

## DECISIONS OF EXECUTIVE COMMISSION 2013

### Executive Commission 2013

#### APPEALS:

The Executive Commission resolves to deal with appeal 1 under the Ministry Commission report.

#### **APPEAL 1:**

TO: THE GENERAL ASSEMBLY EXECUTIVE COMMISSION

FROM : Mr. CELANI MBHELE (UPCSA THEOLOGY STUDENT AT PRETORIA UNIVERSITY)

SUBJECT: APPEAL AGAINST THE DECISION OF THE MINISTRY COMMITTEE 29 APRIL 2013

DATE: 31 MAY 2013

I, Celani Mbhele, a Theology Student recognized by the Ministry Committee of the Uniting Presbyterian Church in Southern Africa hereby present my appeal against the decision of the Ministry Committee of the General Assembly as outlined in Paragraphs 10.1 to 10.3.

Following are my reasons for the appeal to the Executive Commission:

1. 17.25 Manual of Faith and Order states that "Every student is under the care and discipline of the Presbytery within whose boundaries he/she is studying. The Clerk of the Presbytery or, failing him/her, the Convener of the Presbytery Ministry Committee reports to the Assembly Ministry Committee any allegation of misconduct which calls into question the student's suitability for the Ministry. The committee then gathers all relevant information and takes the following action:
  - (a) If the allegation of misconduct is grounds for discipline as specified in para 18.4, the Ministry Committee refers this to the Presbytery for discipline in terms of chapter 18, or
  - (b) If the allegation misconduct is grounds for discipline as specified in para 18.4, the Ministry Committee may take such other action as Chapter 17 provides for.

It is on these grounds that my appeal lies. If there was any allegation of misconduct which calls into question my suitability for the Ministry the Presbytery of Tshwane should have been informed of such and proper procedures followed. There is not in any stage of my years of being a Student and under the Care and Discipline of Tshwane Presbytery where the Presbytery of Tshwane resolved to begin an enquiry on the allegations of misconduct against me. There is not a single record where I was called by the Presbytery for discipline or concerns about my spirituality. I have not even been told that there was and is any complaint about me submitted to the

Presbytery of Tshwane, There has not been any concern from the University of Pretoria about my academic performance. This I find strange.

In the meeting I was called in by the Assembly Ministry Committee held at Trinity Congregation, Pretoria on Friday the 26<sup>th</sup> of April 2013, I found it not acceptable to find the Moderator of Tshwane Presbytery, Rev A Cameron, and the Council member that looks after the students at Sedibeng on behalf of the Presbytery of Tshwane Presbytery, Rev G Sinclair, being present in the meeting that took a decision about me, when in terms of the requirements of the Manual it should have been the Clerk, Rev L Mashoko, or Ministry Convener of the Tshwane Presbytery, Rev S Mpafi, (Manual 17.25) submitting information about me on behalf of Tshwane Presbytery. These two being present is contrary to what the Manual of Faith and Order requires.

2. 17.27 Manual of Faith and Order States. "At the end of each academic year the Committee reviews the student's academic, personal and spiritual progress and approves or declines to approve the student's progress at any time during the year. The Committee informs the student of its decision within two weeks of the review".

I am under the care and discipline of the Presbytery of Tshwane, I am also placed at Jonas Lediga congregation and both have not in any stage suggested that I was not spiritually fit for the ministry and that my conduct was at any stage questioned. I therefore find it irregular the way the proceedings of my review were done. I am not even sure if satisfactory reports, or otherwise, have been submitted concerning me. The same is true of my previous attachment at St Andrew's, Pretoria. At the end of 2012 I was not informed whether or not my year was sustained.

3. 18.43. Manual of Faith and Order states "A Presbytery Court has jurisdiction over all members within its boundaries, including all Ministers, Church Extensions Agents, Probationers, Students for the Ministry and Lay Preachers. It retains this jurisdiction even if the alleged offence took place outside its boundaries. Any allegation which calls into question the suitability for the ministry of a student for the ministry or a probationer must be reported to the Assembly's Ministry Committee in terms of the Manual chap.17 before coming to the court".

Based on this paragraph I would have expected the Presbytery of Tshwane to have been the one reporting my misconducts, issues of my spirituality and my unsuitability to be in Ministry to the Assembly's Ministry Committee, for this was to give me chance to defend and to explain myself to both the Presbytery and the Assembly's Ministry Committee and not the way it is done.

Further, I was instructed by the Ministry Secretary to submit to psychological testing. This was conducted by Dr Inette Taylor at her residence and place of work on 16 April 2013. I was not told the purpose of this, except that it was for psychometric evaluation. Dr Taylor told me she would send me a copy of her report for the Ministry Committee and did not ask me and I did not sign a release for this confidential information to be shared outside our meeting. I have never received a copy of this report. I gather this was done without my express permission and therefore, this should be viewed as inadmissible

I appeal to the General Assembly Executive Commission to rule that all decisions taken by the Ministry Committee be put aside and be considered null and void; that the Assembly Ministry Committee Acted outside the prescripts of the Manual of Faith and Order of the UPCSA.

I further appeal that the General Assembly Executive Commission to rule that the evidence submitted by the Assembly Ministry Committee to review my calling be ruled inadmissible. To use the information gathered from dubious sources in terms of personal, spiritual and academic progress, as information and evidence to find me not suitable for Ministry of the UPCSA is not appropriate; that the decisions of the General Assembly Ministry Committee are inappropriate for they have based their decision on information that cannot be substantiated. The appropriate sources to consult are the Ministry Committee of the Presbytery of Tshwane, The Jonas Lediga congregation and the University of Pretoria.

I understand that while this matter is under appeal, I may continue to reside at Sedibeng House of Studies and continue with my studies.  
I acknowledge that I am under the care and discipline of the Presbytery of Tshwane and request that any failings on my part be laid as a charge against me in the Presbytery.

Signed and dated at Pretoria by Celani Mbhele on Friday May 31, 2013.

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#### **APPEAL 1:**

"The Executive Commission refers Appeal 1 to the Assembly Administrative Review Panel or the Court of Assembly, giving these bodies the right to discern to which of them the business belongs".

#### **ASSEMBLY BUSINESS COMMITTEE:**

1. The Executive Commission receives the report.
2. The Executive Commission adopts the Amended Agenda as published in the Supplementary Papers as the Agenda for the 2013 Executive Commission.
3. The Executive Commission adopts the Standing Orders as published in the Supplementary Papers for use at the 2013 meeting of the Executive Commission.

4. The Executive Commission notes that Amatola Presbytery will be piloting the Consensus Model until February 2014 and that the Assembly Business Committee will report to General Assembly in 2014.
5. The Executive Commission appoints the following "Facilitation Committee" for the duration of the 2013 Executive Commission.
  - 5.1. Drafting Committee: Rev Dr G Marchinkowski, Rev B Mpofo and Ms E White.
  - 5.2. Minute Scrutineers: Rev JA McKane, Mr T Lubango
  - 5.3. Data Projectionist: Rev Dr G Marchinkowski
  - 5.4. Notices of Motion: Clerk of Assembly and Ms E White.
  - 5.5. Leave of Absence: Clerk of Assembly.
  - 5.6. Minute Secretaries: Rev Z Mtyhobile and Rev J Murphy
  - 5.7. Vote of Thanks to hosts: Rev R Armstrong
  - 5.8. Press Liaison: General Secretary
  - 5.9. Records Examiner: Rev B Mpofo

#### **CHANGES IN THE MINISTRY:**

1. The Executive Commission receives the report.

#### **CHURCH ASSOCIATIONS:**

1. The Executive Commission receives the report.
2. The Executive Commission notes the work of the Committee.
3. The Executive Commission notes that the Committee has resolved to allow associations to pay for five members of the committee when attending committee meetings.
4. The Executive Commission notes that associations convened the Convention to prepare for the mediation process.
5. The Executive Commission commends associations for the great work they are doing in regards to the trans-nationality of our Denomination.

#### **CHURCH AND SOCIETY:**

1. The Executive Commission receives the report.
2. The Executive Commission notes the vision and activities of the Church and Society Committee.
3. The Executive Commission:

- (1) laments the extent of negligence in circumcision schools and the resultant deaths.
- (2) instructs the Church and Society Committee to express the Church's alarm and its support of the ministry of health in its efforts to address the matter.
- (3) encourage ministers, Sessions and Associations to address the matter in pastoral and practical ways
- (4) instructs ministers, Sessions and Associations then to give feedback to Presbyteries in this regard; and
- (5) instructs the C&S Committee to send a circular reminding Presbyteries of their responsibility before the season of circumcision.

4. The Executive Commission notes the efforts and legal steps taken to evict the tenant of the house in Pimville belonging to the UPCSA and instructs the committee to pursue all means to bring the matter to conclusion.

**CHURCH OFFICE:**

1. The Executive Commission receives the report.
2. The Executive Commission expresses its thanks to the Revs. Buhle Mpofo and Mamalotje Magagane for their service to the UPCSA in their respective positions and wishes them well in their future ministry and work.
3. The Executive Commission renews the appointment of the General Secretary for a second term of five years until 31 January 2019 and expresses its appreciation for the sterling work he has done so far.

**CLERK OF ASSEMBLY:**

1. The Executive Commission receives the report.
2. The Executive Commission resolves that, the dates for General Assembly 2014 be set as Saturday 12<sup>th</sup> July till Friday 18<sup>th</sup> July.
3. The Executive Commission resolves;
  - i that, all Committee Conveners submit, at the very least, a due diligence report to General Assembly in 2014.
  - ii that, all reports to be considered by the General Assembly in July 2014 be submitted to the Clerk of Assembly by Friday 11<sup>th</sup> April 2014.
  - iii that, all Supplementary Reports be submitted to the Clerk of Assembly by the end of May 2014.

- iv that, all Papers of Assembly be made available to Commissioners, Presbytery Clerks and Committee Conveners at least 3 weeks before General Assembly.
- v that, all reports be posted on the UPCSA website at least 3 weeks before Assembly and encourages everyone to make greater use of the website.
- vi that, the Papers, Supplementaries and Proceedings and Decisions of General Assembly 2014 (Yearbook) be distributed to Ministers and Presbyteries on a CD at the end of the year and that those who don't have access to a computer or internet can make a request for a hard copy.

4. The Executive Commission notes the status of the matters concerning Ross and Rainy and Randburg Presbyteriaanse Kerk.
5. The Executive Commission notes the improvements and challenges concerning the ongoing management of Tiyo Soga House.
6. The Executive Commission approves the proposed changes to the format for Papers to the General Assembly and Executive Commission as set out in the main body of the report.
7. The Executive Commission enacts remits;
  - i GA/12/01. Add "Unless no other alternative exists"
  - ii GA/12/02.
  - iii GA/12/03.
  - iv GA/12/04.
  - v GA/12/05.
  - vi GA/12/06.

Subject to any amendments approved by the Executive Commission in terms of paragraph 12.50(g) of the Manual of Faith and Order of the Uniting Presbyterian Church in Southern Africa.

8. The Executive Commission refers to the Faith and Order Committee the task of compiling a comprehensive section in the Manual of Faith and Order covering compensation for Interim Moderators.

**COMMUNICATIONS:**

1. The Executive Commission receives the report.
2. Executive Commission encourages our Presbyteries and ministers to assist in making the Presbyterian link a valued publication through
  - a. Assisting in its distribution

- b. Contributing to its content
  - c. Encouraging congregants to contribute to its content as well.
3. The Executive Commission requests the Communications Committee to work with the Central Office in refining and renewing the website as soon as possible, bearing in mind cost effective measures.

**COURT OF ASSEMBLY AND AARP:**

1. The Executive Commission receives the report.

**Supplementary report:**

2. The Executive Commission refers to the Faith and Order Committee the two sections in the main body of the report requiring clarity in the *Manual of Faith and Order*.

**ECUMENICAL RELATIONSHIPS:**

1. The Executive Commission receives the report.
2. The Executive Commission receives the report of the Church Unity Commission (Appendix 2).
3. The Executive Commission expresses its support and prayers for the World Council of Churches as it prepares for its 10th General Assembly in November 2013.
4. The Executive Commission:
- a) notes that the WCRC has decided to relocate its Office to Hannover, Germany, and
  - b) offers its support and prayer for a smooth transition in the move and also for the search for a new General Secretary.
5. The Executive Commission refers the "Stellenbosch Second Theses" document to Presbyteries and Sessions for study, reflection and invites any comments to be sent to the convener of the ERC by 28 February 2014.
6. The Executive Commission affirms the partnerships and agreements the Presbyteries of Zambia and Zimbabwe have with other ecumenical partners and churches and encourages them and their Associations to give more comprehensive feedback to the General Assembly of 2014.
7. The Executive Commission urges Presbyteries that have not as yet submitted details of their ecumenical committee/person to do so by 30th September 2013.

**EDUCATION AND TRAINING:**

1. The Executive Commission receives the report.
2. The Executive Commission:
- a) expresses its sincerest thanks to all whose donations to the PEF ensure the on-going work of the fund and thanks the trustees for their role in its continued work.
  - b) thanks Mrs Brink for her service to the PEF and wishes her well in her retirement.
3. The Executive Commission declares Sunday, 15 June, 2014 PEF Sunday and requests all congregations to hold a retiring offering for the PEF on that Sunday or another of the congregation's choosing.
4. The Executive Commission upholds the decision made by the Zimbabwe Education Trust to use levies raised by the trust from the learners in the schools in Zimbabwe in the following way:
- "\$2 of each \$5 levy for Zimbabwe Education Trust Admin cost  
and the remaining  
\$3 for ongoing development of the primary schools."
5. The Executive Commission thanks all of those on the committee and its sub-committees for their tireless efforts in support of the work of this committee.

**EXECUTIVE COMMISSION:**

1. The Executive Commission appoints the Rev P Langerman to be convener of the Faith and Order Committee.

**FAITH AND ORDER:**

1. The Executive Commission receives the report.
2. The Executive Commission instructs the General Secretary to:
- a) write to the Minister of Home Affairs to express the Church's concerns about the recent developments in the administration of marriages by the Department of Home Affairs as set out in the section on Marriage in the Faith and Order report; and
  - b) engage the UPCSAs' ecumenical partners through the CUC and the SACC to enter into discussion and negotiations with the Department of Home Affairs to define a more appropriate relationship between the State and the Church in dealing with Christian marriage.

3. The Executive Commission instructs the Church Associations Committee and the Faith and Order Committee to establish a joint task-team to draft a Chapter on Church Associations for inclusion in the *Manual of Faith and Order* for presentation to the 2014 General Assembly.
4. The Executive Commission
  - a) thanks all the Ministers of the UPCSA who have continued to work on the *Word and Worship* series; and
  - b) commends the series or its Afrikaans equivalent, *Woord en Fees*, to all Ministers and preachers in the UPCSA as a resource for preaching and worship.
5. The Executive Commission amends the *Manual of Faith and Order*, para 9.22 to 9.29 as follows:
  - a) 9.22—replace “Committee on Church Design” with “Faith and Order Committee”, so that it reads:
 

Congregations planning to erect or alter buildings for public worship (including multi-purpose buildings) must contact the Faith and Order Committee before sketch plans are drawn.
  - b) 9.23—replace the words “Committee on Church Design” with “Faith and Order Committee” and add “or the committee’s representative”, so that it reads:
 

In consultation with the Faith and Order Committee the Congregation should have a brief prepared setting out its understanding of the function and structural needs of the proposed project. The Congregation arranges at its expense for the Convener or the Committee’s representative to visit the site “save for exceptional circumstances,” if the Committee considers this advisable.
  - c) 9.27—add “the lectern” so that it reads:
 

Careful consideration should be given to the layout of the Church interior, especially to the chancel end of the building, so that a proper balance may be maintained between the pulpit, the Communion Table, the lectern and the font, as the visual witnesses to the Word and the sacraments.
  - d) 9.29—renumber 9.28 and add “lectern” in subpara (d), so that it reads:
 

the position and layout of the font, Communion Table, pulpit, lectern, Elder’ chairs, organ, pews, aisles etc.;.
6. The Executive Commission enacts the amendments to the Confession of Faith set out in Appendix B that the Executive Commission adopted and remitted to Presbyteries in remit EC/11/03 in 2011.
7. The Executive Commission
  - a) adopts the amendments to the Confession of Faith proposed in Appendix C ;
  - b) remits them to all Presbyteries in terms of the *Manual*, par. 12.50, as amended; and
  - c) sets the date for returns as 30 March 2014.
8. The Executive Commission instructs the webmaster to replace the version of the UPCSA Confession of Faith presently on the UPCSA website with the 2013 version, including
  - a) all the amendments that the Executive Commission enacts this year and
  - b) all the amendments that the Executive Commission adopts and remits to Presbyteries this year, with the latter identified by being underlined.
9. The Executive Commission instructs the Translation Task Teams to incorporate into their translations of the Confession of Faith all the amendments that the Executive Commission has so far enacted.
10. The Executive Commission
  - a) approves for study, use in all English-speaking congregations and comment the proposed English translation of the Nicene Creed in Appendix E ;
  - b) approves for study, use in all Afrikaans-speaking congregations and comment the revised Afrikaans translation of the Nicene Creed in Appendices F ;
  - c) approves for study, use in all isiXhosa-speaking congregations and comment Appendix G ; and
  - d) calls for comments on all these translations to be sent to the convener of the Confessions Task Team by 31 March 2014
  - e) instructs the committee to report on the procurement of translations of the Nicene Creed into other languages used in the UPCSA with a view to publishing this on the website for study and comment by General Assembly 2014.
11. The Executive Commission instructs the webmaster:

- a) to place all three translations of the Nicene Creed in the Appendices (English, Afrikaans and isiXhosa) on the UPCSA website; and
- b) to attach to each of them a note stating that the Assembly/Executive Commission has approved it for study, use and comment and has called for comments to be sent to the convener of the Confessions Task Team.
12. The Executive Commission
- a) sends the section on the Nicene Creed in the main part of the Report and Appendices D and E to the English Language Liturgical Commission [Monsignor Kevin McGinnell, Chairperson of the ELLC, at [religio@post.cz](mailto:religio@post.cz)] in response to the ELLC's invitation to comment on its work; and
- b) requests the ELLC to respond with its reaction and comment.
13. The Executive Commission
- a) adopts the "Directions for the Administration of Baptism and the Public Confession of Faith" together with all the amendments in Appendix H;
- b) instructs the webmaster to place the amended Directions on the website; and
- c) draws the attention of all Ministers and all who are licensed to administer the sacraments to the amended Directions.
14. The Executive Commission
- a) sends the "Directions for the Celebration of Holy Communion" to the revised version in Appendix I; to all Sessions for study and comment for feedback to the committee by 28 February 2014.
- b) draws the attention of all Ministers and all who are licensed to administer the sacraments to the amended Directions.
15. The Executive Commission amends the Orders for the Baptism of Believers and for the Baptism of Believers' Children in accordance with Appendix J.
16. The Executive Commission adopts the two additional rubrics proposed in the main body of the Report for insertion into the Orders for the Ordination and Induction of Ministers.
17. The Executive Commission
- a) approves the "Directions for the Conduct of a Funeral or Memorial Service" in Appendix K ; and
- b) commends these Directions to the attention of all Ministers for study and comment, calling for comments to be sent to the convener of the Service Book Task Team by 30 November 2013.
18. The Executive Commission
- a) sends the Order for a Funeral or Memorial Service in Appendix L to all Sessions for comment and feedback to the committee by 28 February 2014; and
- b) commends it to the attention of all Ministers for use and comment, calling for comments to be sent to the Convener of the Service Book Task Team by 28 February 2014.
19. The Executive Commission instructs the webmaster to place the following on the UPCSA website:
- a) the (amended) Directions for the Administration of Baptism and the Public Profession of Faith (Appendix H above),
- b) the (proposed) Directions for the Celebration of Holy Communion (Appendix I),
- c) the Proposed Directions for the Conduct of Funerals (Appendix K) and the Order for a Funeral or Memorial Service (Appendix L).
20. The Executive Commission
- a) commends the CUC Certificate of Baptism in Appendix M above to all Ministers and Sessions for use in their congregations; and
- b) instructs the webmaster to make this Certificate available for downloading from the website.
- Supplementary Report:**
2. The Executive Commission
- a) notes the draft Certificate of Profession of Faith ("Confirmation") in Appendix N and
- b) urges that all comments by 30 November 2013 on the draft Certificate and suggestions for its improvement be sent to the convener of the Service Book Task Team, Rob Calder, at [rob@calder.co.za](mailto:rob@calder.co.za).
- c) instructs the Service Book Task Team to prepare a new certificate for Baptism of Believers.

3. The Executive Commission commends the amended form of the Profession of Faith and of the Promises in the Certificate of Profession of Faith
  - a) for use in the Order for Believers' Baptism and the Order for the Public Profession of Faith ("Confirmation") and
  - b) for comment to the convener of the Service Book Task Team, Rob Calder, at [rob@calder.co.za](mailto:rob@calder.co.za) (comments to be sent not later than 28 February 2014).
4. Notice of motion **M4**:
 

"The Executive Commission instructs the Faith and Order Committee to include a paragraph in the *Manual* that will ensure the congregation's involvement with the Session when a minister wishes to engage in secular employment. If the person is called, then the Call will end and the congregation will need to sign a contract between itself and the minister which will express all emoluments. The Clerk of Presbytery (or any other neutral person) will chair the congregational meeting where this is discussed and the appointment must be approved by Presbytery".

#### **FINANCE:**

1. The Executive Commission receives the report.
2. The Executive Commission approves
  - (i) The audited Financial Statements of the UPCSA for the year ended 31<sup>st</sup> December 2011
  - (ii) The "reviewed" Financial Statements of the Sedibeng Trust for the year ended 31st December 2012
  - (iii) The appointment of RSM Betty and Dickson as auditors for the 2013/2014 financial year
3. The Executive Commission notes
  - (i) The decision taken in the 2011 Executive commission to limit the size of the Finance committee to 8 persons comprising 4 ministers and 4 financially experienced lay persons and agrees that this decision be placed before the 2014 General Assembly
  - (ii) The establishment of an Audit committee as a subcommittee of the Finance committee.
4. The Executive Commission notes
  - (i) The unaudited financial report for the 12 months ended 31st December 2012
  - (ii) And that this is the earliest that the church accounts have been available at either the General Assembly or meeting of the Executive Commission.
5. The Executive Commission notes that in the light of the poor response to proposals submitted by Craig Smith and the limited number of applications for assessment relief in terms of the decisions taken in Stellenbosch the Finance Committee is working with the General Secretary as part of the Presbytery Improvement plan, to work with key congregations and Presbyteries to resolve the assessment issue.
6. The Executive Commission notes
  - (i) The growth in unallocated funds despite steps taken by the central office finance team advising presbyteries and having all the correct forms sent to presbyteries and these remittance forms also being available on the UPCSA web site.
  - (ii) That in respect to CEA loans, new loans will only be considered once existing loans are redeemed. Presbyteries are instructed to follow up on the settlement of these loans.
  - (iii) that the RB Hagart Trust Fund is able to assist retired ministers and their spouses to meet emergency medical expenses which are not met by medical aids. All applications to be clearly motivated.
7. Proposal 7 was ***Withdrawn***.
8. The Executive Commission thanks
  - (i) The investment committee for diligent manner in which the investments of the Pension fund of the UPCSA are monitored
  - (ii) The C.F.O. and his staff for their efforts in overcoming past problems and improving the standard of reporting.
9. The Executive Commission:
  - (a) instructs Presbytery Clerks to disseminate info on unallocated deposits to congregations and to tell congregations how to make deposits to the UPCSA and
  - (b) instructs Presbytery Clerks/Treasurers to investigate unallocated deposits made within their bounds and to report their findings to Central Office by 31 December 2013.

10. Notice of Motion **M1**

The Executive Commission:

- 1) notes the intervention of the General Secretary on the sale of Mpolweni Farm matter, at the request of the Finance Committee;
- 2) urges all parties concerned to work together to expedite the sale of the property; and
- 3) requests the General Secretary to oversee the process of completion of the sale of the property as a matter of urgency.

11. Notice of Motion **M 2**

The Executive Commission appoints Jathil Bhika to review the Sedibeng Trust accounts for the 2013/2014 financial year.

**GENERAL SECRETARY:**

1. The Executive Commission receives the report.
2. The Executive Commission affirms the intention of the Church Office Committee to restructure the Central Office to adequately drive the Mission, Vision and Mission Priorities of the UPCSA.
3. The Executive Commission urges ministers and Session Clerks to distribute letters and information intended for congregants to its members.
4. The Executive Commission
  - (i) requests Presbyteries to attempt to resolve conflicts by first using the pastoral approach instead of immediately resorting to the legal processes within the Church and, to engage the services of the Central Office where necessary.
  - (ii) instructs the Faith & Order (Manual) committee to insert the need for a pastoral approach (Matt 18: 15 & 16) into the Manual before embarking on legal processes.
  - (iii) requests the General Secretary to include matters of conflict resolution skills in his *Presbytery empowerment workshops*.
5. The Executive Commission requests Presbyteries that are experimenting with the consensus or other models of discernment/decision-making to report these to the Assembly Business Committee.

6. The Executive Commission urges Presbyteries to use the Bible Study material to be provided by the General Secretary for devotions at Presbytery meetings.
7. The Executive Commission notes
  - i) The challenges encountered in enacting the decision of the 2012 General Assembly to establish 2 Presbyteries in Zimbabwe,
  - ii) the action taken to address the situation, and
  - iii) requests the General Secretary to report fully on this matter to the 2014 General Assembly.
8. The Executive Commission notes the development in the attempt to secure external mediators, and urges all parties concerned to participate fully in the processes of addressing the issues related to the conflict.
9. The Executive Commission requests the General Secretary to express its gratitude and appreciation to CWM for its further financial support for the UPCSA mission projects and priorities in the Mission Support Fund (MSF) 3.
10. The Executive Commission approves the Policy drafted to address the expenses of the Moderator and Moderator Designate of the General Assembly.
11. The Executive Commission requests the Priorities and Resources Committee to consider the current practice on the role of the General Assembly Moderator regarding the funeral of a minister and to report on this to the 2014 General Assembly.
12. The Executive Commission endorses the document on the role and function of the Chaplains to the Moderator of the General Assembly (as contained in Appendix 2).
13. The Executive Commission instructs Presbyteries and congregations to assist and cooperate in the process that will be undertaken by the Central Office to obtain more accurate information on the UPCSA.
14. Notice of Motion **M3:**

The Executive Commission notes with gratitude that all the necessary measures have been taken to address the issue of the Fraud

**MINISTRY:**

1. The Executive Commission receives the report.



2. The Executive Commission notes the withdrawal of Andre Lamont-Turner as a candidate for the ministry.
3. The Executive Commission notes the Probationers of 2012 who have all been issued with Ministry Certificates.
4. The Executive Commission notes the list of Probationers who have been placed for 2013.
5. The Executive Commission notes the list of Ministers who have received Post Ordination Study grants.
6. The Executive seconds the Rev W Buqa to the SANDF as an Airforce Chaplain and places him under the care and discipline of the Presbytery of Tshwane.
7. The Executive Commission seconds the Rev M Brand to Cornerstone Theological College and places him under the care and discipline of the Presbytery of Western Cape.

***This was Referred Back to the Committee***

8. The Executive Commission seconds the Rev E Bosse to the United Reformed Church of England and Wales.
9. The Executive Commission notes the list of Seconded ministers as amended.
10. The Executive Commission grants credentials to the Rev Paul Andrianatos.
11. The Executive Commission provisionally admits the Rev Scott Silver into the ministry of the UPCSA in terms of Manual 17.55.
12. The Executive Commission provisionally admits the Rev Gerard Langeveld into the UPCSA ministry in terms of Manual 17.55.

**Supplementary report:**

2. The Executive Commission notes the results of the Selection Conference.
3. The Executive Commission notes the removal of Mr. C Mbhele from the Roll of Students for the Ministry and his appeal against this and resolves that Mr. Mbhele be allowed to continue in Sedibeng House until the appeal has run its course.
4. The Executive Commission provisionally admits the Rev K Sihlahla into the Ministry of the UPCSA.

5. The Executive Commission requests the Moderator and the General Secretary to address the issues between the Ministry Committee and Prof. GA Duncan on a pastoral basis and if this process fails, the Ministry Committee is directed to explore the option of approaching the Court of Assembly.
6. The Executive Commission removes the Rev Dr A Kasambala from the list of Seconded ministers.
7. The Executive Commission removes the Rev. P Fox from the list of Seconded ministers with effect from 31st July 2013.
8. The Executive Commission seconds the Rev. T Mokhantso as a Chaplain to the SAPS.
9. The Executive Commission seconds the Rev Dr Z Rashe to the Centre of Theology at Fort Hare University.
10. The Executive Commission grants the Rev T Mpambani permission to seek a position as a Chaplain in the SANDF and seconds him to the position when he has it.

**MINISTERS EMERITUS:**

1. The Executive Commission grants the Rev Dr. AR Tucker, the status of Minister Emeritus from 31 January 2014 and a seat on the Presbytery within whose bounds he may reside.
2. The Executive Commission grants the Rev ED Gaunt, the status of Minister Emeritus from 31 March 2014 and a seat on the Presbytery within whose bounds she may reside.
3. The Executive Commission grants the Rev G Jamieson, the status of Minister Emeritus from 30 April 2014 and a seat on the Presbytery within whose bounds he may reside.
4. The Executive Commission grants the Rev GT Mcoiteli, the status of Minister Emeritus from 30 November 2013 and a seat on the Presbytery within whose bounds he may reside.
5. The Executive Commission grants the Rev DG Van Duyker, the status of Minister Emeritus from 31 December 2013 and a seat on the Presbytery within whose bounds he may reside.

**MISSION AND DISCIPLESHIP:**

1. The Executive Commission receives the report.

2. The Executive Commission notes the two Presbytery Mission Consultations conducted by the Committee during the past year and the intention of the Committee to visit the Presbytery of Limpopo in the second half of 2013.
3. The Executive Commission notes the disbursement of up to R 450 000 of Assessment Income (for the first six months of 2013) to congregations through Grants.
4. The Executive Commission commends the website of the M&D Committee to ministers, CDEs and congregations for their use.
5. The Executive Commission commends the M&D Conference, to be held at eMseni Conference Centre, Kempton Park, from 9 to 11 September 2013 to ministers, CDEs and lay leaders interested in Church Growth.
6. The Executive Commission commends the work of the International Sailors Society to congregations and members of the UPCSA encouraging them to support this organisation with prayer, service and financial support.
7. The Executive Commission resolves that the Order of Supportive Lay Ministries will open for members and commence its work on 1 January 2014 and the Commission approves Appendix 1 of this report.
8. The Executive Commission commends the book by Harold le Roux, The Church and Mission, to all members of the UPCSA for their reading.
9. The Executive Commission instructs the Clerk to circulate the "Audit of Missionary Activity" to all congregations of the UPCSA and to united congregations within 30 days after the Commission's meeting.
10. The Executive Commission
  - (a) instructs the Church Office Committee to appoint a suitably qualified person as Administrator of the OSLM in terms of Appendix 2 to this report in consultation with the M&D Committee;
  - (b) gives thanks for the funding provided by the Council for World Mission in the UPCSA's Mission Support Programme Grant;
  - (c) instructs the Church Office Committee to endeavour to have the new member of Staff begin work on 1 January 2014.
11. The Executive Commission approves the changes in the Manual outlined in Appendix 3 of this report and instructs the Faith and Order Task team to make these amendments.
12. The Executive Commission notes the Committee's caution regarding time frames for reporting on changes to the Models of Ministry of the UPCSA.

13. The Executive Commission approves the scales for minimum Stipends for ministers in South Africa, Zambia and Zimbabwe; the transport allowances and the pulpit supply fees.
14. The Executive Commission thanks the M&D Committee for their diligent work and notes with appreciation their innovative initiatives, particularly the OSLM.

### **OVERTURES:**

The Executive Commission resolves to deal with the Overture as follows:

1. Overture No 1 under the Faith and Order Committee report.

#### **1. CONCERNING THE CHANGE OF THE NAME OF THE PRESBYTERY OF AMATOLA:**

- i At the 23 June 2012 Special meeting of Presbytery the following decision was taken as per the minutes:

#### **7. Motions**

##### *7.1. Overture to General Assembly*

*Rev. Loni presented his overture and after discussion the Clerk moved the following proposals:*

1. *Presbytery adopts the overture*

**Seconded and AGREED**

2. *Presbytery appoints Rev. Loni and Rev. Gwala to speak to the overture.*

**Seconded and AGREED**

On behalf of the Presbytery I would therefore like to re-submit the overture of Rev. Loni, with the support of the Presbytery to the 2013 General Executive.

- ii At a Presbytery meeting held on Saturday 17 August 2012 Presbytery received a notice of motion from Rev. Loni and made the following decision as per extract from the minutes

#### **12. Motions**

*Rev. Loni moved the following Notice of Motion*

*Presbytery*

*Resolves to instruct the Clerk to re-submit to the Clerk of General Assembly for inclusion in the 2013 Executive Commission papers the Overture for change of*

*name of Presbytery that could not make time for inclusion in the 2012 General Assembly Papers*

Seconded and **AGREED**

#### **MOTIVATION FOR THE CHANGE OF NAME OF THE PRESBYTERY FROM "AMATOLA" TO "AMATHOLE."**

The Purpose of this overture is to persuade the General Assembly of the Uniting Presbyterian Church In Southern Africa; meeting in Cape Town in July 2012 to adopt the change of name from "Amatola " Presbytery to become **Amathole** Presbytery. The motivation for this overture is as follows:

1. Historical evidence states that the term Amatola, Amatole or Amathole was used to describe a range of densely forested mountains situated in the Eastern Cape. It seems these terms were used interchangeably.
2. Historical evidence records that the phrase "Amatole" means calves and **Amatole District Municipality**, which lies to the South was named after "Amatole" – the "calves" mountains.
3. It is worth-noting that the term/word "Amatole" meaning calves in a Xhosa language is spelt with an aspirated sound "h" hence "**Amathole**" and not Amatole as in the historical documents.
4. These mountains are called "**Amathole**" meaning "calves of the Drakensberg Mountains" hence in some areas of this Presbytery you have settlements called "**Amathole** Location" and or Amathole Basin."
5. The most important towns that historically form part of currently known as **Amathole** District Municipality are:
  - 5.1. Adelaide, Cathcart and Fort Beaufort that began life as military outposts.
  - 5.2. King William's Town which is the old centre of the region and in this town there is a large museum known as the "**Amathole** Museum."
  - 5.3. At the foot of the mountains is the town of Alice; with the campus of the University of Fort Hare.
  - 5.4. Stutterheim served as a settlement for disbanded soldiers who fought in the "Amatola War."
  - 5.5. Hogsback is a holiday destination.
  - 5.6. East London: The largest town in the region and the main administration centre for the Amathole Region.
6. It is worth-mentioning that the towns mentioned in Paragraph 5 above are the hub of the UPCSAs membership within the Presbytery currently known as "Amatola" in the UPCSAs; and known as "**Amathole Region**" in terms of current municipality boundaries of the Eastern Cape.
7. There is already a move in this region towards changing the names that are a result of "corrupted names" to becoming correct names e.g. Amatola Museum has been changed to **Amathole** Museum; Umtata has been changed to **Mthatha** etc.

8. It appears that the term "Amatola" is one of those terms that were "corrupted" and the UPCSAs used a name that had no accurate historical bearing to the membership of this region; hence this overture i.e. to change from "Amatola" to "**Amathole** Presbytery."

Submitted by Sibakhulu Orsmond Loni (Rev) 21 **APRIL 2012.**

#### **OVERTURE 1**

The Executive Commission changes the name of the Presbytery of Amatola to the Presbytery of Amathole.

#### **PENSION FUND (UPCSAPF):**

1. The Executive Commission receives the report.
2. The Executive Commission re-appoints D Anderson, C Henley, N Mashalaba and A Wentzel as Employer Trustees, with GC Kelly as a general alternate, till 31 December 2017.
3. The Executive Commission appoints Mr A Wentzel as Chairman of Trustees.
4. The Executive Commission acknowledges the work of the Investment Sub Committee for their sterling work in managing the investments of the UPCSAs Pension Fund and the PEPF.

#### **PENSION FUND (PEPF):**

1. The Executive Commission receives the report.
2. The Executive Commission urges all Presbyteries to make sure that church employees join the PEPF.

#### **PENSION FUND COMMISSION:**

1. The Executive Commission receives the report.
2. The Executive Commission resolves that the current two-tiered Contributions scheme of the UPCSAs Pension Fund adequately addresses the differing financial realities of the Ministers of the UPCSAs.
3. The Executive Commission reminds Ministers that membership of the UPCSAs Pension is compulsory.
4. The Executive Commission reminds Presbyteries that they:

- (a) have to ensure that Ministers become members of the UPCSA Pension Fund in terms of paragraph 10.27(o) of the Manual of Faith and Order, and
  - (b) have a role to play in ensuring that Members remain in good standing of the UPCSA Pension Fund.
5. The Executive Commission informs Ministers:
- (a) that they should not rely solely and completely on the UPCSA Pension Fund for their Retirement Planning, but
  - (b) should seek advice from authorised Financial Planners in order to ensure that upon retirement they will be in a sound financial position to do so.
6. The Executive Commission emphasises that Retirement Planning is and should remain the individual responsibility of the Ministers of the UPCSA and that it is directly incumbent upon the Minister to take responsibility for his/her Retirement Planning, which includes the timeous and full payment of Pension Fund Contributions.
7. The Executive Commission acknowledges with regret the existence of the two tiered contribution scheme of the UPCSA Pension Fund, and discourages congregations from opting for the lower tier when contributing to their minister's Pension.
8. Executive Commission discharges the Commission with thanks.

#### **PETITIONS:**

The Executive Commission resolves to deal with the proposals as follows:

1. Petition No 1 under the Ministry Committee report.

#### **1. CONCERNING THE APPOINTMENT OF MRS ZEPHNEY KENNEDY AS A PROBATIONER TO ST ANDREW'S PRESBYTERIAN CHURCH, CAPE TOWN**

At a meeting of its Executive on 12 March 2013, Presbytery agreed that, should the Assembly Ministry Committee turn down its final appeal (see appendix for copy of letter dated 15 March 2013), Presbytery would petition the Assembly Executive Commission to instruct the Assembly Ministry Committee to:

- a. Permit Mrs Zephney Kennedy to undertake her probation at St Andrew's Presbyterian Church, Cape Town, subject to the Presbytery approving such an appointment.
- b. Allow Mrs Kennedy's period of probation to run from 1 April 2013 to 31 March 2014.
- c. Allow Mrs Kennedy to attend the two required PAT Conferences in reverse sequence.

The Rev. D Smit, Convenor of the Ministry Committee of the Presbytery and Mrs Kennedy will present this petition to the Executive Commission of General Assembly.

#### **PETITION 1**

"The Executive Commission instructs the Ministry Committee to:

- 1) review its decision on this matter by 31 August 2013;
- 2) allows Mrs Kennedy to attend the August PAT Conference;
- 3) review the principles governing their decisions when considering 'mature aged' /all candidates with families".

#### **PRIORITIES AND RESOURCES:**

1. The Executive Committee receives the report.
2. The Executive Commission ratifies the Committee's decision to co-opt the Moderator Designate the Rev. ME Ramulondi.

#### **RECORDS:**

1. The Executive Commission receives the report.
2. The Executive Commission notes the list of Committees and Presbyteries that have submitted their records and commend them for their diligence.
3. The Executive Commission instructs Presbyteries and Committees that did not submit their records to do so at the next General Assembly in July 2014 or face rebuke at Assembly.

#### **STEWARDSHIP:**

1. The Executive Commission receives the report.
2. The Executive Commission instructs the Ministry Committee to consider ways in which Stewardship training can be made part of the Ministerial training and report to the 2014 General Assembly.
3. The Executive Commission encourages the Stewardship Committee to circulate the proposed Stewardship booklet to Presbyteries for comment before presenting it to the 2014 General Assembly for endorsement."