

Chapter 20

THE SYNOD OF THE UNITING PRESBYTERIAN CHURCH IN ZAMBIA

Explanatory note

The General Assembly, recognising the special needs within Zambia, decided in 2013 that there was a need for a Synod to exercise a role representing the General Assembly within that sovereign State. Hence the Synod of the Uniting Presbyterian Church in Zambia has been given opportunities to promote the proclamation of the Gospel and to oversee the life of the Church.

Section 1 - CONSTITUTION

- 20.1 The Synod of the Uniting Presbyterian Church in Zambia is the Council of this Church representing the denomination in the Republic of Zambia.
- 20.2 The General Assembly of the former Presbyterian Church in Southern Africa (PCSA) formed the Synod in Zambia in 1993, constituted it in January 1994, and the Uniting Presbyterian Church in Southern Africa (UPCSA) reconstituted it after the Union in 1999. It fixed its name and specified the Presbyteries that initially fell within its boundaries as follows: Copperbelt, Muchinga and Munali.
- 20.3 The General Assembly fixed the time and place of the Synod's first meeting and appointed a minister to convene and constitute the first meeting.
- 20.4 The members of the Synod in Zambia are:
 - (a) all the Ministers and Elders who are on the Rolls of all the Presbyteries within its boundaries and
 - (b) any Ministers and Elders whom adjoining Synods have duly appointed and commissioned as members of it. (See Manual of Faith and Order para 11.9.)
- 20.5 The General Assembly may add to the Synod any Minister or Elder of the Church, for specified purposes. Such Assessors have all the rights and privileges of members of the Synod for the term for which the General Assembly has appointed them.
- 20.6 A Session's commission to Presbytery also constitutes an Elder a member of the Synod and for the same period. No Elder may take his/her seat in the Synod, however, until

- (a) the Clerk of Presbytery has certified to the Clerk of the Synod that the Presbytery has placed the Elder's name on its own Roll or
 - (b) the Session has commissioned the Elder to the Presbytery and the Synod and formally informed both Councils of this, and the Synod has received and approved the commission. The Session thus commissions an Elder to represent it on both the Presbytery and the Synod and in notifying them indicates that it has done this.
- 20.7 The Clerk of every Presbytery in the bounds of the Synod sends to the Clerk of the Synod a list of the names and addresses of the Elders whose commissions the Presbytery has received and approved. The Presbytery Clerk does this not later than two months after the end of the month in which General Assembly has a stated meeting or, in years when General Assembly has no stated meeting, not later than 1 August. The Presbytery Clerk advises the Clerk of the Synod without delay of any subsequent changes in the commissions. The Synod in Zambia may call for the production of the commission of any Elder if it so wishes.
- 20.8 The Synod may receive and approve the commission of an Elder from a Session or of a member from an adjoining Synod at any of its meetings, whether such meetings are ordinary, or special, or adjourned.
- 20.9 The Synod is entitled to appoint not more than one Minister and one Elder from within its boundaries to its adjoining Synods. It furnishes those appointed with commissions in due form. An adjoining Synod that receives and approves such a commission thereby constitutes the person appointed a member of that Synod for the period of the commission. Everyone so commissioned reports to the appointing Synod when he/she first attends the other Synod.
- 20.10 The Synod may associate with itself for the time being, with the right to speak but not to vote, any enrolled member of this Church, or any other Church, who is present at its meeting. No one may be associated when the Council is meeting in private (see Manual of Faith and Order para 14.16).
- 20.11 The Presidents of all recognised Church Fellowships are expected to attend Stated Meetings of the Synod with the right to speak but not to vote.
- 20.12 At its first constituted meeting, and thereafter at its first ordinary meeting after the meeting of the General Assembly, the first business of Synod must be:
- (a) to examine and adjust its Roll of members, and then
 - (b) to induct from among its members a Moderator.
- 20.13 At its last ordinary meeting before every ordinary meeting of the General Assembly the Synod appoints its Moderator-Designate for the ensuing two years.
- 20.14 During the Moderator's term of office the Synod may appoint him/her to visit the congregations within one of the Synod's constituent Presbyteries with a view to giving them advice and/or stimulating their interest in the life and work of the Church. The Moderator must report diligence to the Synod.
- 20.15 The Moderator is an ambassador of the Synod in Zambia and shall, insofar as possible, make visits to congregations, institutions, and regions of the Church in response to invitations. These visits are for the purpose of

representing, strengthening and encouraging the Church, its people and its work.

- 20.16 The Synod appoints one or more Clerks to take its Minutes, keep its records, and perform such other duties as it assigns.
- 20.17 The Synod is entitled to assess the Congregations through its Presbyteries within its boundaries for the funds necessary to carry out its duties. It bases the assessment on the annual income of the Congregation in a manner to be decided by the Synod.
- 20.18 The Synod appoints a Treasurer to take charge of its funds and to report to it thereon when required. It appoints also one or more Auditors to audit its accounts and report thereon.

Section 2 – OFFICE BEARERS

OFFICE BEARERS

- 20.19 The office bearers of the Synod shall be the Moderator, General Secretary (if Synod chooses to appoint), Clerk, Business Convener and Treasurer.

MODERATOR

- 20.20 The Synod elects a Moderator from among its members. He/she continues in office until a successor has been inducted.

Election and tenure of office

- 20.21 The term of office of the Moderator of the Synod shall be four years.
- 20.22 The election takes place at least three months before the first ordinary meeting of the Synod following the stated meeting of General Assembly but the Synod may decide at any time to call for an election of Office bearers.
- 20.23 The method of election of the Moderator is the same as that envisaged in Manual of Faith and Order paras 16.37-38.
- 20.24 The Moderator may only be elected to one terms of four years after which the Synod elects another Moderator.
- 20.25 If the Moderator is an Elder, Synod may grant him/her, while in office, authority to administer the Sacrament of the Lord's Supper in accordance with the prescribed services in the Service Book and Ordinal, subject to his/her satisfying the General Assembly's Ministry Committee as to his/her understanding of that Sacrament.

The authority and duties of the Moderator

- 20.26 The Moderator presides over the meetings of the Synod, takes precedence over its members, and acts officially on its behalf but is subject to the Synod in all matters and abides by and acts upon its decisions;

- 20.27 In the Synod meetings, the duties of the Moderator are
- (a) to constitute and conclude each meeting with prayer, or to conduct devotions;
 - (b) to decide who may speak at any time;
 - (c) to take the vote;
 - (d) to announce decisions;
 - (e) to moderate the discussion and keep order;
 - (f) to call on members to discharge any function which may have been or is assigned to them;
 - (g) to see that business done has been duly recorded;
 - (h) to sign the minutes;
 - (i) in general, to speak and act officially in the name of the Synod as instructed by it.
- 20.28 An acting Moderator must so designate himself/herself when signing any records or documents of the Council.
- 20.29 The Moderator does not have a vote in determining the outcome of any proposal before the Synod other than if there is an exact (50/50) division among the members of the Synod who have voted, in which case he/she exercises a casting vote.
- 20.30 The Moderator speaks publicly in the name of the Synod whenever so instructed by the Synod. The Moderator may speak publicly after consultation with the Synod General Secretary (if appointed) and such other persons or Committees of the Church as are most closely involved with the subject matter being dealt with. If the Moderator expresses any personal opinion, it shall be clearly indicated that he/she is speaking in a personal capacity and not on behalf of the Church.
- 20.31 The Moderator may vacate the chair in favour of a former Moderator (or, if no former Moderator is present, another member of the Synod) should he/she wish to speak on any matter before the meeting. In such an event he/she has the normal voting rights of a member of the Synod.
- 20.32 The Moderator may attend and participate, without vote, in the meetings of all Committees of the Synod.
- 20.33 The Moderator shall be the official representative of the Church at gatherings and functions, both civic and ecclesiastical, to which the Uniting Presbyterian Church in Southern Africa (UPCSA) in Zambia is invited or at which it is to be represented, unless otherwise provided by the Synod. The Moderator may appoint a former Moderator or the Synod General Secretary to represent him/her at a specified gathering or function.
- 20.34 If the Moderator, through any cause, is unable to discharge his/her duties, the Previous Moderator or the most recent former Moderator available acts in his/her place. Should there be no Former Moderator available,
- (a) if Synod is sitting at the time, the Clerk calls upon members to choose a temporary Moderator, who shall hold office until the Moderator is able to resume his/her duties or a Former Moderator becomes available; and
 - (b) if the Synod is not sitting at the time, the Clerk, the General Secretary, the Business Convener and the Synod Treasurer, who are hereby authorised to act as a Special Committee, appoint a temporary Moderator whose period of office will be as mentioned in (a) above.

CLERK

- 20.35 At the meeting at which the Moderator is elected, the Synod elects a Clerk who holds office for the same period as the Moderator (note Manual of Faith and Order para 10.11 and 10.21), but may be re-elected for as many further periods as the Synod wishes. Synod may also appoint a Minute Clerk who, if not a member of the Council, has the right to speak but not to vote.
- 20.36 The Clerk
- (a) keeps the Roll of members;
 - (b) brings before the Council all business entrusted to him/her;
 - (c) minutes the proceedings of the Council;
 - (d) takes charge of its records and papers;
 - (e) gives extracts from its minutes to those entitled to them; and
 - (f) discharges other duties laid on him/her by the Council.

TREASURER

- 20.37 At the same meeting at which the Moderator is elected, the Synod appoints a Treasurer who holds office for four years.
- 20.38 The Treasurer takes charge of the funds and accounts of the Synod and reports on them as required. The audited accounts of the Synod must be submitted annually at an ordinary meeting of the Synod.

SYNOD GENERAL SECRETARY

- 20.39 The Synod may appoint a General Secretary for such periods and on such conditions as the Synod may determine, provided that the first period may not exceed five years. If the Synod General Secretary is eligible for re-appointment, she/he may be appointed for one more period of five years. The General Secretary may be remunerated on either a full time or part time basis.
- 20.40 Provided they are either Ministers or Elders of the UPCSA, the office bearers of the Synod (Moderator, General Secretary (if appointed), Business Convenor, Clerk and the Treasurer) are members of Synod by virtue of being appointed to these offices.

Section 3 - FUNCTIONS AND DUTIES

- 20.41 The Synod in Zambia
- (a) cannot legislate;
 - (b) has oversight and authority over the Presbyteries, Sessions and congregations within its bounds but its rights may not infringe on those of the General Assembly or of Presbyteries and Sessions;

- (c) handles, orders, and/or corrects anything that any Council or party within its jurisdiction has omitted or done incorrectly, or raised, or that appears in Presbytery records;
- (d) may delegate specific powers and functions to the Presbyteries by consultation and agreement with the Presbytery / Presbyteries concerned.

20.42 The Synod:

- (a) exercises oversight and discipline over all Ministers, Probationers, Students for the Ministry, Church Development Evangelists, Lay Preachers and all other members of this Church within its boundaries, in consultation with its Presbyteries (see para 18.52);
- (b) represents the Church in Zambia on ecumenical Councils, in fraternal relationships, and in relationships with the State;
- (c) co-ordinates collaborative ministry between its Presbyteries, so as to assure effectiveness within its bounds;
- (d) takes responsibility for the placement of Probationers in Zambia, in consultation with Presbyteries;
- (e) takes part in Services of Ordination of ministers, with the Synod Moderator taking charge of the ordination element of the service and Presbytery Moderator leading the induction/introduction element, although Presbyteries decide on ordination of ministers within their bounds;
- (f) receives Ministers without charge certified to it by its Presbyteries and Ministers seconded by the General Assembly who reside within its boundaries. (Every seconded Minister or Probationer is required to be an enrolled member of a Congregation)
- (g) may review the minimum stipend within its boundaries and reports to the Mission and Discipleship Committee of General Assembly;
- (h) receives applications, through its Presbyteries, by Ministers within its boundaries for leave to retire from the active ministry and transmits the applications to the General Assembly with recommendations;
- (i) arranges the funeral services of ministers;
- (j) takes advantage of opportunities for Church development within the boundaries and originates or encourages the establishment of development work initiated by Sessions or Presbyteries;
- (k) arranges training for Church Development Evangelists and other leaders in various church roles;
- (l) appoints special times for penitence, intercession, or thanksgiving;
- (m) has oversight of all methods of fund-raising within its boundaries;
- (n) transmits to higher Councils of the Church overtures and petitions addressed to such Councils, and approaches such Councils by overtures and references;
- (o) gives public expression to its view on matters relating to the welfare of the people within its boundaries;
- (p) acts in all matters the General Assembly remits to it.

SYNOD'S AUTHORITY

- 20.43 Subject to the provisions of the preceding paragraphs the Synod has authority to deal with the following matters:
- (a) The general oversight and promotion of the life and work of the Church within its boundaries.
 - (b) The power to supervise entitles the Synod to express disapproval of any recorded proceedings. It does not entitle it to reopen any matter that has been finalized or to require any other papers to be produced for it to examine in that connection.
 - (c) It is the duty of every Presbytery within the Synod in Zambia to report the results of every unsatisfactory state process (See Manual of Faith and Order 10.35–10.62) within its own boundaries to the Synod. If the Presbytery is unable to report satisfaction with the state of a Congregation and sees fit, it must report on the whole situation to the Synod.

It is the duty of Synod, whenever a Presbytery reports dissatisfaction, to appoint a Commission of the Synod:

- (i) to make further enquiry in consultation with Presbytery,
- (ii) to take such steps as it considers necessary to remedy the situation, and
- (iii) to report back to Synod.

The steps taken in (ii) above may, if the Synod considers it advisable, be in the form set out in paras 10.35-50 with the necessary changes.

- (d) Synod has jurisdiction to adjudicate on matters affecting the delimitation of areas within its boundaries.

Synod's Administrative Review Panel and Synod's Court

- 20.44 This Panel, acting within its jurisdiction, deals with applications for Reviews and Complaints (see Chapter 15). Synod's Court, acting within its jurisdiction, hears Appeals (see Manual of Faith and Order Chapter 18).
- 20.45 The Synod hears and disposes of Petitions (see Manual of Faith and Order Section 4 of Chapter 14) brought before it from Presbyteries, subject to the right of the General Assembly's Administrative Review Panel to review Synod's decisions.
- 20.46 The Synod makes such appointments to the Standing Committees of the General Assembly as that Council may provide for in its Standing Orders.
- 20.47 The Synod is entitled at its ordinary meetings to request reports from General Assembly Committees on their activities within its area. To that end it may at its own expense invite the Conveners or other members of such Committees to attend its meetings and report on their activities within its boundaries. It may also make such recommendations as it sees fit to such Committees.

- 20.48 The Synod transmits to the General Assembly any overture originating in itself or transmitted to it from or through a Presbytery.
- 20.49 The Synod calls for Presbytery records in order to examine and attest them and fixes the times by which Presbytery must deliver these to it. It takes such action as it deems necessary on the basis of such examination. The Moderator and Clerk of Synod sign Presbytery records to attest them.
- 20.50 If any matter requiring the urgent attention of Synod arises after the meeting of Synod and before the meeting of General Assembly, an Executive Commission or any other such body as that Synod may appoint shall act on behalf of Synod, subject to the provisions of Manual of Faith and Order para 13.8 with the necessary changes.

REVIEW BY, AND REPORTS TO, GENERAL ASSEMBLY

- 20.51 The Synod must submit its records to every ordinary meeting of the General Assembly for examination and attestation and report on the following matters:
- (a) the name of its Moderator and Clerk;
 - (b) the time and place of its ordinary meeting(s);
 - (c) changes in the ministry within its boundaries during the period under report;
 - (d) the establishment, reduction, and/or dissolution of charges within its boundaries during the period under report;
 - (e) the creation of new charges within its boundaries, either by establishment or by the union or amalgamation of existing charges;
 - (f) any matter arising in any of its Presbyteries which requires to be dealt with by the General Assembly;
 - (g) the activities of its Administrative Review Panel and of its Court;
 - (h) the names of Ministers without charge and Ministers from other Churches who have been received by any of its Presbyteries during the period under any law of the Church;
 - (i) any other matters on which the General Assembly directs it to report.
- If the Synod desires to bring before the General Assembly any matters not covered by its report, it does so by overture or petition.
- 20.52 The Synod has the right to call on any of its Presbyteries to report to it on any matter on which the General Assembly requires it to report.
- 20.53 The Synod will usually nominate the Conveners of each of its Standing committees to serve on similar Standing Committees of the General Assembly so as to create direct collaboration between the committees of Assembly and their counterparts in Zambia. The Synod does however have the power to waive this convention if it so decides.
- 20.54 It is the duty of the Clerk of the Synod to forward its report to the Clerk of the General Assembly in terms of the Standing Orders of the General Assembly.

Section 3 - MEETINGS AND PROCEDURE

- 20.55 The Synod holds an ordinary meeting either as the General Assembly directs or as its own preceding ordinary meeting appoints.
- 20.56 The Synod holds two ordinary meetings a year, usually in September and March.
- 20.57 The Synod may appoint a special meeting. The rules governing such a meeting are the same as those applicable to Presbyteries.
- 20.58 The Moderator of the Synod, either on his/her own authority or on a requisition from at least a quorum of the Synod (defined in Manual of Faith and Order para 20.63 below), may convene a special meeting to deal with any business that appears to call for immediate decision.
- 20.59 At a special meeting of the Synod called by the Moderator the first business is to approve or disapprove of his/her action in convening the meeting. If this action is disapproved, no further business can be transacted at the meeting. If his/her action is approved, no other business than that for which he/she convened the meeting can be transacted.
- 20.60 If the Moderator has ceased to be a member of the Synod or is for any other reason unable to act, his/her duties and responsibilities in convening a special meeting become those of the Clerk.
- 20.61 If the Moderator or the Clerk refuses to convene a special meeting after receiving a requisition in proper form to do so, the whole circumstances of the matter must be brought before the Synod at its next ordinary meeting for its judgement.
- 20.62 The Synod's Clerk must give 14 days' notice of every meeting of the Synod to all its members. Notices of any special meeting must state the business it will transact.
- 20.63 Every session of the Synod is opened and closed with prayer.
- 20.64 A quorum of the Synod consists of nine members representing at least two Presbyteries, of whom five must be Ministers and four Elders.
- 20.65 A quorum being present, the Moderator constitutes the meeting with prayer. If the Moderator is absent, a former Moderator or the senior Minister present constitutes the meeting.
- 20.66 The Synod is an open Council. It therefore meets in public, but it may sit in private if it considers it necessary or advisable to do so.
- 20.67 The Synod may appoint such Committees as it considers necessary to deal with, and to report on, matters within its jurisdiction, including a Business Committee to submit recommendations regarding the arrangement of its Agenda and the method of disposing of matters to be brought before the Synod.
- 20.68 The Synod appoints a Records Committee to examine and report on the records of the Presbyteries within its boundaries. The Synod prepares and submits to the next ordinary meeting of the General Assembly a return showing its findings on its examination of Presbyterial records and on the

visitation of Congregations by Presbyteries within their respective boundaries.

- 20.69 Any business proposed to be brought before a meeting of Synod, including notice of proposed overtures, must be intimated to the Clerk at least three weeks before the date of the meeting. The text of any overtures of which notice is given must appear on the notice calling the meeting.

All documents and papers in connection with any business to be laid before the Synod must be in the hands of the Clerk at least ten days before the date of the meeting.

- 20.70 The same provisions for the keeping of Minutes apply to Synods as to Presbyteries and Sessions. (See Manual of Faith and Order paras 7.84-88.) The Synod is responsible to the General Assembly for the keeping of its records, which it must send up to that Council for examination and attestation at each ordinary meeting of the General Assembly, and which must be in the hands of the Clerk of the General Assembly not later than the first day on which that Council sits in its ordinary meeting. (See also Manual of Faith and Order para 14.2.)