



***Lutheran Church of Australia,
South Australia and Northern Territory District
Incorporated***

Constitution and By-Laws

As at 19 May 2014

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This Constitutional Handbook has been prepared by the Constitutions Committee of the District at the request of the South Australia and Northern Territory District of the Lutheran Church of Australia.

The Handbook contains all relevant material that has been adopted by the District Synod or its Auxiliaries to the date shown above.

The Constitutions Committee of the District trusts that the publication of this Handbook will assist the officials and committees of the District in their work and will help congregations to play their part as members of the District.



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CONSTITUTION OF THE LUTHERAN CHURCH OF AUSTRALIA, SOUTH AUSTRALIA AND NORTHERN TERRITORY DISTRICT INCORPORATED

CONSTITUTION OF THE DISTRICT

Originally adopted 1966

Note: Article IX Clause 2 of the Constitution of the Lutheran Church of Australia Incorporated, states:

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

Note: By-law XI.3 of the Lutheran Church of Australia Incorporated, states:

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

INTERPRETATION

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

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

ARTICLE I. NAME

The name of the District is: LUTHERAN CHURCH OF AUSTRALIA, SOUTH AUSTRALIA AND NORTHERN TERRITORY DISTRICT INCORPORATED, hereinafter called 'the District'.

ARTICLE II. CONFESSION

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

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

ARTICLE III. OBJECTS

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

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

ARTICLE IV. MEMBERSHIP

1. The membership of the District shall consist of congregations of baptised members. Such congregations shall:
 - (a) accept and hold the Confession of the Church;
 - (b) accept the Constitution and By-Laws of the Church and the District;
 - (c) submit a Constitution and By-Laws acceptable to the Church and the District; and undertake to participate in the work of the Church and the District and to promote their Objects.Such member congregations shall be recorded in the official Roll of Congregations of the District and shall exercise their membership rights in accordance with the representation requirements outlined in the following Article VII. 2.
 - (a).
2. The District shall consist of the congregations which are members of the Church in the area of the District.
3. Membership in the Church may be terminated by action of the congregation or by action of the Church, as prescribed by the By-laws of the Church.
4. A congregation which terminates its membership, or whose membership is terminated by action of the Church, shall have no claim upon the Church or District or the property or funds of the Church and of the District; but nothing herein contained prevents the Church from giving effect to any decision, award or recommendation made by any Church tribunal in accordance with the By-laws in consequence of any such termination of membership.

ARTICLE V. THE MINISTRY

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

ARTICLE VI. AUTHORITY AND POWERS

1. The District consists of congregations voluntarily joined together to establish a wider fellowship in the Faith and to promote and do work which congregations could not undertake and do effectively alone and therefore has power and authority to carry out its Objects as set forth in this Constitution, and to perform such other acts as may be incidental thereto.
2. The District, in accordance with the provisions of the Constitution and By-laws of the Church and this Constitution, shall have authority and power to make rules and regulations for the administration of its affairs.
3. The District shall have power to delegate the exercise of its authority to such persons and in such manner as it may deem advisable.
4. The District shall have power to acquire, accept, hold, dispose of, lease, let, mortgage or otherwise deal with real and personal property and any estate or interest in real and personal property and to give guarantees as it may deem necessary for the effective promotion of any or all its activities.
5. The District shall have power to do all such things as the District may think incidental or conducive to the attainment of the Objects of the District or any of them.
6. The jurisdiction of the District over the congregation shall, subject to this Constitution and the By-laws, include the following rights:
 - (a) to ensure faithful adherence to the Confession of the Church;
 - (b) to apply discipline when departure from the doctrine of the Church is evident;
 - (c) to enlist wholehearted cooperation in the program approved by the Church or the District in the fulfilment of its Objects;
 - (d) to take action when persistent disregard of the resolutions of the Church or the District is evident;
 - (e) but it shall not include power over the purely internal administration of a congregation, or power over the property of a congregation, except to the extent that the District has granted or lent money to such congregation or otherwise holds any interest in the property of such congregation.

ARTICLE VII. THE SYNOD

1. The power of the District shall be exercised through the Synod, which shall be the highest constitutional authority of the District, with power to direct and control those to whom it has entrusted tasks or has delegated authority.
2. The Synod shall consist of the following:
 - (a) the lay delegates of the congregations who are elected by their respective congregations according to the representation prescribed by the By-laws Part B;
 - (b) the members of the Ministry of the District;
 - (c) the members of the Church Council;
 - (d) the District Administrator;
 - (e) the Director for Mission, the Director of Children, Youth and Family Ministry, the Director of Lutheran Schools, the Director of Lutheran Community Care and the Director for Chaplaincy Ministry;
 - (f) Principals of Schools in the District appointed as prescribed in the By-laws Part B, VII B 2.
 - (g) Chairpersons of Standing Committees and the appointed Chairperson of Synod, unless already eligible under 2 (a-f) above.
3.
 - (a) The lay delegates of the congregations shall serve from the commencement of the regular convention of the Synod to the commencement of the regular convention of the next Synod, and shall be eligible for re-election or re-appointment.
 - (b) The members of the Ministry shall serve for such time as their names are recorded on the Roll of Pastors.
 - (c) The members of the Church Council shall serve from the conclusion of the regular convention of the Synod at which they were elected to the conclusion of the regular convention of the Synod at which their prescribed term of office expires, and shall be eligible for re-election or re-appointment, subject to any limitations hereinafter contained.
4. Casual vacancies may be filled by the body having the right of election or appointment to the position in respect of which the vacancy arises. The person elected or appointed to fill a vacancy shall hold office for the balance of the term of the member whose place needs to be filled.
5. Such other persons as may be prescribed by the By-laws Part B shall be entitled to attend meetings of the Synod as consultants without any right to vote.

6. In the absence of a delegate at a convention of the Synod the right to vote may be accorded to an alternate appointed in a manner laid down in the By-laws to exercise that right.
7. The length of the synodical term shall be two years or such other period as may from time to time be prescribed by the By-laws Part B.
8. The Synod shall convene and be constituted at the beginning of the synodical term in a regular convention at a time and place determined by the Church Council. Notice of such regular convention shall be given to the members of the District by the District Administrator as laid down in the By-laws Part B.
9. A special convention of the Synod
 - (a) may be convened by the Bishop with the consent of the Church Council;
 - (b) shall be convened by the Bishop at the request of the Church Council.
 - (c) Notice of a special convention stating its purpose shall be given to the members of the Synod by the District Administrator as laid down in the By-laws Part B.
10. When the Synod is not in session, matters of urgency may be referred by the Church Council to the voting members of the Synod for determination in the manner prescribed by the By-laws Part B.
11. Subject to this Constitution and the By-laws, the Synod may determine its own procedure.
12. The Synod may delegate all or any of its powers, authorities, and duties to such persons or bodies and in such manner as it may see fit.

ARTICLE VIII. OFFICERS AND ADMINISTRATION

1. The Officials of the District shall be a Bishop and one or more Assistant Bishops. They shall be elected for a term of office determined by the District. The Bishop and Assistant Bishops shall be pastors of the Church in the District.
2. The District shall have a District Administrator to undertake administrative duties including those normally undertaken by a Secretary and Treasurer.
3. The District shall have a Church Council, which shall consist of the Bishop, Assistant Bishop or Assistant Bishops, and as many other members as it may determine in By-laws Part B. The Church Council shall have authority between the Synods to make decisions within the limits prescribed in the By-laws.
4. The District shall appoint as many Standing Committees as it may deem necessary for the carrying out of its Objects. The rights and duties of such Standing Committees shall be as defined in the By-laws.
5. The District may establish as many full-time executive offices for committees of the District as it may deem necessary. The manner of their establishment and of appointment of personnel to such offices and the duties of such personnel shall be as prescribed by the By-laws.
6. The District shall appoint such commissions, tribunals and other bodies and officers as it may deem necessary, and shall prescribe their duties.
7. All Officials, Boards, Standing Committees, and appointees of the District shall have such rights only as have been expressly conferred upon them by the District, or by this Constitution or the By-laws, and in everything pertaining to their rights and the performance of their duties they are responsible to the Synod, and between conventions of the Synod to the Church Council.
8. Auxiliaries approved by the Church may establish a branch in the District. Any constitution of a District Auxiliary and any amendments thereto shall be subject to the approval of the Synod or Church Council of the District.
9. The Church Council shall appoint a Public Officer, who shall hold office during the pleasure of Church Council and who shall carry out the duties laid down by the Associations Incorporation Act 1985 SA.
10. The members for the time being of the Church Council and the District Administrator shall be the Sealholders of the District. The Seal of the District shall be affixed only by the authority of a resolution of the Church Council, and two Sealholders shall sign every document to which the Seal is affixed. The District Administrator shall be the custodian of the Seal.

ARTICLE IX. ZONES

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

ARTICLE X. DISCIPLINE, ADJUDICATION AND APPEALS

1. Ecclesiastical discipline shall be exercised in the Church:
 - (a) by a congregation against any one of its members
 - (i) who departs from the Confession of the Church; or
 - (ii) who manifestly leads an ungodly life;
 - (b) by those to whom such authority is given in the By-laws against a pastor, teacher, or other church worker if the said pastor, teacher, or church worker
 - (i) departs from the Confession of the Church; or
 - (ii) is manifestly guilty of ungodly actions or life; or
 - (iii) persistently disregards the Constitution, rules or resolutions of the Church or of the respective District , parish or congregation; and
 - (c) by those to whom such authority is given in the By-laws against a congregation
 - (i) if it departs from the Confession of the Church; or
 - (ii) if it refuses to exercise discipline against any of its members, pastor, teacher, or other church worker; or
 - (iii) if it persistently disregards the Constitution, rules, or resolutions of the Church or of the respective District or parish. The manner in which such ecclesiastical discipline shall be instituted, the action to be taken, and the rights of appeal, shall be governed by the scriptural principles, and shall be as laid down in the By-laws.
2. The Church shall have authority to adjudicate upon matters
 - (a) which pertain to the interpretation of the Constitution, By-laws, rules, or resolutions of any of the following
 - (i) the Church
 - (ii) Districts
 - (iii) congregations
 - (iv) parishes;
 - (b) (which are in dispute between any of the following
 - (i) the Church
 - (ii) Districts
 - (iii) congregations
 - (iv) parishes
 - (v) pastors in their capacity as pastors
 - (vi) lay members in their capacity as lay members; or
 - (c) which are submitted to the Church and accepted by it for adjudication.
3. The Church shall establish a judicial system to deal with discipline and adjudication. The rules governing such judicial system shall be laid down in the By-laws.

ARTICLE XI. – DISSOLUTION OF THE DISTRICT

If any change to the number or boundaries of Districts has been approved by both the General Synod of the Church and the Synod of the District(s) concerned, each shall take any steps required to implement such change, including making any changes required to incorporation under the Associations Incorporation Act 1985 or other relevant legislation.

Any decision for dissolution, or for the amalgamation of the District with one or more other Districts, shall be made in accordance with the following procedure:

- 1) Notice of a proposed special resolution to dissolve the District or amalgamate with one or more other Districts (the proposal) shall be given to the delegates to the District Synod in writing not less than four weeks before a convention of the District. Any such proposal must address the use and disposal of all the District's real and personal property, and, where relevant, the proposed rules of the amalgamated Association.
- 2) A copy of the notice shall be forwarded to the General Synod of the Church at the same time that it is given to delegates.
- 3) The special resolution, which must address the matters referred to in sub-clause (1) above, must be passed at a duly constituted District Synod, by a majority of not less than three quarters of those who are delegates of the District Synod.
- 4) The District Synod shall advise the General Synod of the Church of the resolution passed, as soon as practicable.
- 5) The District Synod shall take all steps required to implement the special resolution, including the making of changes required to incorporation under the Associations Incorporation Act 1985 (SA) and/or other relevant legislation.

- 6) Such a resolution will come into operation when all changes required to incorporation by the Associations Incorporation Act 1985 and/or other relevant legislation come into operation.

ARTICLE XII. BY-LAWS

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

ARTICLE XIII. ALTERATIONS TO THE CONSTITUTION

1. The District, through its Synod, in accordance with the procedure laid down in the By-laws of the Church may petition the Church, or its General Church Council, to amend, alter, add to, or repeal any of the rules, except Article II and Article XII Clause 1, which shall be considered fundamental and unalterable in their intent and meaning.
2. Notice of any proposed amendment, alteration, addition or repeal shall be given on the agenda of the convention, and any such petition shall require a two-thirds majority of the total number eligible to vote according to Article VII Clause 2, unless the petition relates to an amendment, alteration, addition, or repeal already approved or recommended by the General Synod or General Church Council of the Church in reference to the Constitution for Districts prescribed by the By-laws of the Church, in which case the petition shall require a majority of those voting.

**BY-LAWS PART A OF THE DISTRICT
SECTION IV. MEMBERSHIP**

Reception into Membership

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

Withdrawal from Membership

1. A congregation may withdraw from membership in the Church by adopting the following procedure:
 - (a) The resolution indicating desire to withdraw must be adopted at a legally constituted meeting of the congregation by a two-thirds majority of the voting members, and shall be submitted to the Bishop of the District within fourteen (14) days of adoption.
 - (b) The Bishop of the District or the Bishop's representative shall negotiate with the congregation for at least ninety days after receipt of the resolution.
 - (c) After such negotiation the formal and final vote shall be taken at a legally constituted meeting of the congregation, the purpose of which has been published and at which the Bishop of the District or the Bishop's representative shall be present.
 - (d) If the vote to withdraw is in the affirmative, a copy of the resolution shall be forwarded to the Bishop of the District, and upon its receipt, the membership of the congregation in the Church shall terminate. The Bishop shall forward notice of withdrawal to the Administrator of the Church, who shall publish it in the official publication of the Church.
 - (e) In the event of a group of members of the congregation resolving to remain in membership with the Church, the question of any equitable distribution of property rights shall be referred to the judicial system of the Church.

Preaching Centres

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

SECTION V. THE MINISTRY

General

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

Pastors' Conference

1. The duties of the Pastors' Conference shall be to:
 - (a) give guidance in matters of doctrine and confession;
 - (b) foster theological studies by all members of the Ministry;

- (c) stimulate and give guidance to the members of the Ministry in the work of their calling;
- (d) foster fellowship between the members of the Ministry;
- (e) consider matters relating to the well-being of the Church and of the District in particular;
- (f) make nominations for the positions of Bishop and Assistant Bishop(s).

SECTION VII. THE SYNOD

1. Lay delegates shall be voting members of the congregation.
2. The following shall be entitled to submit matters for discussion at the convention of the Synod of the District:
 - (a) any congregation;
 - (b) any parish;
 - (c) any Standing Committee, Council, and Commission of the District, provided the matter is within its terms of reference;
 - (d) the Pastors' Conference;
 - (e) the Church Council, or its Executive;
 - (f) the General Church Council of the Church, or its Executive.

Nominations

1. The method of nominating the Bishop and thereafter in their order the Assistant Bishops of the District shall be as follows:
 - (1) A Nominations Committee consisting of three pastors shall be appointed by the Pastors' Conference Program Committee not less than six (6) months prior to the convention of the Synod at which the election for the office of Bishop falls due.
 - (2) All pastors whose names are recorded on the Roll of Pastors of the Church are eligible for the position of Bishop; only pastors of the District are eligible for the position of Assistant Bishop(s).
 - (3) Nomination of Bishop
 - (a) For the nomination of Bishop the Nominations Committee shall invite all pastors of the District to submit the names of up to three (3) pastors in their order of preference on the form provided to be returned by a date specified by the committee, the date being not less than two (2) months prior to the meeting of the Pastors' Conference held immediately prior to the regular convention of the Synod. The first preference on each ballot paper shall be used to establish a list of nominees who shall then be approached by the committee to ascertain whether they are willing to stand for election. The committee may confidentially make known to any such nominee the number of votes cast in favour of that nominee.
 - (b) If the withdrawal of proposed nominees involves twenty-five (25) per cent or more of the votes cast, the next preferences on the ballot papers shall be used to establish the list of nominees.
 - (c) The list of nominees shall be presented to the Pastors' Conference held immediately prior to the regular convention of Synod.
 - (d) By preferential ballot, the list of nominees shall be reduced until there remain only those who have received at least twenty-five (25) per cent of the votes cast, and these shall be declared to be the nominees of the Pastors' Conference for the office of Bishop.
 - (4) Nomination of First Assistant Bishop and Second Assistant Bishop
 - (a) Any pastors of the District nominated for the office of Bishop, if not elected to such office, shall with their consent automatically be nominees for the office of First Assistant Bishop. Any pastors of the District nominated for the office of First Assistant Bishop, if not elected to such office, shall with their consent automatically be nominees for the office of Second Assistant Bishop.
 - (b) Separate nominations for the offices of First Assistant Bishop and Second Assistant Bishop, if applicable, shall be made by ballot at the Pastor's Conference held immediately prior to the regular convention of the Synod.
 - (c) The first ballot shall be a ballot to establish a list of nominees. Before publication of the results of the ballot the committee conducting the election shall privately ascertain from all nominees whether they are willing to stand for election, and may confidentially make known to any such nominee the number of votes cast in favour of that nominee. The committee thereupon, without divulging the number of votes cast, shall publish to the Pastors' Conference the names of those willing to stand for election and the names of those who declined to stand.

- (d) If the withdrawal of proposed nominees involves twenty-five (25) per cent or more of the votes cast by those present and voting, another ballot shall be held to establish the list of nominees. The names of all persons who were not willing to stand for election shall be made known prior to such ballot.
- (e) By preferential ballot the list of nominees shall be reduced until there remain only those who have received at least twenty-five (25) per cent of the total votes cast, and these shall be declared to be the nominees of the Pastors' Conference for the office.

Elections

1. The method of electing the Bishop and thereafter in their order the Assistant Bishops of the District shall be as follows:
 - (1) The names of the nominees of the Pastors' Conference shall be submitted to the convention of the Synod at which such elections are to take place, and shall stand as the list of nominees unless the convention determines by resolution after reading of the relevant nominations that additional nomination or nominations may be made. For inclusion on the list each proposed additional nomination shall separately require the majority approval of the district delegates present, the vote being taken by show of hands.
 - (2) The provisions of sub-section 4 (a) of the previous clause shall apply to any nominee whose name was added to the ballot paper by action of the convention.
 - (3) The elections shall be conducted by preferential ballot prior to the reading of nominations for all other elective offices in the District.

SECTION VIII. OFFICERS AND ADMINISTRATION

1. The Bishop shall:
 - (a) serve as the spiritual leader of the District and shall strive to preserve peace and order;
 - (b) have the general oversight of all congregations and pastors in the District, and in fulfilment thereof shall make or arrange for official visits to congregations and parishes;
 - (c) have the general oversight of all elected or appointed church bodies or auxiliaries of the District and shall have official right to attend the meetings of any committee or auxiliary of the District or of its Executive;
 - (d) promote the general well-being of the Church in the District;
 - (e) receive, as the chief administrative officer of the District, direction, guidance, and counsel from the Church Council;
 - (f) perform such other duties as are prescribed in the By-laws Part B.
2. The Bishop-elect shall:
 - (a) normally assume office three months after being elected;
 - (b) before a Bishop-elect assumes office, the outgoing Bishop shall:
 - (i) continue as Bishop;
 - (ii) use the intervening period to settle the affairs of the administration;
 - (iii) assist the Bishop-elect to become acquainted with the duties and responsibilities of the office.
3. The First Assistant Bishop
 - (a) shall, in the event of the death or resignation of the Bishop, automatically assume the office of Bishop until the next Synod, but shall not terminate parish or other duties unless elected by the Synod;
 - (b) shall, by direction of the Church Council, assume office as Acting Bishop during the Bishop's sickness or absence, or inability to carry out the Bishop's duties;
 - (c) may be requested by the Bishop to act as the Bishop's deputy whenever and wherever deemed necessary.
4. The Second Assistant Bishop
 - (a) shall assume the office of First Assistant Bishop in the event of the latter becoming Bishop, or upon the death or resignation of the First Assistant Bishop;
 - (b) shall carry out such duties as may be directed by the Church Council;
 - (c) may be requested by the Bishop to act as the Bishop's deputy whenever and wherever deemed necessary.
5. The District Administrator shall:
 - (a) perform those duties generally incumbent upon the offices of secretary and treasurer, and as prescribed in the Terms of Reference for Full-time Executive Officers of the District (page 35);
 - (b) inform the Adminisitrator of the Church of any changes in or additions to the Roll of Congregations and the Roll of Pastors;

- (c) forward to the Administrator of the Church, all moneys for the Treasury of the Church;
 - (d) forward annually to the Administrator of the Church a financial statement of all receipts and expenditure of the District.
6. The Church Council shall:
- (a) ensure that the programs and policies of the Church and the District are carried out in the District;
 - (b) ensure that regular reports are received from all Standing Committees, commissions and other appointed bodies, either directly or through appropriate Directors, and shall make a careful study of them with a view to making recommendations for action by the Synod;
 - (c) work with Standing Committees in such a way that allows them maximum autonomy to carry out their specific functions within the overall programs, priorities and policies of the District;
 - (d) initiate research into any sphere of activity in the District, with a view to carrying out the Objects of the Church in the District;
 - (e) report to the Synod on the financial position of the District for the previous calendar year, present a current financial report and recommend the budget for the coming calendar year;
 - (f) recommend to the Synod projects involving provision for major capital expenditure;
 - (g) recommend to the Synod a proposed program of projects involving major capital expenditure for the following synodical period or periods;
 - (h) take action in matters involving expenditure not covered by the budget or provided for by the Synod;
 - (i) have power between conventions of the Synod to deal with matters of urgency submitted to it by any of the persons or parties entitled to submit proposals to the Synod, reporting on its actions to the next convention, or to submit any proposal to the voting members of the Synod.
7. Executive Offices of Committees
- (1) Any full-time executive office for a committee of the District shall be established by the Synod of the District. Recommendations regarding the establishment of any such office may be made by the relevant committee and shall be made through the Church Council.
 - (2) The term 'executive officer' in the By-laws shall mean the person filling any full-time executive office. The title given to any executive officer shall be determined by the Church Council.
 - (3) An executive officer shall be appointed for three (3) years, unless otherwise determined by the Synod, and shall be eligible for re appointment.
 - (4) The duties of the Executive Officer shall be defined by the relevant committee and be approved by the Church Council.
 - (5) An executive officer shall work within the policies and under the direction of the relevant committee.

SECTION IX. ZONES

- 1. The purposes of a Zone Conference shall be to:
 - (a) strengthen the ties of fellowship between the congregations;
 - (b) stimulate interest in spiritual matters by joint study;
 - (c) receive information regarding the program and work of the Church;
 - (d) discuss important matters of Zone, District, or Church interest.
- 2. The functions of the Zone Counsellor shall be to:
 - (a) exercise general oversight over the spiritual well-being of the pastors and congregations in the Zone;
 - (b) promote the program of the Church in the Zone;
 - (c) advise the Bishop of the District regarding the progress of the work of the Church in the Zone.

(Note: Additional By-laws relating to the Zones are found on page A33)

SECTION X. DISCIPLINE, ADJUDICATION, AND APPEAL

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

SECTION XI. – DISTRICT SUPERVISED ORGANISATIONS

The District may, from time to time, have or enter into a constitutional relationship with other organizations in the District, under guidelines outlined in the By-laws Part B Article X, provided that the Objects of the organisations concerned are consistent with the Objects of the District.

BY-LAWS PART B

Alterable Rules pertaining to the District

ARTICLE VII—THE SYNOD

A. The Convening of Synod

1. The regular convention of the District shall ordinarily be held in May or as near as possible to that time as arranged by the Church Council and the inviting congregation or congregations.
2. Notice of a regular convention shall be published by the District Administrator in the official publication of the Church at least three (3) months before the appointed date.
3. Notice of a special convention shall be published by the District Administrator in the official publication of the Church at least four (4) weeks before the date of such convention.
4. The Agenda, setting out details of the matters to be dealt with at the regular convention of the District, and Reports of Councils and Standing Committees shall be forwarded by the District Administrator to all delegates at least three (3) weeks before the date of such convention. Late proposals in writing and handed to the District Administrator before the first business session may be accepted by the convention and placed on the Agenda. At its discretion Synod may admit new business during the days of the convention.
5. The Agenda for a special convention shall be forwarded to all delegates at least one (1) week before the date of such convention. At its discretion Synod may admit new business during the sessions of the convention.
6. Each accredited Auxiliary of the Church within the District shall submit an annual report of its activities to the regular convention of the District through the Church Council.

B. Representation at Conventions

1. The ratio of lay delegates to communicants in each congregation, or parish if the congregations opt for parish representation, shall be one (1) lay delegate for each of one hundred (100) communicants or part thereof.
2. The ratio of school principals shall be one principal for every three principals, or part thereof, of Lutheran Schools in the District. These representatives are to be appointed annually by principals in consultation with the Director of Lutheran Schools.
3. Lay delegates shall be voting members of congregations.
4. Secretaries shall forward in writing the names and addresses of the lay delegates of their congregations (or parish) to the District Administrator.
5. One-half plus one of the persons entitled to vote shall form a quorum at convention.

Note: While we welcome and encourage all members of the ministry of the District to attend conventions, for the purpose of establishing a quorum at District conventions, members of the ministry who are full-time officers with the Church, lecturers at Australian Lutheran College, pastors teaching at our colleges, and pastors emeriti shall not be included, but these members shall still be entitled to vote at conventions of the District.

Consultants. The Bishop of the Church, the Principals of Schools in the District, the members of the Faculty of Australian Lutheran College, the Executive Officers of the Church, and such other persons as the Church Council may deem advisable, may be invited to attend as consultants. Such consultants shall have the right to speak, but not the right to vote, unless they are members of the Ministry of the District, or School Principals elected as prescribed in By laws Part B, VII B2 or elected delegates of congregations.

1. Visitors. Members of the Church, not being delegates, may take part in discussions, but do not have the right to vote. Other visitors may attend but may speak only with the permission of the Chairperson.

C. Procedure in Transacting Business

1. The business of a convention of the District shall be chaired by the Bishop, or at the Bishop's request, the First Assistant Bishop, the Second Assistant Bishop, or a lay person appointed by convention.
2. The Chairperson shall ensure that a quorum is present for the transaction of business.
3. Persons desiring to speak shall ask for the floor by raising their hands or otherwise indicating to the Chairperson their desire to speak, and when called upon to speak they shall stand and address themselves to the chair. No interruption to speech shall be permitted, except upon a question of order.
4. All proposals on the Agenda shall be placed before the convention for discussion and decision, unless withdrawn.
5. A proposal which has been printed on the Agenda of the convention may be withdrawn by the body from which it originated, with the consent of the convention.
6. No motion or amendment may be discussed or voted on until it has been moved and seconded by a delegate. Proposals stemming from reports of Councils and Standing Committees shall be regarded as having been moved and seconded.

7. All reports published in the official Book of Reports, or in supplements thereto, shall be regarded as received by the convention by virtue of that fact.
8. At the request of the mover and seconder a motion or an amendment may be withdrawn with the approval of convention.
9. Only one amendment to a motion shall be before the chair at any time. After the same has been agreed to or rejected another amendment may be moved. Notice of further amendment may be given at any time.
10. Proposers of amendments shall present the same to the Chairperson in writing if requested.
11. Every amendment shall be relevant to the motion to which it refers.
12. Those taking part in a debate shall be limited to one (1) speech on a question, except to clear up misunderstanding or in exercising the right of reply, or except the meeting grant permission.
13. A right of reply is allowed only to the mover of the original motion. It concludes the debate unless there are one or more amendments, in which case it may be exercised at the conclusion of the debate on the first amendment.
14. Seconded amendments are new questions and persons who have spoken to the motion shall be permitted to speak again.
15. The mover of any motion shall normally be permitted to speak for five (5) minutes, and three (3) minutes shall be the limit for all other speakers unless a resolution granting extension of time be granted by the convention.
16. The Chairperson shall give ample opportunity for speakers for and against a motion or an amendment to be heard. If there are no speakers against the question it shall be put without right of reply.
17. As a general rule motions and amendments shall be read before a vote is taken and the Chairperson shall, if necessary, briefly explain their meaning.
18. No motion may be brought forward which is the same in substance as a question which has already been resolved by the convention, unless a motion calling for a reconsideration of the question previously decided is moved and seconded by persons who voted with the majority when the question was originally put. If the motion to reconsider is carried the previous vote is thereby cancelled, and the original motion is again before the convention in the form in which it was put to the vote. A question may be reconsidered only once at the same convention.
19. A question shall be decided by a show of hands unless a ballot is required by the Chairperson or demanded by a delegate and granted by resolution of the convention. In the event of a disagreement as to the result of the vote a recount or a second vote may be demanded.
20. If in the opinion of any delegate an irregularity of procedure occurs, the delegate may immediately, without asking permission from the chair, rise to a 'point of order' and shall be heard forthwith. The delegate shall explain the point of order clearly and briefly without introducing new matter. The Chairperson shall decide either to uphold or disallow the point raised, and it shall not be debated unless an appeal be made against the ruling of the Chairperson.
21. Deference shall be paid to the Chairperson's authority. All present shall be seated whenever the Chairperson rises to speak, and when speaking shall be heard without interruption, except when a point of order is raised.
22. The Chairperson may call attention to continued irrelevance or tedious repetition on the part of a speaker, and may direct the speaker to cease speaking.
23. If disorder should arise, the Chairperson may announce an adjournment of the convention and leave the chair, and by that action the convention is immediately adjourned for a period that shall not exceed one-half hour.
24. The Chairperson may speak briefly for the purpose of giving some desired or necessary information. If, however, the Chairperson wishes not to chair the business at any stage, the First Assistant Bishop, the Second Assistant Bishop or an appointed lay person shall take the chair.
25. Unless otherwise stipulated a simple majority shall decide the question, and in the event of an equality of votes the Chairperson shall in addition to a deliberative vote have a casting vote, or may refer the question for further consideration.
26. A non-delegate chairperson has neither a deliberative nor a casting vote at a District Convention of Synod. Only the Bishop or Assistant Bishop acting as Chairperson has the right to exercise a casting vote.
27. No formal motion may be moved or seconded by anyone who has moved, seconded or spoken to the motion or any amendment. The following formal motions may be moved and seconded and are not debatable:
 - (a) A question may be superseded for that particular convention by the acceptance of either of the following motions:
 - i) 'That the debate be adjourned;'
 - ii) 'That Synod proceed to the next business.'
 - (b) A question may be superseded for the time being by the motion: 'That the question lie on the table'. There can be a subsequent motion either at the same or a later convention to take the question from the table.

- (c) The convention may be adjourned by the motion: 'That the convention adjourn.' Debate may take place if the motion or amendment states time, date and place of the adjourned convention.
 - (d) Debate on a motion or an amendment may be closed by the motion: 'That the motion be now put.' However, the Chairperson, if of opinion the question has not been sufficiently discussed, may refuse to accept such a motion. Those who have signified their intention to speak prior to moving the closure of debate shall be given the right to speak at the discretion of the Chairperson.
28. Matters of conscience and of doctrine shall have precedence over other questions, and any rules relating to time limits and number of times a person may speak may be suspended by the ruling of the Chairperson or by a majority decision of the meeting.
 29. Any of these standing orders may if the need arises be suspended in respect to any business of the convention, provided that two-thirds of the delegates present consent.
 30. Any proposals or questions coming before the convention may be referred to a special committee for study and for report to the convention.
 - (1) by the Church Council prior to the sessions;
 - (2) by the convention during sessions.
 31. All proceedings shall be entered into a minute book, with the exception of unseconded motions and unseconded amendments.
 32. The District shall not be bound by any statements or plans contained in a report, but only by specific resolutions on matters arising from such report and carried by Synod.

D. Nominations and Elections

1. **The Method of Nominating and Electing the Bishop and Assistant Bishops** - is as laid down in By-laws Part A VII 3,4.

2. **The Method of Nominating and Electing the Members of the Church Council**

- (1) The nomination and election of the members of the Church Council shall be conducted according to the procedures laid down for general elections, except that the second reading of these nominations and the election of candidates shall precede the second reading of nominations to the Standing Committees of the District.

3. **The Nominations Committee**

Membership.

The Committee shall consist of six (6) members: one (1) pastor, and five (5) laymembers, to be appointed by the Church Council. Appointments are for a two (2) year term.

Duties.

The duties of the Committee shall be:

- (a) to seek nominations with relevant information from congregations through an announcement in the official publication of the Church and/or by District newsletters, by circular;
- (b) to make additional nominations at its discretion;
- (c) to ensure that sufficient nominations are made to fill all vacancies;
- (d) to ensure that the consent of nominees has been received and that they are eligible for office;
- (e) where an election is necessary to supply to the convention in a duplicated statement relevant information regarding nominees, such as congregational membership, address, age, occupation or profession, specific experience, qualifications.

General Provisions.

The following provisions shall apply to nominations for any elected office or position on a Standing Committee of the District, except in those cases where the right of nomination has been delegated to a particular body:

- (a) Nominations, indicating the consent of the nominee, may be forwarded by any congregation to the Nominations Committee.
- (b) Suggested nominations may be made by the Bishop of the District and by Standing Committees for consideration by the Nominations Committee.
- (c) During the days of the convention, up to the close of nominations, any two (2) delegates may submit a further nomination, which shall be signed by the proposer and seconder, and shall indicate the consent of the nominee.
- (d) The Nominations Committee is not bound to accept all nominations received, with the exception of the nominations for the offices of Bishop and Assistant Bishops.
- (e) Retiring office-bearers and retiring members of councils and committees, eligible for re-election, shall be nominees.

Procedures.

The following procedures shall be followed:

- (a) The election of the Bishop and/or Assistant Bishops shall be completed before the first reading of nominations for all other elective offices of the District.
- (b) The election of the members of the Church Council shall be completed before the second reading of nominations to the Standing Committees of the District.
- (c) A duplicated list of nominations for the Standing Committees of the District shall be distributed to the delegates.
- (d) One session shall elapse between the first and second reading of nominations for the Standing Committees.
- (e) Where a new office or committee is created, the time of closure for such nominations may be extended by the Bishop and the elections be held later accordingly.
- (f) Nominations for the filling of casual vacancies shall be clearly indicated and shall be separated from vacancies caused by effluxion of time.

4. **The Electoral Committee**

Membership.

The Committee shall consist of two (2) pastors and one (1) lay member, appointed by the Church Council to be assisted by additional members as appointed by the supporting congregation to carry out the duties required.

Duties.

The duties of the Committee shall be:

- (a) to conduct the elections at the regular convention of the District;
- (b) in consultation with the chairperson of the Nominations Committee to prepare ballot papers, approved by the Bishop, for the elections;
- (c) to count the votes according to the preferential system, unless the rules of the District otherwise prescribe the procedure for voting;
- (d) to announce the result as soon as possible at a time determined by the chairperson of the convention;
- (e) to keep an accurate record of the results of all elections;
- (f) to retain all ballot papers until the close of the convention.

General Provisions.

The following provisions shall be followed:

- (a) The election of Officials, Councils and Standing Committees shall be by preferential ballot.
- (b) The candidates shall be listed on the paper in two groups, namely: nominations by the Nominations Committee and sitting members; nominations by congregations and by two (2) delegates.
- (c) The order of the names in each group shall be determined by lot.
- (d) In the event of an equality of votes in any election the Bishop, or the Bishop's deputy for the time being, may give a casting vote. If the Bishop is a candidate in any such election the issue shall be decided by another ballot.
- (e) In the event of an election being challenged, the Committee shall deliver to the Bishop the ballot papers used in that particular election for re-checking by a special commission consisting of not more than five (5) members elected by the convention.

E. Method of Voting Between Conventions

When, pursuant to Article VII, Clause 10 of the Constitution, the Church Council decides that a matter of urgency shall be referred to the delegates of the District for determination, the following procedure shall apply:

- 1 Information fully setting out the pro and contra shall be forwarded through the Bishop's office to all delegates. Delegates should, except in very urgent circumstances, consult with their respective congregations.
- 2 Voting shall be by ballot on the ballot paper provided.
- 3 The ballots cast shall be returned separately by each delegate to the District Administrator in an envelope provided. The date and hour of closure shall be stipulated by the Bishop. The District Administrator shall place all ballots, unopened, in a ballot box for safe keeping.
- 4 A committee of not more than three (3) members shall be appointed by the Church Council to count the votes. This committee shall include at least the past chairperson of the Electoral Committee or the Chairperson's deputy. The Committee shall meet at the time of the closing of the ballot to place all ballots without scrutiny into a pile after which all votes shall be counted.
- 5 The result of the ballot shall be conveyed by the committee to the Bishop who shall determine whether the official announcement to the District, indicating the number of votes cast in the affirmative and in the negative, shall be made in the official publication of the Church or in a separate circular.

ARTICLE VIII—OFFICERS AND ADMINISTRATION

A. General Rules

1. Members of the Church Council shall not be eligible for any other elected position in the District, unless otherwise determined by convention. Other persons may be elected to not more than two (2) Standing Committees.
2. The initial term of office of the Bishop of the District shall be four (4) years, and he shall be eligible for re-election for one or more two (2) year terms.
 - (a) With the exception of the Bishop, the term of office of Officials of the District shall be two (2) years.
 - (b) The term of office of members of Church Council and Standing Committees elected by Synod shall be two (2) years unless otherwise specified in these By-laws, or determined by resolution of Synod. Retiring members are eligible for re election.
 - (c) The term of office of members of Standing Committees appointed by the Church Council shall be two (2) years, unless otherwise specified in these By-laws. Retiring members are eligible for re election.
 - (d) There shall be no limit to the number of terms which the Officials of the District, members of Standing Committees, and Executive Officers of the District may serve.
 - (e) Any person appointed to fill a casual vacancy in an elective position shall hold office until the next regular convention of the District, when an election shall be held to fill the office for the unexpired term.
 - (f) Unless otherwise specified, the term of office of all newly elected Officials, Officers and Members of Standing Committees shall commence at the close of the convention at which they are elected.
 - (g) There shall be no more than two (2) members of the governing body who are Christians other than from the Lutheran Church on each of the school and aged care boards resulting in no more than twenty (20) per-cent of the number of the board.
3. No parish shall have majority representation on any Standing Committee of the District, although majority representation on localised committees may be permitted.
4. Salaried Executive Officers and persons permanently employed by a Standing Committee of the District shall not be members of the Standing Committee under which they serve. Salaried Executive Officers shall not be members of Church Council.
5. The spouse of a salaried executive officer or person permanently employed by a Standing Committee of the District shall not be a member of the Standing Committee/Board/Council under which such an executive officer or permanently employed person serves.
6. The election of an official of the District to a full-time office in the Church shall render vacant the previously held office in the District.
7. Positions held on Councils and Standing Committees of the District shall be deemed to be vacant upon the acceptance of a Call by a pastor to another District or upon the transfer of membership by a laymember to another District, unless the Church Council determines otherwise.
8. Any official, officer or committee member who ceases to hold membership in a congregation of the Church shall automatically cease to hold such position.
9. The District shall have the right to abolish any office or committee it has established.
10. All official books, records and correspondence of the officials, officers and committees of the District shall remain the property of the District.
11. Reports and audited financial statements, where applicable, shall be submitted by officials, officers, committees and commissions by January 15th or by such other date fixed by the District Administrator in order to be available at the regular convention.

B. The Bishop

1. The Bishop shall serve for an initial term of four (4) years, and shall be eligible for re-election.
2. In addition to what is laid down in the By-laws Part A, the duties and rights of the Bishop shall include the following:
To:
 - (a) make the necessary final arrangements for all conventions of the District in conjunction with the District Administrator;
 - (b) preside at meetings of the Church Council, or ask the Church Council to elect one of its members to preside at such meetings;
 - (c) preside at conventions of the District;
 - (d) present the Bishop's report to the regular convention of the District;
 - (e) see that all resolutions of conventions of the District are carried out;
 - (f) represent the District in an official capacity whenever and wherever necessary, or to appoint a deputy;
 - (g) arrange for the serving of vacant parishes;
 - (h) consult with the Church Council on pastors to be recommended to Call meetings;
 - (i) attend meetings of congregations or parishes convened for the purpose of calling a pastor, or to appoint a deputy, and as a rule to preside;
 - (j) provide for the installation of pastors into new charges;
 - (k) arrange for the ordination of candidates for the Ministry who have been called to serve in the District in consultation with the parish concerned;
 - (l) exercise with discretion the official right to attend the meetings of any committee or auxiliary of the District;
 - (m) receive reports from Zone Counsellors, to advise them in their duties, and to enlist their co-operation in the promotion of the work of the Church and the District;
 - (n) make official visits to congregations and parishes;
 - (o) veto any resolution or action of a committee or auxiliary which contravenes the Confessions of the Evangelical Lutheran Church, the Constitution or By-laws of the Church and District, or directions of any convention of the District after consultation with the Church Council;
 - (p) serve as a member of the Pastors' Conference Planning Committee.

C. The District Administrator

1. The District Administrator shall be appointed by the Church Council.
2. The duties of the District Administrator are listed in the Job Description as determined by Church Council.

D. The Church Council

1. The Church Council shall consist of twelve (12) members: the Bishop, the First Assistant Bishop, the Second Assistant Bishop, three (3) additional pastors and six (6) laymembers. The three (3) additional pastors and five (5) of the additional laymembers shall be elected by the Synod and one (1) laymember, being a qualified Finance Consultant shall be appointed by the Synod, on the recommendation of the Church Council.
2. The Church Council shall normally meet monthly or as called by the Bishop whenever deemed necessary, and when three (3) members of the Church Council request a meeting such meeting shall be held within three (3) weeks.
3. In addition to its sphere of responsibility and authority as outlined in the By-laws Part A, the Church Council shall:
 - (a) be responsible for the overall program, supervise the work, and be concerned with the general welfare, of the District Administrator;
 - (b) arrange in consultation with the inviting congregation or congregations the time and place for the regular convention of the District and for any special convention of the District;
 - (c) fill any vacancy in any office or on any committee, except when such vacancy occurs within two (2) months of the next regular convention of the District;
 - (d) remove any office-bearer or committee-member from office if, in its considered judgment, the said member becomes incapable or unworthy of office, and fill the vacancy thus created until the next regular convention of the District;
 - (e) receive, between the conventions of the District, an incoming pastor as a pastor of the District;
 - (f) liaise with the Council for Mission and relevant parishes for the reorganisation of parish boundaries and/or creation of new parishes;
 - (g) act as Sealholders;

- (h) approve any alterations to the By-laws Part B of the District or the rules governing any standing committee, fund, policy or terms of reference of the District made necessary by any resolution of the District Synod, after receiving advice from the Constitutions Committee.

E. Financial Administration

1. The Synod shall, on the recommendation of the Church Council, appoint a qualified Finance Consultant, as a member of the Church Council for a term expiring at the next Synod.
2. The financial management of the District shall be carried out by the District Administrator and the Finance Consultant in accordance with the resolutions of Synod, and where no directions have been given by Synod, in accordance with the instructions of Church Council.
3. The District Administrator and the Finance Consultant shall:
 - (a) review the general financial policy of the District, and where appropriate, make recommendations to the Church Council;
 - (b) examine the financial position of the District on a regular basis during the year including a comparison of actual income and expenditure to budget, and make recommendations accordingly to the Church Council;
 - (c) receive from Standing Committees their proposed budgets for the following Church financial year, negotiate amendments with any committee if necessary, and make recommendations to the Church Council regarding their adoption;
 - (d) examine proposals placed before them by District Committees for projects involving major capital expenditure, and make recommendations to the Church Council regarding their financial viability, and the amount of capital to be expended;
 - (e) examine proposals placed before them involving requests for LLL loans or capital grants, and in accordance with LLL and LCA guidelines/rules, make recommendations to the Church Council;
 - (f) annually review the audited financial statements, and periodically review the accounting procedures of:
 - (i) committees which administer moneys allotted to them by the District, and
 - (ii) other District committees, and where appropriate make recommendations to the Church Council;
 - (g) ensure that effective accounting and internal control procedures are used in the finances of the District, oversee the preparation of, and review the financial statements of the District;
 - (h) arrange for the auditing of the financial records and statements of the District, and submit nomination(s) to the Church Council for the auditor(s) of the District;
 - (i) arrange in consultation with the Church Council and the relevant District committee, visits to congregations as required;
 - (j) review, on a regular basis, the following assets and liabilities of the District:
 - (i) SA District properties
 - (ii) District Office furniture and equipment
 - (iii) loans to congregations from the Church Extension Fund
 - (iv) bank accounts and any other investments
 - (v) funds held for District purposes
 - (vi) any other funds, and where appropriate, make recommendations to the Church Council;
 - (k) review, on a regular basis, all LLL loans for loan arrears and earmarked deposit shortfalls, and after investigation, make recommendations to the Church Council;
 - (l) make recommendations for the use of District funds as matching deposits on LLL loans, and review the allocation of such matching deposits on a regular basis;
 - (vii) examine requests placed before them for Letters of Comfort or other forms of security by the District to financial institutions, and make recommendations to the Church Council;
 - (viii) review, on a regular basis, any Letters of Comfort or other forms of security to ensure that they are current and appropriate.

F. The Auditor

1. The Church Council shall appoint one (1) or more auditors, who shall perform those duties which are laid down in these By-laws or are required by the District Administrator.
2. The duties of the Auditor shall include the following:
 - (a) see that the books and accounts of the District are kept in the form and manner required by the District Administrator;
 - (b) conduct a continuous audit of the books and accounts of the District, to audit the annual statements of account and balance sheet, and report thereon;

- (c) audit the books and accounts of any fund under the control of the District when required by the District Administrator or the Church Council.

G. Standing Committees

The Standing Committees of the District are as follows:

- I. DEPARTMENT FOR ADMINISTRATION
 - 1 Constitutions Committee
 - 2 Nominations Committee
 - 3 Electoral Committee
 - 4 Committee on Discipline and Adjudication

- II. DEPARTMENT FOR AGED CARE
 - 1 Lutheran Aged Care Council
 - 2 Constitution of Riverview Lutheran Homes, Loxton
 - 3 Constitution of Tanunda Lutheran Home

- III. DEPARTMENT FOR CHILDREN, YOUTH AND FAMILY MINISTRY
 - 1 Council for Children, Youth and Family Ministry

- IV. DEPARTMENT FOR COMMUNITY CARE
 - 1 Lutheran Community Care Council

- V. DEPARTMENT FOR MISSION
 - 1 Council for Mission
 - 2 Aboriginal Ministry SA

- VI. DEPARTMENT FOR CHAPLAINCY MINISTRIES
 - 1 Council for Chaplaincy Ministries

H. General Rules Governing Standing Committees

- 1 The Bishop of the District shall arrange for the appointment of a convenor who shall convene the first meeting of the committee after the regular convention of the District.
- 2 At its first meeting after the regular convention of the District each committee shall appoint a chairperson and a secretary and such other officers and such sub-committees as are deemed desirable and necessary, unless such powers are vested in the Church Council or other body.
- 3 The duties of the chairperson of a committee shall be to:
 - a) arrange, together with the secretary, for meetings of the committee;
 - b) preside at meetings of the committee;
 - c) see that all resolutions of the committee are carried out;
 - d) see that the annual report is prepared and approved by the committee for submission to the Church Council and the regular convention of the District.
- 4 The duties of the secretary of a committee shall be to:
 - a) notify all members of meetings of the committee;
 - b) keep a faithful record of all minutes;
 - c) receive and attend to all correspondence, unless otherwise determined by the committee;
 - d) draw up an agenda for committee meetings.
- 5 The duties of the treasurer of a committee shall be to:
 - a) keep a true record of all moneys received;
 - b) make payments authorized by the committee;
 - c) furnish statements of receipts and expenditure at each meeting of the committee;
 - d) submit an audited statement of income and expenditure and, where applicable, a balance sheet to the regular convention of the District.
- 6 In the absence of the chairperson of a committee the vice chairperson shall preside; or, if there be no vice-chairperson, a chairperson shall be appointed by the committee for that meeting.
- 7 One-half of the members of a committee shall constitute a quorum.
- 8 A special meeting, desired by any two (2) members of a committee, shall be called by the secretary of the committee within fourteen (14) days of receiving a written request, giving reasons, such reasons being communicated to all members of the committee.
- 9 A member of a committee who is absent for two (2) consecutive meetings without good reason shall forfeit membership on such committee. However, any member who will be absent for a period of six (6) months or more shall resign as a member of that committee and the committee shall inform the Church Council.
- 10 A committee shall furnish members of the Church Council with complete minutes of meetings.
- 11 A committee responsible for the management and maintenance of buildings owned by the District shall ensure that such buildings are adequately covered by insurance. The advice of the District Administrator shall be sought.
- 12 A committee shall obtain the sanction of the Church Council before making any financial appeal in the District.
- 13 A committee shall obtain the sanction of the Church Council before using money provided for a specific budget item for any other purpose.
- 14 A committee shall indicate the amounts not expended from budget receipts during the past financial year when submitting its budget for the following year(s).
- 15 Unless otherwise provided for by the District, a committee shall appoint an auditor, subject to the approval of the Church Council.
- 16 A committee shall submit an annual report and an audited statement of receipts and expenditure and balance sheet, if applicable, to the District Administrator prior to the regular convention of the District.
- 17 A sub-committee may be established for the supplying of particular needs of a committee. The committee shall have general supervision over its sub-committee.
- 18 A member of the committee shall not enjoy any unfair business advantage by virtue of the position held on the committee.
- 19 The Church Council shall have power to appoint, at the request of any committee of the District, such consultants as the Church Council deems necessary for the effective operation of the work of that committee. Any such consultants shall not be eligible to vote or hold office.

- 20 Any proposal to appoint an honorary member of a committee shall be submitted to the Church Council for decision. Any such honorary member shall have consultative status.
- 21 No council or committee of the District shall enter into or increase any financial commitment or overdraft limit without the express permission and prior approval of the Church Council.
- 22 A committee shall consult with the Church Council in regard to the use of profits from trading or the possible investment of any funds entrusted to its control.

I. DUTIES OF STANDING COMMITTEES

I. DEPARTMENT FOR ADMINISTRATION

CONSTITUTIONS COMMITTEE

- 1 **Membership.** The committee shall consist of seven (7) members with at least one (1) member to be a pastor:
 - (a) the District Administrator; and
 - (b) six (6) members elected by Synod.
- 2 **Duties.** The duties of the Committee shall be to:
 - (a) examine all reports and overtures to Synod that involve changes or amendments to the Constitution of the District or which in any manner affect the By-laws, with respect to their content, wording, and agreement with the Constitution and By-laws of the District
 - (b) give guidance on constitutional matters at the conventions of the District;
 - (c) interpret in cases of controversy the Constitution and By-laws of the District and resolutions of Synod, which interpretation shall be binding until and unless Synod in convention decides otherwise;
 - (d) revise the Synodical Handbook after each convention of Synod and to bring it into harmony with the resolutions or changes adopted by Synod;
 - (e) review constantly the administrative structure of the District and the functions of its committees with a view to improving their efficiency and co-ordination, and to report such findings to the Church Council;
 - (f) examine new, revised, amended or changed Constitutions and By-laws of congregations and parishes, schools, aged home and other similar institutions to ensure that they are in harmony with the Constitution and By-laws of the District;
 - (g) advise congregations and parishes of any changes it may deem necessary in their constitutions or By-laws;
 - (h) file a copy of the Constitution and By-laws of each congregation and parish, schools, aged homes and other similar institutions together with all amendments, and to keep a record of all decisions and recommendations made;
 - (i) approve Constitutions and By-laws of congregations and parishes, schools, aged homes and other similar institutions and to submit them to the Church Council for endorsement and to the Bishop and District Administrator for their signature;
 - (j) report annually to the Church Council.

NOMINATIONS COMMITTEE

See By-Laws Part B, Article VII, D.3

ELECTORAL COMMITTEE

See By-laws Part B, Article VII, D.4

COMMITTEE ON DISCIPLINE AND ADJUDICATION

1. The provisions governing the Committee on Discipline and Adjudication shall be.
 - (1) The Committee on Discipline and Adjudication of each District shall consist of three (3) pastors and two (2) lay members elected by the Synod of the respective District from nominations submitted by the Church Council. Two (2) pastors and two (2) lay members shall be similarly elected as first and second alternates respectively.
 - (2) Appointment shall be for two (2) years, but shall be automatically terminated by a transfer to another District. Any vacancy shall be filled by the respective alternate next in line, and any vacancy in the position of an alternate shall be filled for the unexpired term by the respective Church Council.
 - (3) The Chairperson and Secretary of the Committee on Discipline and Adjudication shall be appointed by the Church Council of the respective District.
 - (4) The Committee on Discipline and Adjudication shall have jurisdiction to hear and determine a Complaint which is laid following a hearing by an Investigating Committee of the respective District.

- (5) The Committee on Discipline and Adjudication shall have appellate jurisdiction over an Appeal which is lodged against a finding by an Investigating Committee of the respective District.

THE STATISTICIAN

Duties

- 1 The duties of the Statistician shall be to:
- (a) receive annually the statistical returns of congregations, preaching places and Institutions of the District, as well as of other institutions served by pastors of the District;
 - (b) file statistics so that they are available for research and record purposes, and to evaluate them as required;
 - (c) collect and file copies of the annual Financial Statements and Balance Sheets, where applicable, of the District and of its Councils, Committees and Institutions, in consultation with the District Administrator of the District;
 - (d) tabulate and publish such statistics as are determined by the Convention of the District, or by the Church Council;
 - (e) give advice as requested to pastors of the District and others responsible for lodging statistical returns;
 - (f) work in close co-operation with the Statistician of the Church, particularly in advising him of any necessary corrections to statistical returns received from within the District;
 - (g) submit an annual report to the Church Council, which shall present the report to Synod in years when Synod is to be in session.

II. DEPARTMENT FOR AGED CARE

LUTHERAN AGED CARE COUNCIL

Preamble

Our gracious God brings people to faith in Christ, a faith which is to be active in love (Gal 5:6). Our care for elderly people should, therefore, be an expression of God's love and of our love and respect for them. Our desire is that they know Christ as their Saviour, grow in faith in him, serve him here, and finally be with him in heaven.

1 Objects

To carry out our ministry to the aged, the Aged Care Council will strive to:

- (a) promote and support the ministry of care to the elderly in the District;
- (b) advise the District Church Council on aged care matters and help the District to implement an effective ministry to the elderly;
- (c) encourage and support congregations and aged care organisations within the District in their efforts to minister to elderly members of the District Church and the wider community;
- (d) encourage and assist members of the Church to prepare and equip themselves for this important ministry of the Church.

2 Membership

The Council

(1) The Council shall consist of ten (10) members.

(2) Membership shall comprise

(a) one (1) pastor and three (3) lay members elected by Synod;

(b) one (1) pastor, three (3) lay members and two (2) other members appointed by District Church Council from nominations submitted by the Aged Care Council.

(3) At least two (2) of those appointed by District Church Council shall be directly involved in aged care ministry in congregations and/or in aged care organisations within the District.

(4) One (1) of the pastors shall be a pastor who serves an aged care organisation within the District.

3 Duties

The duties of the Council shall be to:

- (a) receive the Lutheran Church of Australia's Aged Care Policy and administer it as appropriate within the District;
- (b) promote and disseminate the District Aged Care Policy to congregations and aged care organisations of the District;

- (c) offer advice and resources to, and assist in the resolution of problems where appropriate in, aged care organisations and congregations in the District;
- (d) encourage cooperation between aged care organisations in the District and in the LCA;
- (e) promote the role of Australian Lutheran College in equipping people for ministry to the elderly;
- (f) encourage the education of staff of aged care organisations in the Christian approach to aged care;
- (g) encourage and support ministries with elderly people at the congregational level by helping pastors to keep informed about aged care developments and the needs of the elderly; and by assisting congregations in their ministry to the elderly;
- (h) receive annual reports from aged care organisations directly responsible to the District, or under the auspices of the District;
- (i) submit an annual report to the Church Council, which shall present the report to Synod in years when Synod is to be in session.

III. DEPARTMENT FOR CHILDREN, YOUTH AND FAMILY MINISTRY

COUNCIL FOR CHILDREN, YOUTH AND FAMILY MINISTRY

- 1 Membership: The Team shall consist of nine (9) members with at least one (1) member to be a pastor:
 - (a) seven (7) to be elected by Synod;
 - (b) two (2) to be appointed by Church Council.
- 2 Duties: The duties of the Team shall be to:
 - (a) provide supervision for the Director of Children, Youth and Family Ministry, being responsible for the overall program of the Director, the operational framework of youth and family ministry within the District and concerned with the general welfare of the Director;
 - (b) work with congregations and the District to develop ministry with young people and their families;
 - (c) coordinate youth and family related activities in the District;
 - (d) work in close cooperation with the LCA Board for Youth Ministry and other Lutheran groups as appropriate;
 - (e) supply information and bring recommendations to the Church Council regarding youth and family ministry;
 - (f) submit, in conjunction with the Director of Children, Youth and Family Ministry, an annual report to Church Council, which shall present the report to Synod in years when Synod is to be in session.
 - (g) submit reports and budgets as required to the Church Council in conjunction with the Director of Children, Youth and Family Ministry;
 - (h) meet bi monthly, or when called by the Chairperson.

IV. DEPARTMENT FOR COMMUNITY CARE LUTHERAN COMMUNITY CARE COUNCIL

1. NAME

The name of the Council is LUTHERAN COMMUNITY CARE COUNCIL.

2. INTERPRETATION

For the purposes of this Constitution:-

- (a) "the Church" means: The Lutheran Church of Australia Incorporated
- (b) "the District" means: The Lutheran Church of Australia, South Australia and Northern Territory District Incorporated;
- (c) "District Church Council" or "DCC" means: the Church Council of The Lutheran Church of Australia, South Australia and Northern Territory District Incorporated;
- (d) "Synod" means: the Synod of the District;
- (e) "LCC" means: Lutheran Community Care;
- (f) "the Board" means: LCC Board;
- (g) "the Council" of LCC shall have the same status and meaning as "the Board";
- (h) "the Chairperson" means: the person elected or acting as the Chairperson of the Board;

- (i) “the Deputy Chairperson” means: the person elected or acting as the Deputy Chairperson of the Board:
- (j) “the Secretary” means: the person elected or acting as the Secretary the Board:
- (k) “Consultant” means: a non-voting member of the Board:
- (l) “Committees” means: committees appointed by the Board to assist the Board with specific aspects of the governance of LCC:
- (m) “CEO” means: the Chief Executive Officer of LCC.

2 MISSION

The Mission of LCC, as the Church’s not for profit agency, is to support the Church in expressing Christ’s love through care to those in need within South Australia and the Northern Territory.

3 VISION AND OBJECTS

The Vision of LCC is that its work will result in the development of “Strong caring communities inspired by the love of God”.

This Vision will be achieved through LCC:

- (a) delivering services for vulnerable families and individuals, including mental health, financial counselling and anti-poverty programs. These services will -
 - i. Benefit local communities within the District’s area of responsibility:
 - ii. Be responsive to the changing needs of the community but at the same time be preventative in nature:
 - iii. Be delivered through strong partnerships with Lutheran Congregations and other relevant organisations:
 - iv. Help empower congregations and local communities to ensure the solutions provided by the services are sustainable.
- (b) gaining recognition with the District, Congregations, governments, and the not for profit and corporate sectors as a provider of high quality services:
- (c) being a well respected, high profile social advocacy voice which impacts attitudes and helps achieve action on social issues:
- (d) being a responsive, well managed and governed organisation regarded as a caring, professional body with a highly motivated, valued and supported team of volunteers and staff working in harmony to provide services to meet the needs of others:
- (e) ensuring that as a not for profit organisation the availability of reliable and sustainable resources for the delivery of services and the systems needed for efficient and effective service delivery are maximised.

4 RELATIONSHIP TO THE CHURCH AND THE DISTRICT

- (a) LCC shall cooperate with the relevant boards and committees of the Church and the District, and report as required.

5 MEETINGS OF LCC

- (a) The Board shall normally meet monthly or at a minimum meet bi-monthly.
- (b) Special Meetings of the Board may be called by the Chairperson, and shall be called at the request of two (2) or more Directors.
- (c) Notice of Special Meetings of the Board shall be given to Board members together with an outline of the proposed business, not less than seven (7) days before the meeting.
- (d) A quorum for meetings of the Board shall consist of a simple majority of Board members.
- (e) The Chairperson shall ordinarily decide the manner of voting, whether by show of hands, by secret ballot, by email or postal ballot, but the meeting may also decide itself, by resolution, the manner of voting to be adopted.
- (f) All resolutions carried at a properly constituted meeting of the Board shall be binding provided that the required quorum was present.

- (g) All resolutions adopted via email or postal ballot shall be binding provided a simple majority has voted in favour of the proposal.
- (h) The Chairperson shall have a deliberative and a casting vote in the event of a tied vote.
- (i) There shall be no voting by proxy.

6 BOARD OF DIRECTORS

- (a) The governance of LCC shall be entrusted to and exercised by the Board.
- (b) The Board shall comprise of eight (8) members:
 - (a) four (4) of whom, including one (1) pastor of the Church, shall be elected by the Synod; and
 - (b) four (4) of whom shall be appointed by the DCC.
- (c) LCC may identify and recommend potential appointees with the necessary mix of skills and experience for consideration and election by Synod and DCC.
- (d) The Board may include in its membership Christians other than from the Church in such numbers that will result in no more than twenty (20) per-cent of the number on the Board being non-Lutheran.
- (e) The Board may invite other people as needed to attend meetings of the Board as consultants who shall have speaking but not voting rights.
- (f) The Board shall elect a Chairperson, Deputy Chairperson and Treasurer from among their membership.
- (g) The Board shall appoint a Secretary.

7 FINANCE

- (a) The funds of LCC shall be used in pursuance of the objects of LCC in such manner as the Board determines, subject always to any direction that may have been given by LCC.
- (b) No dividends, bonus, or profit shall be payable to members of the Board.
- (c) LCC shall operate an account with a bank or other financial institution approved by the Board, into which all money received by LCC shall be paid as soon as possible.

8 RESPONSIBILITIES OF THE BOARD

- (a) The Board shall:
 - (a) select and recommend appointment by the District of the Chief Executive Officer (the "CEO") who shall be responsible for the implementation of approved policies, strategic direction and the day to day management of LCC.
 - (b) monitor the performance of the CEO against predetermined criteria and provide support to the CEO. develop and introduce a succession plan for the position of CEO.
 - (c) ensure that appropriate policies on key issues are in place which are in keeping with current legislation, are regularly reviewed and updated and that the resources of LCC are applied solely to achieving the Mission of LCC.
 - (d) determine, implement and maintain the necessary system or systems to control and govern LCC.
 - (e) work closely with the CEO to develop and implement a Strategic Plan for LCC, monitor progress and achievements, and regularly review and update the plan and make available to the CEO, to the extent possible, the resources needed to achieve the Strategic Plan.
 - (f) ensure that risks to which LCC is exposed are clearly identified and that suitable processes are in place to manage those risks.
 - (g) appoint committees as needed (with a sunset provision) to assist with the work of the Board and monitor the performance and achievement of purposes of such committees.
 - (h) determine and review "Delegations of Authority" to the CEO and, as recommended by the CEO, key staff.

- (i) ensure that induction training is provided to all new Board Members and regular up-date information and training sessions are conducted on governance and other key issues for all members.
- (j) ensure that the CEO and all staff are provided with Pastoral Care and Spiritual Guidance.

9 RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER

- (a) The CEO shall:
 - (a) be responsible to the Board, through its Chairperson, for the implementation of all policies, the Strategic Plan and the day to day management of LCC in accordance with a Board approved detailed Position Specification and delegations.
 - (b) ensure that in delivering high quality services and programs, LCC will work in partnership with congregations and other ministries of the Church; in co-operation with government departments and, where appropriate, in partnership with other agencies within the community services sector.
 - (c) attend meetings of the Board as a consultant.

10 ALTERATION OF THE CONSTITUTION AND BY-LAWS

- (a) LCC shall have the power at a duly convened and properly constituted meeting of the Board to vote on proposals to amend, alter, add to or repeal this constitution, except as hereunder provided, and, if approved by a two thirds majority of those present and entitled to vote, forward the proposals to the appropriate District authority for approval.
- (b) Notice of the proposed amendment, alteration, addition to or repeal shall be presented in writing with the notice of meeting.
- (c) Any alteration is deemed to have been made on the date of approval of the alteration by the District.

11 NON-CONTINUANCE

- (a) In the event of the non-continuance of LCC, the Board shall request the District that any assets remaining after the satisfaction of all of LCC's liabilities or debts be given or transferred to an institution or institutions affiliated with the Church which provides services and programs to those in need and which is a Public Benevolent Institution that has been approved under Section 78 of the Income Tax Assessment Act 1936, or equivalent legislation.

12 BY-LAWS

- (a) LCC shall have the power at a duly convened and properly constituted meeting of the Board to vote on proposals to make, amend, alter, add to or repeal By-Laws, except as hereunder provided, and, if approved by a simple majority of those present and entitled to vote, forward the proposals to the appropriate District authority for approval.
- (b) LCC shall have the power to make, amend, alter, add to or repeal By-Laws not inconsistent with this Constitution, for the regulation of the proceedings and management of the business and affairs of LCC and for giving effect thereto.
- (c) Notice of such proposed change shall be given either at a prior duly called meeting of LCC or be published with the notice of meeting.

**V. DEPARTMENT FOR MISSION
COUNCIL FOR MISSION**

1 Membership

- (a) The Council for Mission shall consist of eight (8) members with at least one (1) member a pastor:
- (i) four (4) members to be elected by Synod;
 - (ii) four (4) members to be appointed by Church Council.

2 Duties

- (a) The duties of the Council shall be to:
- (b) be responsible for the implementation of the Department for Mission's current mission statement as printed in Policy Statements of the District D12;
 - (c) supervise, support and be concerned with the general welfare of the Director for Mission;
 - (d) submit an annual report to the Church Council for presentation to Synod;
 - (e) submit a budget for the ensuing twelve months to the Church Council;
 - (f) meet as a rule, every month, or when called by the Chairperson.

ABORIGINAL MINISTRY SOUTH AUSTRALIA

1 Objects.

The objects of the Committee shall be to organise, supervise, encourage and extend the preaching of the Gospel of Christ to Aboriginal people at Ceduna, Oak Valley, Koonibba, Yalata, Port Lincoln, Whyalla, Port Augusta, Coober Pedy, the wider Adelaide area and any other areas of South Australia, and to promote the general welfare of Aboriginal people.

2 Membership.

The Committee shall consist of up to ten (10) members with at least one (1) member to be a pastor:

- (a) six (6) elected by Synod;
- (b) four (4) to be appointed by Church Council;
- (c) when possible the Committee shall include Aboriginal members and/or consultants;
- (d) the Directors for Mission and Administration shall be consultants to the Committee.

3 Duties.

The duties of the Committee shall be to:

- (a) undertake ministry among Aboriginal people in South Australia in accordance with the policies of the Church;
- (b)
 - (i) call, appoint or transfer pastors in consultation with the Bishop of the District;
 - (ii) call, appoint or conclude the services of church workers and other staff members as required, and to engage casual or contract workers;
- (c) ensure that new staff receive adequate orientation prior to entering a field of work;
- (d) arrange for regular visitation of the fields, monitoring and providing for the well-being of both the fields and the Committee employed workers;
- (e) monitor the financial and other physical arrangements of each field, including housing and maintenance for workers;
- (f) ensure that each field under the Committee's supervision develops its own goals, and forwards these to the Committee;
- (g) receive regular reports from the fields and workers, and to conduct an annual review of each field on the basis of its goals, suggesting directions for future ministry;
- (h) arrange for annual in-service education for all workers;
- (i) supervise and administer property entrusted to its care;
- (j) establish ministry support teams in all areas to facilitate appropriate working together of people in the local area;
- (k) maintain liaison with other boards engaged in Aboriginal ministry in matters of common concern;
- (l) identify, assess and act on issues of concern to Aboriginal people as they touch our ministry in rural and urban areas;

- (m) consult with the Bishop of the District to negotiate with the Government in matters of Aboriginal welfare and to cooperate with it according to the policies of the Church;
- (n) facilitate the training of Aboriginal leaders;
- (o) submit an annual report to the Church Council, which shall present the report to Synod in years when Synod is to be in session.
- (p) meet at least quarterly or when called by the chairperson.

VI. DEPARTMENT FOR CHAPLAINCY MINISTRIES

1) Purpose

To be the compassionate presence of Jesus in institutions, organisations and workplaces in the Lutheran Church of Australia SA/NT District.

2) Vision

To support and grow a vital and effective Chaplaincy Ministry of the District with dedicated and caring chaplains by encouraging meaningful partnerships with local Lutheran communities or other partnerships as appropriate in support of the needs of our wider community.

3) Objects

- a) **Oversight:** to provide spiritual oversight of the various areas of chaplaincy ministry;
- b) **Pastoral Care:** to provide an environment where chaplains are cared for, encouraged and supported;
- c) **Supervision:** to ensure and develop support structures relevant to the specific chaplaincy bodies and for individual chaplains;
- d) **Recruitment Support:** to promote the ministry and mission opportunities in the various areas of chaplaincy in the District, and provide assistance in the recruitment of new chaplains;
- e) **Training:** in consultation with Australian Lutheran College, Grassroots, and other training bodies, develop lines of training applicable to the needs of chaplains and the institutions and organisations they serve;
- f) **Expand:** to look for and develop new opportunities of chaplaincy ministry in the District in partnership with local Lutheran communities;
- g) **Liaison with Institutions:** to ensure that the chaplaincy ministries provided meet the needs of the institutions being served;
- h) **Accountability to the Church:** to represent chaplaincy ministries to the District by maintaining effective communication and mutual accountability with the District and so ensure a good working relationship with the church;
- i) **Wider Christian Community:** to relate to and communicate with other denominations, para-church bodies and local fraternals;
- j) **Professional Standards:** to oversee the development and promotion of professional standards of chaplains, appropriate to the circumstances of the institutions being served.

4) Membership

The Council for Chaplaincy Ministries shall consist of seven (7) members with at least one (1) member to be a pastor, to be elected by Synod.

5) Duties.

The duties of the Council shall be to:

- (a) testify to the love of Jesus Christ by ministering to people who have special social, mental and physical needs;
- (b) recommend for appointment by the Church Council, such chaplains and counsellors as are necessary to service the needs of the various Health Services, Correctional Services, Tertiary Institutions, and other Institutions or bodies assigned to its care;
- (c) ensure that chaplains and counsellors are adequately trained to serve in this special ministry;
- (d) co-operate with the appropriate Mission and Community Care Committees of the District and other Community Care agencies;
- (e) develop and extend the activity of the Church in this work in accordance with available personnel and finance;
- (f) receive written reports from those under its supervision as deemed necessary;
- (g) submit an annual report to the Church Council for submission to Synod;

- (h) submit a budget of estimated expenditure for the ensuing year to the Church Council, which shall present the report to Synod in years when Synod is to be in session.
- (i) meet at least quarterly, or when called by the Chairperson.

J. ADDITIONAL RULES

DISASTER AND RELIEF FUND

1 Name.

The name of this Fund is: Lutheran Disaster and Relief Fund.

2 Aims and Objects

The Aims and Objects of the Fund are to:

- (a) raise and disburse moneys for the relief of distress;
- (b) assist people who have been disadvantaged by natural disaster such as flood, fire, cyclone, etc.;
- (c) give relief to those who have needs due to distress or any other emergency.

3 Control

- (a) The Fund shall be controlled by the Church Council of the Lutheran Church of Australia, South Australia and Northern Territory District Incorporated hereafter called 'The Church Council'.
- (b) All receipts and payments shall be made from the Fund which shall keep separate books of account.

4 Dissolution

In the event of dissolution of the Fund any moneys held at the time shall be disbursed as follows:

- (a) to people in need at the discretion of the Church Council (see Aims and Objects);
- (b) in the event of there being no such case at the time to some charity approved by the Taxation Department on the recommendation of the Church Council.

ZINNBAUER MEMORIAL HOME FUND

1) Name

The Fund shall be called the 'Zinnbauer Memorial Home Fund'.

2) Aim and Purpose

The aim and purpose of this Fund is to commemorate the noble, self-sacrificing service over many years by Pastor Alfred Freund Zinnbauer and his wife Helga, to newcomers to Australia after the Second World War.

3) Form of Memorial

Depending upon the amount of money raised the Memorial shall, in connection with the Hope Valley Lutheran Homes, take the form of:

- (a) A Hostel for elderly single people and some married couples who are generally independent but require some care and are unable to meet entry costs.
- (b) (and/or) Independent Living Units for those unable to meet entry costs.
- (c) (and/or provide) furnishings and equipment for Hostels or Units.
- (d) (and/or provide for) maintenance and repairs of such Hostels or Units.

4) Source of Funds

- (a) Donations—unsolicited gifts received from time to time in honour of Pastor and Mrs Zinnbauer.
- (b) In Memoriam Gifts—gifts made to the Fund in lieu of flowers by people at the occasion of a funeral.
- (c) Appeals—organized appeals to people chiefly of ethnic origin, who came to know and love Pastor and Mrs Zinnbauer.
- (d) Legacies and Bequests—contributions to the Fund in the form of money, investments or property provided in the wills of people who held Pastor and Mrs Zinnbauer in high regard.
- (e) Projects—by groups or individuals working in aid of the Fund, projects such as the collection of paper and scrap, trading tables, etc.
- (f) Grants—representation to be made to the governments of countries and churches in those countries from which honours were bestowed upon Pastor Zinnbauer: German, Austrian and Australian.

5) Trustee for the Fund

Lutheran Homes Inc. will establish a 'Zinnbauer Memorial Home Fund Account' to be held in trust and from which payments will be made as authorised according to Clause 6.

6) Payments from the Fund

Payments will be made to Hope Valley Lutheran Homes for approved projects only after consultation with and approval by the authorized representatives of the Bethlehem German Congregation. There is to be ongoing consultation between Lutheran Homes Inc. and the Bethlehem German Congregation. All payments must continue to have the approval of Bethlehem German Congregation or, in the event of the congregation ceasing to exist, the Lutheran Church of Australia, South Australia and Northern Territory District, Incorporated.

7) Order of Preference for Admittance to Accommodation Provided from the Fund

- (a) Immigrants to Australia after the Second World War.
- (b) Financially disadvantaged persons—the poor and needy.
- (c) Lutheran.
- (d) Others.

8) Tax Deductibility of Donations

To be tax deductible donations of \$2.00 and over to the Fund must be unfettered, that is, they must be unconditional. Donors will not have automatic right to accommodation and care at Hope Valley Lutheran Homes because of having contributed to the Fund; however, they will be free to apply for admittance to Hope Valley Lutheran Homes when needed.

9) Generally

It is expected that people who live in Hostels or Units at Hope Valley Lutheran Homes abide by the rules of Hope Valley Lutheran Homes and live a clean and decent life, live peaceably, avoid strife or discord, and are not noisy or addicted to drink or drugs. If trouble occurs because of failure of people to live decently a caution is given and if they continue to offend they are required to leave the Village.

ARTICLE IX—THE ZONES

1 The Zone Committee

- (a) A committee, consisting of two (2) pastors and two (2) laymembers, shall be elected by each Zone Conference.
- (b) Committee members shall serve for a term of two (2) years. One (1) pastor and one (1) laymember shall retire each year, but shall be eligible for re-election.
- (c) It shall be the duty of the Committee to render assistance to the Zone Counsellor as required.

2 The Zone Conference

- (a) The Zone Conference shall be convened by the Zone Counsellor in consultation with the Bishop of the District.
- (b) The Conference shall meet at least once a year being chaired by the Zone Counsellor or by the Zone Counsellor's deputy.
- (c) All members of the Zone shall have the right to attend the Zone Conference; but voting rights shall be restricted to voting members of the congregations in the Zone.
- (d) The Zone Conference shall have the authority to:
 - i) submit recommendations to the member congregations;
 - ii) submit recommendations to the Church Council;

3 Meeting of Zone Counsellors

The Bishop of the District shall convene a meeting of Zone Counsellors at least once a year.

ARTICLE X – DISTRICT SUPERVISED ORGANISATIONS

The District shall have supervisory and/or election powers in relation to the following organisations:

1. Riverview Lutheran Rest Home (Loxton) as prescribed in its Constitution per articles 2; 7(a),(b),(c); 8(i),(j); 9; 10(e); 11; 12 and 13.
2. Tanunda Lutheran Home Incorporated as prescribed in its Constitution per articles 2; 7(a),(b),(c); 8(i),(j); 9; 11 and 14
3. Concordia College Incorporated (Highgate) as prescribed in its Constitution per articles 6(a),(b),(c),(d); 7(b)i (1),(2); 7(d); 9(a)ii (1),(4); 11(a); 11(b)ii; 11(b)iv (2),(3); 11(b)xiii; 11(b)xiv; 11(b)xix; 13(b)bii; 13(e); 20(a)iii and 21(b).
4. Immanuel College Incorporated (Novar Gardens) as prescribed in its Constitution per articles 4; 6(b),(c); 7(a),(b),(c); 9(g); 9(h) v; 9(k); 11i,v,vi,x,xii,xiv,xv,xix,xx; 12(a) (3); 13(c) ii; 13(d),(e); 17 and 18.
5. Lutheran Schools Association of SA, NT & WA Incorporated as prescribed in its Constitution per articles IV; IX 7(e); IX 9; X(a); XVIII 2(a),(b),(c),(f),(j),(l),(m),(p); XIX 1 (2) (a),(c); XX 3(b); XX 4; XXI 1; XXIII 2 and XXVIII.

B. (1) TERMS OF REFERENCE FOR FULL-TIME EXECUTIVE OFFICERS OF THE DISTRICT

DIRECTOR FOR MISSION

1) Appointment.

- a) The Director for Mission shall be appointed by the Church Council in consultation with the Council for Mission.
- b) The Director shall be appointed for a probationary period to be determined by the Council for Mission, after which the appointment shall be confirmed or terminated by the Church Council on the recommendation of the Council for Mission.
- c) The appointment may be terminated by either the Director or the Church Council provided that three month's notice is given. In the case of false doctrine, ungodly life or gross neglect of duty, (see District Constitution, Article X, 1. b) the appointment may be terminated by the Church Council at its discretion.

2) Relationship to the District Bishop.

The Director shall work in close consultation and co-operation with, and be under the general oversight of, the Bishop.

3) Relationship to the Council for Mission.

The Director shall be under the direct supervision of the Council for Mission, which shall be responsible for the overall program, and be concerned with the general welfare of the Director.

4) Duties. The Director shall:

- a) together with the Council for Mission, prayerfully seek God's guidance for the purpose and vision of the ministry;
- b) provide ongoing assistance to pastors, lay workers and congregations as they develop innovative and creative mission initiatives that are appropriate in their context;
- c) publicise and promote mission in the district and all its departments;
- d) visit congregations to assist them with planning and initiating mission projects;
- e) engage in continuing study and research of all areas relating to missiology, in conjunction with the Council for Mission and other LCA Mission Directors;
- f) network with mission personnel in other denominations and para-church groups;
- g) attend meetings of the Council for Mission, and other committees as may from time to time be determined by the Council for Mission or Church Council; and
- h) submit reports as required by the Council for Mission and Church Council.

DIRECTOR OF LUTHERAN SCHOOLS

5) Appointment

- a) The Director of Lutheran Schools shall be appointed by the Church Council in consultation with the Lutheran Schools Association.
- b) The Director shall be appointed for a probationary period to be determined by the Lutheran Schools Association, after which the appointment shall be confirmed or terminated by the Church Council on the recommendation of the Lutheran Schools Association.
- c) The appointment may be terminated by either the Director or the Church Council provided that three months notice is given. In the case of false doctrine, ungodly life or gross neglect of duty, (see District Constitution, Article X, 1. (b)), the appointment may be terminated by the Church Council at its discretion.

6) Relationship to the District Bishop

The Director shall work in close consultation and co-operation with, and be under the general oversight of, the Bishop

7) Duties

In general, the duties of the Director shall be to assist the Lutheran Schools Association to carry out its duties. More specifically, the Director shall:

- a) be under the direct supervision of the Lutheran Schools Association, which shall be responsible for the overall program, and be concerned with the general welfare, of the Director;
- b) be a spokesperson for the District on matters affecting schools in accord with the stated policies of the Church and District, and in consultation with the District Bishop;
- c) attend meetings of the Church Council as a consultant;
- d) act as an adviser and a resource person to the Committee, the schools and the District, assist in co-ordinating work in the field of education in the District, and to this end regularly visit the schools in the District;
- e) keep the Lutheran Schools Association informed about what is happening in schools in the District and of decisions and trends that could affect them;
- f) submit such reports as are required by the Lutheran Schools Association and the Church Council.

DIRECTOR OF LUTHERAN COMMUNITY CARE

8) Appointment

- g) The Director of Lutheran Community Care shall be appointed by the Church Council in consultation with the Lutheran Community Care Council.
- h) The Director shall be appointed for a probationary period to be determined by the Lutheran Community Care Council, after which the appointment shall be confirmed or terminated by the Church Council on the recommendation of the Lutheran Community Care Council.
- i) The appointment may be terminated by either the Director or the Church Council provided that three months' notice is given. In the case of false doctrine, ungodly life or gross neglect of duty (see District Constitution, Article X, 1 (b)), the appointment may be terminated by the Church Council at its discretion.

9) Relationship to the District Bishop

The Director shall work in close consultation and co-operation, and be under the general oversight of, the Bishop.

10) Duties

The Director shall:

- a) be under the direct supervision of the Lutheran Community Care Council which shall be responsible for the overall program, and be concerned with the general welfare, of the Director;
- b) attend meetings of the Lutheran Community Care Council as a consultant;
- c) attend meetings of appointed sub-committees at their request or when attendance would be helpful;
- d) ensure that workers in social welfare receive adequate orientation, support and leadership;
- e) visit congregations in order to inform them of the various aspects of the welfare work of the Church and to assist them in rendering service in a particular area or for a specific cause;
- f) engage in a continuing program of professional study and research in the areas of spiritual, mental, social and physical welfare in conjunction with the Lutheran Community Care Council and in consultation with the Board of Welfare Ministry;
- g) foster good relationships with the Government and with welfare agencies of other Churches;

- h) report to the Lutheran Community Care Council on the advisability of establishing, organizing, co-ordinating, centralizing or decentralizing counselling facilities and welfare centres, and advise in regard to appointing full-time or part-time workers and engaging voluntary workers and auxiliaries;
- i) prepare materials for the promotion of welfare work in the District including suggestions as to how such projects could be financed.
- j) carry out duties in the realisation that the Director of Lutheran Community Care is at all times bound by the Holy Scriptures and the Confessions of the Evangelical Lutheran Church; and committed to a genuine, loving compassion for and understanding of other people in their needs, joys and sorrows;
- k) submit such reports as are required by the Lutheran Community Care Council, its sub-committees and the Church Council.

DIRECTOR FOR CHAPLAINCY MINISTRIES

1) Purpose of the Role

Director for Chaplaincy Ministries is under the Department for Chaplaincy Ministries. The Director's role is to ensure that the Department for Chaplaincy Ministries purpose and vision is developed and fulfilled.

2) Accountability

The Director shall:

- a) Work in close consultation and cooperation with, and under the general oversight of the District Bishop.
- b) Be under the direct supervision of the Council for Chaplaincy Ministries which shall be responsible for the overall program of the Director, and shall be concerned about his welfare.

3) Responsibilities

The Director for Chaplaincy Ministries will focus on five key areas

i) Support, Oversight and Pastoral Care, through:

- a) Forming, developing, and empowering partnerships with key stakeholders.
- b) Ensuring structures are in place to provide pastoral care of chaplains.
- c) Encouraging and empowering chaplains within their 'community' roles.
- d) Maintaining regular contact with chaplains to provide guidance and pastoral support.
- e) Identifying and addressing pastoral needs with chaplains for the benefit of all concerned.
- f) Becoming involved in new chaplaincy opportunities.

ii) Promotion, Recruitment, Training and Development, through:

- a) Communicating a passion for chaplaincy ministry within the SA/NT District.
- b) Identifying and developing individuals for chaplaincy roles.
- c) Raising the profile of chaplaincy ministry, chaplains, and the groups they serve.
- d) Ensuring chaplains have the necessary skills to provide quality chaplaincy ministry.
- e) Ensuring all chaplains have a plan for their personal development.
- f) Ensuring chaplains are engaging in relevant educational and professional development opportunities.
- g) Supporting key stakeholders in the recruitment of new chaplains.

iii) Communication and Relationships, through:

- a) Forming effective and meaningful partnerships that benefit chaplains and their communities.
- b) Engaging in dialogue with individuals, groups, agencies and communities with different issues, backgrounds and needs.
- c) Increasing the profile of the Department for Chaplaincy Ministries.
- d) Forming relationships and networks that support chaplaincy ministries.
- e) Communicating effectively with all key stake-holders, chaplains, and the communities they serve, using a variety of media.

iv) New Opportunities, Partnerships, Innovation, and Strategic Goals, through:

- a) Encouraging involvement and partnerships with Lutheran communities.
- b) Networking with chaplaincy leaders from other disciplines, Districts, and denominations.
- c) Exploring new and innovative approaches to chaplaincy ministry.

- d) Providing opportunities for sharing and testing insights and issues, in Church and non-church settings, pertaining to chaplaincy ministries and the practical, social, ethical and theological implications these raise.
- v) Governance, Management and Administration, through:**
 - a) Understanding the expectations of the reporting process to the Council for Chaplaincy Ministries and the District Church Council.
 - b) Participating in key leadership opportunities within the Lutheran Church of Australia.
 - c) Participate regularly in South Australia Leaders Team (SALT) meetings.
 - d) Ensuring all required standards, regulations and qualifications are complied with.
 - e) Dealing with all matters of concern in a prompt, professional and efficient manner.
 - f) Ensuring all necessary reporting is undertaken and that the Department operates within budgetary allocations.
 - g) Discussing significant or urgent concerns and opportunities with the Chairperson of the Council for Chaplaincy Ministries and/or the District Bishop.

DIRECTOR OF CHILDREN, YOUTH AND FAMILY MINISTRY

1) Appointment

- a) The Director of Children, Youth and Family Ministry shall be appointed by the Church Council in consultation with the committees of the Department of Children, Youth and Family Ministry.
- b) The Director shall be appointed for a probationary period to be determined by the Youth and Family Matters Team, after which the appointment shall be confirmed or terminated by the Church Council on the recommendation of the Youth and Family Matters Team.
- c) In consultation with the Youth and Family Matters Team, the appointment may be terminated by either the Director or the Church Council provided that three (3) months notice is given. In the case of false doctrine, ungodly life or gross neglect of duty, (see District Constitution, Article X 1[b]) the appointment may be terminated by the Church Council at its discretion.

2) Relationship to the District Bishop.

The Director shall work in close consultation and co-operation with, and be under the general oversight of, the Bishop.

3) Duties

The Director shall:

- (a) work with congregations in the District to promote the nurturing of healthy and faithful children, young people and families who are committed to Christ and a life of service in God's world.;
- (b) coordinate youth and family related activities in the District;
- (c) provide support and encouragement to full-time and part-time youth workers, utilising the gifts and skills of these workers in the overall youth ministry of the District;
- (d) work in close cooperation with LCA Board for Youth Ministry and other groups as appropriate and participate as a member of the SA Heads of Churches Schools Ministry Group;
- (e) offer new vision and models for ministry with children young people and their families;
- (f) facilitate training of volunteers and professionals in children youth and family ministry;
- (g) provide consultation and resources to individuals, families and congregation;
- (h) be under the supervision of the Youth and Family Matters Team;
- (i) report to the Youth and Family Matters Team bi monthly and as required;
- (j) attend meetings of the Church Council as invited, to act as a consultant;
- (k) in conjunction with the Youth and Family Matters Team, submit an annual report to Church Council for presentation to Synod;
- (l) in conjunction with the Youth and Family Matters Team, submit reports and budgets to Church Council as required.

Revised constitution approved by the Convention of Synod of the Lutheran Church of Australia, South Australia and Northern Territory District Incorporated on 3 May 2014.

Lutheran Church of Australia, South Australia and Northern Territory District Incorporated

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SA/NT District Bishop

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District Administrator

19 May 2014