



Presbyterian Church of Australia Act 1900

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Reprint note

Redundant endnotes tables have been omitted from this reprint to reflect current styles.

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Queensland

Presbyterian Church of Australia Act 1900

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Presbyterian Church of Australia Act 1900

An Act to enable certain arrangements entered into between the Presbyterian Churches of New South Wales, Victoria, Queensland, South Australia, and Tasmania for constituting one Presbyterian Church of Australia to be carried into effect, and to make provision with regard to the property held by or on behalf of or in connection with the Presbyterian Churches of New South Wales, Victoria, Queensland, South Australia, Western Australia, and Tasmania respectively, or by any congregation or body connected therewith, or by any person for or on behalf of any of the said churches or any congregation of the said churches, and for other purposes in connection with such arrangements

Preamble

Whereas the Presbyterian Church of New South Wales, the Presbyterian Church of Victoria, the Presbyterian Church of Queensland, the Presbyterian Church of South Australia, the Presbyterian Church of Western Australia, and the Presbyterian Church of Tasmania have resolved to unite and form one Presbyterian Church, to be called the Presbyterian Church of Australia, and the terms of such union comprising the Basis of Union and the Articles of Agreement are set forth in the schedule.

And whereas it is expedient that the said union should be effected on the terms and conditions prescribed in the said Basis of Union and Articles of Agreement.

And whereas property is held by or on behalf of or in connection with the Presbyterian Churches of New South Wales, Victoria, Queensland, South Australia, Western Australia, and Tasmania respectively, and by congregations and bodies connected with the said churches respectively, and by persons for and on behalf of the

said churches respectively, or congregations of the said churches respectively.

And whereas it is expedient that all such property should after the said union be held subject to the terms and conditions of the said Basis of Union and Articles of Agreement.

And whereas the assent of the Parliaments of New South Wales, Victoria, Queensland, South Australia, Western Australia, and Tasmania is necessary to effect this object.

1 Adoption of Basis of Union and Articles of Agreement

From and after 7 November 1900, the Basis of Union and Articles of Agreement set forth in the schedule shall have the full force and effect of law; and, except as therein provided, nothing done in accordance with the provisions of the said Basis of Union and Articles of Agreement shall have the effect of divesting the Presbyterian Church of New South Wales, the Presbyterian Church of Victoria, the Presbyterian Church of Queensland, the Presbyterian Church of South Australia, the Presbyterian Church of Western Australia, or the Presbyterian Church of Tasmania, or any congregation, body, or person, of any property situated with the State of Queensland, or subject to the jurisdiction of that State, which is, or shall be, held in trust for any of the said churches, or for any congregation or body in connection therewith.

2 Short title

This Act may be cited as the *Presbyterian Church of Australia Act 1900*.

The schedule The scheme of union

Preamble

The Presbyterian Church of New South Wales, the Presbyterian Church of Victoria (which at present includes the Presbytery of West Australia), the Presbyterian Church of Queensland, the Presbyterian Church of South Australia, and the Presbyterian Church of Tasmania, holding the same Doctrine, Government, Discipline, and Form of Worship, believing that it would be for the Glory of God and the advancement of His Kingdom that they should form one Presbyterian Church, as hereinafter provided, to be called the Presbyterian Church of Australia, and under authority to Christ alone, the Head of the Church and Head over all things to His Church, agree to unite on the following basis, and subject to the following articles, to be subscribed by the Moderators of the respective Churches in their name and on their behalf.

Basis of Union

- I The Supreme Standard of the United Church shall be the Word of God contained in the Scriptures of the Old and New Testaments.
- II The Subordinate Standard of the United Church shall be the Westminster Confession of Faith, read in the light of the following declaratory statement:—
 - 1 That in regard to the doctrine of redemption as taught in the Subordinate Standard, and in consistency therewith, the love of God to all mankind, His gift of His Son to be the propitiation for the sins of the whole world, and the free offer of salvation to men without distinction on the ground of Christ's all-sufficient sacrifice, are regarded by this Church as vital to the Christian faith. And inasmuch as the Christian faith rests upon, and the Christian consciousness takes hold of certain objective supernatural historic facts, especially the Incarnation, the atoning life and death, and the resurrection and ascension of our Lord, and His bestowment of His Holy

- Spirit, this Church regards those whom it admits to the office of the Holy Ministry as pledged to give a chief place in their teaching to these cardinal facts, and to the message of redemption and reconciliation implied and manifested in them.
- 2 That the doctrine of God's eternal decree, including the doctrine of election to eternal life, is held as defined in the Confession of Faith, Chapter III, Section 1, where it is expressly stated that according to this doctrine, "neither is God the author of sin, nor is violence offered to the will of the creature, nor is the liberty or contingency of second causes taken away, but rather established," and, further, that the said doctrine is held in connection and harmony with the truth—that God is not willing that any should perish, but that all should come to repentance, that He has provided a salvation sufficient for all, and adapted to all, and offered to all in the Gospel, and that every hearer of the Gospel is responsible for his dealing with the free and unrestricted offer of eternal life.
 - 3 That while none are saved except through the mediation of Christ, and by the grace of the Holy Spirit, Who worketh when and where and how it pleaseth him; while the duty of sending the Gospel to the heathen who are sunk in ignorance, sin, and misery is imperative; and while the outward and ordinary means of salvation for those capable of being called by the Word are the ordinances of the Gospel; in accepting the Subordinate Standard it is not required to be held that any who die in infancy are lost, or that God may not extend His grace to any who are without the pale of ordinary means, as it may seem good in His sight.
 - 4 That in holding and teaching, according to the Confession of Faith, the corruption of man's nature as fallen, this Church also maintains that there remain tokens of man's greatness as created in the image of God, that he possesses a knowledge of God and of duty—that he is responsible for compliance with the moral law and the call of the Gospel, and that, although

unable without the aid of the Holy Spirit to return to God unto salvation, he is yet capable of affections and actions which of themselves are virtuous and praiseworthy.

5 That liberty of opinion is allowed on matters in the Subordinate Standard not essential to the doctrine therein taught, the Church guarding against the abuse of this liberty to the injury of its unity and peace.

6 That with regard to the doctrine of the civil magistrate and his authority and duty in the sphere of religion as taught in the Subordinate Standard, the Church holds that the Lord Jesus Christ is the only King and Head of the Church, “And Head over all things to the Church, which is His body.” It disclaims, accordingly, intolerant or persecuting principles, and does not consider its office-bearers, in subscribing the Confession, as committed to any principles inconsistent with the liberty of conscience and the right of private judgment, declaring in the words of the Confession that “God alone is Lord of the conscience.”

III Any proposed revision or abridgment of the Subordinate Standard of the Church, or re-statement of its doctrine, or change of the Formula, shall, before being adopted, be remitted to the local Assemblies, and through them to the Presbyteries, and no change shall be made without the consent of a majority of the local Assemblies, three-fifths of the Presbyteries of the whole Church, and a majority of three-fifths of the members present when the final vote of the General Assembly is taken.

IV On any change being made in the Basis of Union in accordance with Section III, if any congregation thereupon refuses to acquiesce in the change, and determines to adhere to the original Basis of Union, the General Assembly is empowered (1) to allow such congregation to retain all its congregational property, or (2) to deal in such other way with the said property as to the Assembly may seem just and equitable.

V Any proposed change in either of the two preceding Sections III. and IV. shall be made only under the provisions contained in Section III.

VI Formula to be signed by Ministers and Elders at their ordination or induction, and by probationers on receiving license:—

I own and accept the Subordinate Standard of this Church, with the explanations given in the articles contained in the Declaratory Statement, as an exhibition of the sense in which I understand the Holy Scriptures, and as a confession of my faith I further own the purity of worship practised in this Church and the Presbyterian government thereof to be founded on the Word of God and agreeable thereto, and I promise that through the Grace of God I shall firmly and constantly adhere to the same, and to the utmost of my power shall, in my station, assert, maintain, and defend the doctrine, worship, and government of this Church.

Articles of Agreement

I There shall be a Supreme Court of the Church, which shall be called the General Assembly of the Presbyterian Church of Australia.

II The General Assembly shall meet in such places as it shall itself determine, and it shall endeavour to arrange the business so as to meet only once in two years, but shall have power to meet oftener if found necessary; the place and time of the first meeting to be fixed by the Federal Assembly.

III The General Assembly shall be representative, and shall consist of an equal number of Ministers and Elders; each local Assembly shall be represented by one-fourth of its members, to be elected three-fourths by the Presbyteries, and one-fourth by the local Assembly itself.

IV The General Assembly shall have functions legislative, administrative, and judicial, supreme with regard to the Doctrine, Worship, and Discipline of the Church, the Missions to the Heathen, the Training of Students, the Admission of

Candidates to the Ministry, and the Reception of Ministers from other Churches.

- V The judicial functions of the General Assembly in the cases hereafter stated shall be delegated to a commission to be appointed at each ordinary meeting of the General Assembly, and which shall be called the Judicial Commission of the Presbyterian Church of Australia, and hereinafter is called the Judicial Commission.
- 1 The Judicial Commission shall hear and finally decide, first, all appeals from local Assemblies in cases where a judicial process has been proposed, whether the decision has been for or against proceeding by such a process; second, all references made in such cases after evidence has been taken in the Lower Court.
 - 2 The decisions of the Judicial Commission being final are not subject to review, but shall be forthwith reported to the General Assembly, and also to the local Assembly directly concerned; in all such cases the evidence shall be entrusted to the Clerk of the General Assembly, and shall be disposed of as the General Assembly may direct.
 - 3 The Judicial Commission shall consist of thirty-six members, Ministers and Elders, twenty-four of whom shall be appointed on the nomination of the local Assemblies—eight by the Assembly of Victoria, eight by New South Wales, four by Queensland, two by Tasmania, and two by South Australia—the remaining twelve by the General Assembly itself. Should an Assembly fail to nominate, the General Assembly shall appoint in its stead; sixteen shall form a quorum.
 - 4 The prosecutors in any case, or the appellants who plead at the bar of the Judicial Commission, shall not, if they are members of that Commission, adjudicate in the case.
- VI The General Assembly at each ordinary meeting shall appoint a body of Assessors, whose members shall be other than the members of the Judicial Commission, to assist any Presbytery or Local Assembly, which may seek their aid in conducting any case involving a question of life or doctrine.

VII The General Assembly at each ordinary meeting shall appoint a Board for the management and administration of the Missions to the Heathen, which shall be called the Board of Missions.

- 1 The Board of Missions shall consist of nineteen members, Ministers and Elders, thirteen of whom shall be appointed on the nomination of the local Assemblies—six by Victoria (two of whom shall represent the J. G. Paton Fund), four by New South Wales, and one each by Queensland, Tasmania, and South Australia, and six by the General Assembly itself. Should a local Assembly fail to nominate, the General Assembly shall appoint in its stead.
- 2 Local committees shall be appointed, as at present, by the local Assemblies, for the purpose of stimulating an interest in Missions, supervising local work, and collecting money, and these committees shall report to the Board of Missions, as well as to their own Assemblies.
- 3 The money received by the local Assemblies for the support of Missions to the Heathen shall be held by their respective treasurers for the General Assembly, and shall be disbursed at the order of the Board, but the responsibility of supporting any agency connected with a local Assembly shall remain solely with that Assembly. Unless with the consent of the local Assembly concerned, no such money raised within the bounds of any local Assembly, or by any of its agents, shall be applied by the Board to the support of any Mission other than that for which the said Assembly is responsible.
- 4 No new Mission shall be originated by a local Assembly without the approval of the General Assembly.
- 5 The Board of Missions shall take into consideration the views of the local Committees with regard to Missions in which they are specially interested, and shall give effect to them when it can do so without prejudice to other interests.

- 6 The Board of Missions shall appoint an Executive, and the place of meeting of this Executive shall be in Melbourne until otherwise ordered by the General Assembly.

VIII There shall be one uniform system of Theological Training for the whole Church, and one Standard of Qualification

- 1 All candidates for license shall be Students who have been regularly trained at some Theological Hall recognised by the General Assembly.
- 2 It shall be the aim of the Church to have all its Halls equipped with not less than three Professors, such Professors to be separate from any pastoral charge; but, meanwhile, the Halls in Australia recognised by the General Assembly shall be the Theological Hall, the Ormond College, Melbourne, and the Theological Hall, in St. Andrew's College, Sydney.
- 3 Professors shall be elected to vacant chairs by the local Assembly maintaining the said chairs.
- 4 The course of study in each Hall shall extend over a period of three years, with an annual working session of six months, and shall include the subjects of Hebrew and Old Testament Exegesis, New Testament Greek and Exegesis, Apologetic, Church History, Systematic Theology, and Pastoral Theology and Training, and such other subjects as may from time to time be prescribed.
- 5 Candidates for admission to a Theological Hall shall be graduates of some recognised University, or have certificates showing that they have gone through a complete curriculum in arts in such a University.
- 6 In exceptional circumstances, Students who have attended one year at some recognised University, and passed the examination for that year for the degree of B.A. or M.A., with Greek as one of the subjects, may be admitted to the Entrance Examination by a special resolution of their own Assembly.
- 7 Candidates for entrance to a Theological Hall, who are graduates, shall be examined only in Scripture and

- Hebrew, and Greek, except where Greek has been taken as part of the Arts examination; all others in a syllabus to be afterwards provided.
- 8 The Examination for admission to the Halls shall be held simultaneously, and shall be on the same subjects, and on the same papers; the Examinations for exit shall be held simultaneously, and shall likewise be on the same subjects, and on the same papers.
 - 9 A Committee on Theological Education, to be known as the College Committee, shall be appointed by the General Assembly, and shall have an Executive Meeting in one of the University seats. Of this Committee the Professors and Lecturers shall be members *ex officio*. It shall deal with all matters pertaining to the training of the Students and the studies in the Halls, and shall make arrangements according to Rules, afterwards to be framed and adopted, for conducting the Entrance and Exit Examinations.
 - 10 Each local Assembly within whose bounds a Theological Hall is situated, shall appoint annually a Theological Hall Committee, with authority over the general management and finances of the Hall, and to deal with all matters which concern the interests of the Hall that are intrusted to it by its own Assembly and by the General Assembly. These Committees shall report to the General Assembly through its Committee.
 - 11 In order to the settlement of all other matters pertaining to the Theological Halls, the Federal Assembly at its *last* meeting, or the General Assembly at its *first* meeting, shall appoint a Committee which shall include among its members all the recognised Theological Professors or Lecturers of the several Churches, and the Conveners of the now existing Boards of Examination, whose first duty shall be to inquire into the course of study, the provisions for, and the methods of, instruction in use in the several Halls of the Churches; to draft, provisionally, a Common Course of Study adapted as far as possible to the means and methods in use in the several Halls; and to consider what modifications of these may be

necessary in order to secure the attainment of a common standard; and to report on all these matters to the General Assembly, the present mode of examination remaining *in statu quo* until such arrangements have been completed and approved by the General Assembly.

- IX Ministers from other denominations shall be admitted to the United Church only by the General Assembly; those from other Presbyterian Churches either by the General Assembly or by the Local Assembly, or by such Committees as have the power delegated to them, and in accordance with rules framed so as to secure uniformity of method of admission.
- X Reports of a full and definite kind shall be forwarded to the General Assembly from each local Assembly on all matters pertaining to the work and welfare of the Church, including Home Missions, Sabbath-schools, and the state of religion and morals; and it shall be the duty of the General Assembly to consider these, and to issue recommendations, when that is deemed advisable, with regard to them; the General Assembly shall further be free, in conjunction with the local Assemblies, to originate New Home Mission schemes.
- XI The local General Assemblies shall retain their present names, and their autonomy shall not be further interfered with than is needful to give effect to the Basis of Union and the Articles of Agreement.
- XII A fund shall be formed for the purpose of defraying the working expenses of the General Assembly, and such part of the travelling expenses of the members as the General Assembly may from time to time determine, and this fund shall be contributed to by the local Assemblies in such proportions as the General Assembly may from time to time determine.
- XIII The Articles of Agreement may be altered or added to from time to time, but not without the consent of the majority of the Presbyteries of the whole Church and a majority of the local Assemblies.

1 Index to endnotes

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2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised version
d			
num	= numbered	s	= section
o in	= order in council	sch	= schedule
c			

Key	Explanation	Key	Explanation
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments to	Effective	Reprint date
1	none	28 December 1900	2 February 1996

Current as at	Amendments included	Notes
2 February 1996 rv	none	

4 List of legislation

Presbyterian Church of Australia Act 1900 64 Vic No. 34

date of assent 28 December 1900

commenced on date of assent

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