directly themselves. Like congregations, Districts must abide by this Church Charter and the theological and administrative rules of the church. Districts also ensure the program and policies of the church are carried out in the District. Voting members at District Synod elect both lay and clergy representatives from their District to General Synod which oversees the whole church.

Modification of Clause 9

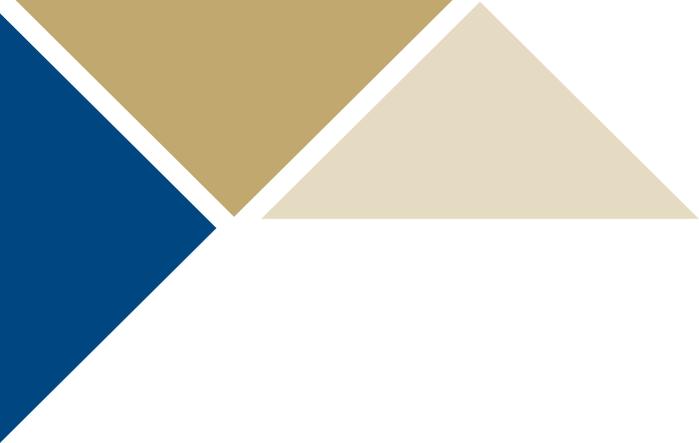
DBL 8.6.1

General Synod is a key and essential churchwide function within our fellowship of believers. This **Churchwide function** primarily exists in order to promote and provide unity within the church and to oversee those things best done at a churchwide level. This includes facilitating churchwide agreements on Lutheran theology, ecclesiology, and doctrine and governance. It also oversees the development and maintenance of churchwide policies to do with mission and ministry (eg cross-cultural ministry, churchwide school policies, aged-care policies). It oversees the training of pastors and the provision of international mission, aid and development services. The Churchwide function represents the LCA/NZ at national and international levels, and provides a support and quality-assurance function to Districts and auxiliaries (for example, providing a churchwide ICT service, media service, payroll service, governance guidance and governance audits).

19. We are a synodical church

Every couple of years (and as required), we come together and 'walk together', as laity and clergy, at these important gatherings – at 'Conventions' – both at regional levels and churchwide. Synods oversee both ecclesial and theological matters within the church and all other governance matters.

New (from review respondents)



Our 21st century synods exist primarily to inspire, educate and to celebrate the work of Christ in the church, to oversee the spiritual and temporal governance within the church, and to make high-level decisions on behalf of the church.

New (from review respondents)

We have time together at synods to inspire each other in faith, to educate each other and to celebrate the work of Christ in our church. These sessions are streamed to many Lutherans who enjoy the interactive worship and engagement with their church electronically from their local faith communities, schools, aged-care facilities and even their offices or homes.

Time is also set aside at each synod for important ecclesial business (such as finding unity on doctrinal matters etc) and for meeting any annual general meeting requirements of our separately incorporated church bodies.

Administrative governance is delegated to boards – one at the churchwide level (General Church Board) and one board in each District ((District Church Board). Although synods delegate these administrative governance tasks to boards, these boards are accountable to, and report to, their synod.

New (from review respondents)

Synod is attended by delegates (voting members), consultants (non-voting advisers) and friends (other church members and/or special guests who are neither delegates nor consultants).

New (from review respondents)

Delegates at synods have a clear sense of pride in their church, stewardship and collegiality. Delegates are competent members who know who we are as church, what the church is about, and are prepared to engage in theological, ecclesial, governance and organisational issues and discussions. Together at a synod – laity and clergy – are competent to make all the most important decisions in our church.

20. **General Synod**

As a church we come together at General Synod to work together to further the mission of the church within our part of the world, to celebrate the life of the church and to ensure the fellowship of the church is in good order. We discern major church-life issues together.

New (from review respondents)

The power of the church is exercised through General Synod, which is the highest constitutional authority of the church, with power to direct and control those to whom it has entrusted tasks or has delegated authority.

From existing clause 7.1

Lawful decisions of General Synod are binding on all members and all parts of the church including Districts and congregations.

The voting delegates of General Synod consist of members of congregations (both lay and pastor nominees) nominated through their Districts, members of General Church Board, and pastors currently filling the role of a bishop and assistant bishop within the church.

Modification of clause 7.2

Delegates serve for the full term of the synod (several years), from the commencement of the regular convention of General Synod to the commencement of the next regular convention of General Synod – not just at conventions.

From existing clause 7.4.1 and LCA documents

Some people who are not delegates may also attend most sessions. These non-voting participants include church members and specialist advisors we call consultants.

Adapted from LCA By-law 7.1.7

Consultants at General Synod are non-voting participant advisors who are invited to attend by virtue of their office (eg current church administrator), past office (eg past bishops and pastors emeriti), specialty skills (eg auditor), or because they are a leader of a ministry or mission of the church (eg school principal; service CEO).

21. District synods

Within agreed regions we come together as District synods to work together to further the mission of the church within a region, to celebrate the life of the church within the region and to assist in ensuring the wider fellowship of the church is in good order.

Adapted from clauses 9.1 and 9.3

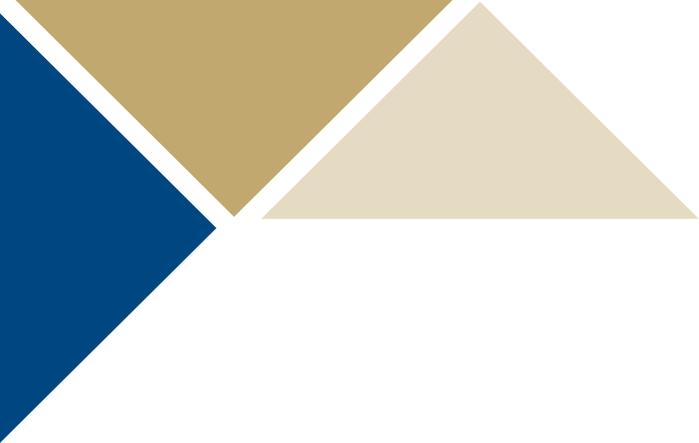
Lutheran Districts remain a key function within our fellowship of believers. Districts primarily support local mission and ministry as well as provide a quality-assurance function for all Lutheran activities within the District; they represent the church within their District and they work cooperatively with other Districts and the Churchwide function to help ensure the whole church is in good order. This includes Districts exercising general oversight of the congregations of the church within their region. Districts also exercise general supervision over the members of the ministry within their region, both spiritual and temporal.

Lawful decisions of a District synod are binding on all members and all parts of the District including congregations.

The voting delegates at a District synod consists of nominees from member congregations and pastors, members of District Church Board, the bishop and assistant bishops of the District.

From existing Constitution and review respondents

Delegates serve for the full term of the synod (several years), from the commencement of the regular convention of the District synod to the commencement of the next regular convention of the District synod – not just at conventions.



Consultants at District synods are non-voting participant advisors who are invited to attend by virtue of their office (eg current Churchwide bishop and District administrator), past office (eg past District bishops and pastors emeriti), specialty skills (eg auditor), or because they are a leader of a ministry or mission of the church (eg school principal; service CEO).

From existing Constitution and review respondents

22. District pastor conferences

A conference of the members of the ministry, called Pastors Conference, is held in conjunction with the regular convention of the synod of the District and at other times as determined by the synod or District Church Board.

From existing District Constitution clause 5.2

The prime ecclesial purpose of District Pastors Conference is to give guidance to the District in matters of doctrine and confession, always in accordance with doctrinal statements adopted by General Synod.

From existing District Constitution By-law 5.2

The second ecclesial purpose is to provide nominations for the positions of bishop and assistant bishop(s) of the District.

District Pastors Conference also has other pastoral and peer responsibilities.

From existing District Constitution By-law 5.2

District Pastors Conference is accountable to District Synod for theological matters and to District Church Board in all other matters.

23. Zones and zone conferences

Each District may have zones. A meeting of the congregations, other ministries and pastors in each zone, called Zone Conference, can be held as determined from time to time by the District or the zone.

From existing clause 9.4

24. General Pastors Conference

A conference of the members of the ministry, called General Pastors Conference, is held in conjunction with the regular convention of General Synod and at other times as determined by General Synod or General Church Board.

From existing clause 5.2

The prime ecclesial purpose of General Pastors Conference is to serve as a theological adviser to General Synod. General Pastors Conference provides valuable recommendations in matters of doctrine and confession.

From LCA By-laws 5.6.2 and 5.6.1.1 & 5.6.3.1

The second ecclesial purpose is to provide nominations for the positions of bishop and assistant bishop of the church.

The key to the relationship between General Synod and General Pastors Conference is that the Scriptures are the only rule and norm for all matters of doctrine and faith. There is a respectful interaction between these two bodies. The synod looks to the pastors of the church, in conference, as those who have the skills base and competency to discern and, knowing the mind of the people of the church, to provide guidance on matters of theology. The pastors look to the synod and respectfully ask members to test the recommendation of the pastors and to adopt the guidance as the decision of the church.

New (from review respondents)

Although General Synod has constitutional authority over General Pastors Conference, in practice they work together. For example, if Synod does not agree with what General Pastors Conference recommends, typically (unless the matter is urgent) Synod will send the theological issue back to the pastors to do more work or answer more questions. Both bodies respect each other's role, serve Christ and hold as important the unity of the church.

General Pastors Conference also has other pastoral and peer responsibilities.

Taken from LCA By-laws 5.6.1

General Pastors Conference is accountable to General Synod for theological matters and to General Church Board for all other matters.

25. College of Bishops

This is a meeting of the bishops of the church. The College of Bishops has oversight of the theological, confessional, pastoral and worship life of the church.

From existing clause 8.4

The chief function of the College of Bishops is to provide leadership, oversight and guidance to the church, subject to the authority vested in the bishop, as outlined in our Rules, according to Holy Scripture as interpreted by the Confessions of the Evangelical Lutheran Church. The College of Bishops does not have oversight or decision-making responsibility for the temporal governance of the church. The College of Bishops is accountable to General Synod.

Adapted from LCA By-laws 8.6.2

The College of Bishops also has other spiritual leadership and peer support responsibilities.

Adapted from By-laws 8.6.3

The College of Bishops oversees the following commissions:

- Commission on Theology and Inter-Church Relations
- Commission on Worship, and
- Commission on Social and Bioethical Questions.

Adapted from existing clause 8.4.2

26. General Church Board

General Church Board is responsible for the temporal governance and administration of the church at its Churchwide level.

Adaption of Clause
BL 8.4.1.1

Members of General Church Board have skills commensurate with those expected by society of being a member of a governing body. Each member of General Church Board is appointed by General Synod and General Church Board reports to, and is accountable to, General Synod.

The responsibilities of General Church Board include ensuring that the mission of the church and the proclamation of the gospel of Christ remains central in the work of the church, and that the program of the church is implemented in accordance with this Charter, the regulations established by General Synod and temporal governance requirements.

Adapted from
LCA By-law 8.4.1

General Church Board has authority between the conventions of General Synod to make decisions within the limits prescribed by General Synod as set out in the Book of Rules.

From existing
clause 8.3.2

General Church Board has a number of standing committees which provide advice in accordance with the terms of reference for each as determined by General Church Board. Committees include

From existing
clause 8.3.4

- Standing Committee for Nominations
- Standing Committee on Constitutions, and
- Standing Committee for Finance, Audit and Risk.

27. District Church Boards

District church boards are responsible for the temporal governance within a District of the church. Members of a District Church Board have skills commensurate with those expected by society of being a member of a governing body. Members of a District Church Board are appointed by the relevant District Synod and each District Church Board is accountable to both its District Synod and to General Synod.

New from review
respondents

The responsibilities of a District Church Board include ensuring that the mission of the church and the proclamation of the gospel of Christ remain central in the work of the District, and that the program of the District is implemented in accordance with this Charter, the Book of Rules, decisions of its District Synod and temporal governance requirements.

Adapted from
LCA By-law 8.4.1

A District Church Board has standing committees which provide advice in accordance with the terms of reference for each. Committees may include

- Standing Committee for Nominations
- Standing Committee on Constitutions, and
- Standing Committee for Finance, Audit and Risk.

28. Ensuring diverse and specialist voices are heard at synods

Synods within our church ensure that diverse and specialist voices from within the church are heard at synods.

New (from review respondents)

Accordingly Convention of General Synod may at its discretion institute an Indigenous/First Nations conference, a multi-cultural member conference and a youth conference. Such conferences may constitute themselves in different ways. For example, the youth conference may only be held online between conventions of General Synod. The multi-cultural member conference may operate on the basis of 'cultural or language groups'. The Indigenous conference/s is also organised in ways relevant and meaningful to those First Nation persons who identify as Lutherans and who are part of the LCA/NZ.

An Indigenous conference, a multi-cultural member conference and a youth conference may or may not operate in a District depending on the characteristics, needs, processes and structures within that District.

Provisions are also made for other conferences should certain Lutheran sectors wish to engage with General Synod via a conference system (sectors include the Lutheran schools sector, the Lutheran aged care sector, the Lutheran community services sector).

29. Officers and officials of the church

The officials of the church are a bishop and a deputy bishop. They are elected for a term of office determined by the church. The bishop and deputy bishop are pastors of the church.

From existing clause 8.1

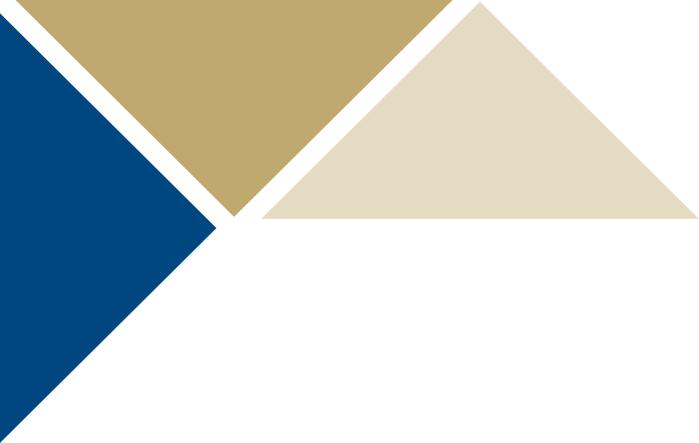
The church has a secretary who is the executive officer of the church and who undertakes administrative duties including those normally undertaken by a secretary and treasurer.

From existing clause 8.2

Executive officers and/or administrators manage the administrative affairs of the church.

New (from review respondents)

The statements of duties of officers and officials are outlined in the Book of Rules.



30. Other boards, councils and committees of the church

General Synod may establish other boards and councils (in addition to General Church Board and District Church Boards).

Adapted from
LCA By-law 8.7

These other boards are separately incorporated bodies with their own constitution. An example is Australian Lutheran College.

Councils are internal bodies with terms of reference. An example is the Council for Local Mission. These boards and councils report to General Synod through General Church Board.

31. Quality trained pastors and Australian Lutheran College

Church requirements regarding the training, call and employment of pastors are outlined in the Book of Rules.

Adapted from
LCA By-law 8.7

Australian Lutheran College is a fully owned subsidiary company of the church and reports annually to the church through General Church Board.

32. Auxiliaries

Adapted from
clause 8.1

The church may from time to time establish auxiliaries.

33. Congregational authority to ensure good stewardship

The members of the church are congregations. Accordingly congregations have the authority to come together in extraordinary circumstances to convene a special convention of their synod.

Adapted from
good governance
principles

Extraordinary circumstances are defined as when 51% of registered congregations seek a special meeting of their synod.

34. General synod authority to ensure good stewardship

To ensure good stewardship always within the church, General Synod has the authority, in exceptional circumstances, to convene a special meeting of any District synod.

Adapted from
LCA By-law
8.4.1.14

In exceptional circumstances it also has the authority to remove and replace the members of any Churchwide or District body such as a board, council, commission or committee, including District Church Boards.

Exceptional circumstances are defined as being a two-thirds majority of formal votes cast by eligible delegates to General Synod (including proxy votes properly submitted).

35. **District authority to ensure good stewardship**

To ensure good stewardship always within a District of the church, District Synod has the authority, in exceptional circumstances, to convene a special meeting of any congregation.

In exceptional circumstances it also has the authority to remove and replace the members of any District body such as a board, council, commission or committee, including congregational committees.

Exceptional circumstances are defined as being a two-thirds majority of formal votes cast by eligible delegates of the District Synod (including proxy votes properly submitted).

Adapted from
District Constitution
6.1, 6.5 and 6.6 and
By-law 8.6.10

36. **Our 'Book of Beliefs'**

Theological statements adopted by General Synod and which apply throughout the whole church can be found in our 'Book of Beliefs'.

The Book of Beliefs also contains all theological opinions discerned by General Pastors Conference that have not yet been adopted by General Synod. This book is maintained by the College of Bishops. This book can be accessed on the church's website.

New (from review
respondents)

37. **Our 'Book of Rules'**

Our detailed regulations, policies, procedures, terms of references and various statements of duties that apply throughout the whole church and also those documents that only apply to the Churchwide function can be found in our 'Book of Rules'. The Book of Rules contains all the governance decisions of General Synod and General Church Board and is maintained by General Church Board. This book can be accessed on the church's website.

New (from review
respondents)

38. **Financial arrangements**

Financial arrangements within the church are set out in the Book of Rules. In summary, the church is primarily funded through congregational givings and investments.

New (from review
respondents)



39. Our legal identity

To meet secular requirements and also to afford protection to church members this church has the legal structure of an incorporated not-for-profit company under the Australian Corporations Act 2001. All churchwide activity, including property transactions, finances, employment and contracts are conducted within the auspices of this company.

New (from review respondents)

Our Districts and most of our congregations and other ministry and mission services are all separately incorporated in one way or another, too.

40. Alterations to this Charter

This Charter may only be varied by two-thirds majority of formal votes cast by delegates at a convention of General Synod (including proxy votes properly submitted).

Adaption of Article 13.2

The church at a convention of General Synod may amend, alter, add to or repeal any of this Charter, except Article 3 and this Article, which shall be considered fundamental and unalterable in their intent and meaning.

Article 13.1

APPENDIX 3: Sample Contents only of a 'Book of Rules'

This 'Book' would contain the administration principles, frameworks, regulations (by-laws), policies, procedures, terms of reference and statements of duties of the church.

Note 1: Most of these definitions and procedures already exist; they just need to be more usefully ordered.

Note 2: When drafted, the book would be divided into two parts. Part A would apply Churchwide, including General Church, Districts, congregations and all other ministries. Wherever possible this Part would be written in a way that enables flexibility for the development of localised policies and procedures etc. Part B would include rules that only apply to the General Church function and its boards, agencies and committees etc.

Note 3: In each section, matters decided by General Synod precede those items decided by General Church Board.

Section 1: General

- Purpose and explanation of this 'Book of Rules'
- Definitions of Significant Terms (Glossary)
- LCA/NZ Code of Ethics and Conduct
- Membership
 - Membership criteria
 - Membership procedures relating to congregations
 - Membership procedures relating to District Synods
 - Membership procedures relating to General Synod
 - Membership roll procedures
 - Withdrawal/termination procedures

Section 2: Congregations and Local Mission

- Congregational Life
 - Model congregation constitution
 - Local mission policies and procedures, including terms of reference and statements of duties

- Administration policies and procedures, including terms of reference and statements of duties
- The Ministry
 - Ministry candidacy criteria and procedures
 - Procedures for calling pastors (including assignment, ordination and installation)
 - Roll of Pastors procedures
 - Procedures for supporting pastors
 - Procedures for mediation and disciplining pastors
 - Transfer procedures
 - Leave of absence, withdrawal and termination procedures

Section 3: District Mission, Ministry and Administration

- District Synods
 - Terms of reference (may only be amended by Convention of General Synod)
 - Procedures for election to Synod
 - Alternates and consultants
 - Procedures for convening General Synod (convention and special meetings)
 - Procedures for transacting business
 - Nominations and election of bishop and assistant bishop/s
 - Nominations and election of District Church Board
 - Sessional committees
 - Procedures between conventions (including voting)
- Pastors Conferences
 - Terms of reference (may only be amended by Convention of General Synod)
 - Procedures for appointment
 - Procedures for calling District conferences (regular and special conferences)

- Procedures for calling General Pastors Conferences (regular and special conferences)
- Procedures between conferences
- District Administration, and Ministry and Mission Activities
 - Model District constitution
 - Policies and procedures (including personnel and employment policies relating to pastors)
 - Terms of references
 - Statements of duties.

Section 4: Churchwide Mission, Ministry and Administration

- Convention of General Synod
 - Terms of reference (may only be amended by Convention of General Synod)
 - Procedures for election to Synod
 - Alternates and consultants
 - Procedures for convening District synods (convention and special meetings)
 - Procedures for transacting business
 - Nominations and election of bishop and assistant bishop
 - Nominations and election of General Church Board
 - Sessional committees
 - Procedures between conventions (including voting)
 - General Synod by-laws
- College of Bishops
 - Terms of reference (may only be amended by Convention of General Synod)
 - Procedures for appointment
 - Procedures for calling the college (regular and special meetings)
 - Procedures between college meetings
 - Procedures for mediation and disciplining College of Bishops
- Churchwide Administration, and Ministry and Mission Activities
 - Policies and procedures
 - Terms of reference
 - Statements of duties

Section 5: Boards, Councils, Committees and Auxiliaries

- Church Boards
 - Terms of reference (may only be amended by Convention of General Synod)
 - Procedures for appointment
 - Procedures for supporting boards and auxiliaries
 - Procedures for mediation and disciplining boards and auxiliaries
 - Termination procedures
- Councils, Standing Committees and Auxiliaries
 - Terms of reference (may only be amended by GCB or DCB)
 - Procedures for appointment
 - Procedures for support
 - Procedures for mediation and discipline
 - Termination procedures

Section 6: Officers and Administration

- Bishop
 - Statement of duties
 - Procedure for appointment
 - Procedures for support
 - Procedures for mediation and discipline
 - Termination procedures
- Chair (items as above)
- Secretary (items as above)
- Treasurer (items as above)
- Executive Officer (items as above)
- Lay workers (items as above)

Section 7: Other Church Processes

- Duty of care and risk mitigation
- General discipline, adjudication and appeals
 - Ecclesial mediation and disciplining procedures
 - Other mediation and disciplining procedures
- Financial
- Other etc

APPENDIX 4: Sample Contents only of a revised LCA/NZ Legal Document (our new Incorporated Constitution)

The new LCA/NZ legal instrument could contain the following Articles. (For simplicity the titles of these articles have just been borrowed from the existing ALC Constitution):

- The Company
 - Legal Name (eg Lutheran Church of Australia and New Zealand)
 - Type of Company (not-for-profit)
 - Limited Liability of Members
 - Member Guarantee
 - Definitions
- Confessional Basis (ie reference new Article 3 (formerly Article 2))
- Amending the Constitution (eg only by Convention of General Synod)
- Relationships (eg conformity to the LCA/NZ Church Charter)
- Objects (to include relevant Objects from the LCA/NZ Church Charter)
- Powers and Authority
- Not-for-profit Use of Resources Only
- Members and Membership (either General Synod members or General Church Board members)
- Dispute Resolution and Discipline
- Member Meetings (types (eg an annual general meeting), notices, quorum, auditors right, churning, using technology, adjournments)
- Voting at Meetings (rules and procedures)
- Directors (appointment, election of officers, term of office, removal, consultant advice)
- Powers and Duties of Directors
 - 13.1 Powers of Directors
 - 13.2 Delegation of Directors' Powers
 - 13.3 Payments to Directors
 - 13.4 Execution of Documents
 - 13.5 Conflict of Interest and Duty
- Directors Meetings
 - 14.1 Directors Meetings
 - 14.2 Calling Directors Meetings
 - 14.3 Chair for Directors Meetings
 - 14.4 Quorum at Directors Meetings
 - 14.5 Using technology to hold Directors Meetings
 - 14.6 Directors' Resolutions
 - 14.7 Circular Resolutions of Directors
 - 14.8 Directors' Access to Documents
- Appointment and Role of Secretary
- Minutes and Records
- Financial and Related Records
- Governance Policies (will follow LCA Governance Framework and its policies)
- Notice (how and when notices are to be given)
- Financial Year
- Indemnity
- Insurance
- Gift Fund and Foundation (rules to follow)
- Winding Up (of this legal entity) and Surplus Assets.



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