

Congress' authority and the UCA Constitution

People get together and form an organisation to do things they have in common. For example, Year of Peace Group; Gun Control NSW

Their authority for doing things is found in the Constitution. The Constitution authorises their actions.

Because groups belong to a wider society, they need to be recognised by others and there needs to be a way to ensure that what they do does not harm others. There has to be a way for their Constitution to be recognised by Governments. Sometimes this is by incorporation.

The Uniting Church is the people of God, and they are constituted, ruled and renewed by Christ. This is what brings us together.

But as well as that, we have a Constitution that spells out the parts of the church and their authority – because we are an inter-conciliar church, and we trust the whole people of God to discern how God is leading us. The legal right to have a Constitution is established by an Act of Parliament.

So the authority of Congregations, presbyteries and the synods is established in the Constitution. Their authority is not delegated by others, but comes from the Constitution.

UAICC was established by Aboriginal leaders under the guidance of God. They have developed their own Constitution and regulations.

However, because those leaders wanted to stay within the Uniting Church they did not register their Constitution separately.

As a legal body, Congress has authority delegated to it by the Assembly, rather than having its authority established in a Constitution.

The suggestion is that Congress should be recognised in the Uniting Church Constitution in Division 3: Government and Administration – the part that recognises the congregation, the presbytery, the synod, and the Assembly. This would mean adding Uniting Aboriginal and Islander Christian Congress to clause 22, and a new section E

The section would:

- i. Say who Congress is: a national body formed by First Peoples who are members of the Uniting Church.
- ii. Set out its responsibilities.
- iii. Determine Congress' right to establish its own Regulations within the limits of the UCA regulations.

- iii. Indicate that it can establish regional committees, and can determine when such regional committee shall also be presbyteries or have some responsibilities of a presbytery (a responsibility/ authority that now rests with synods).

There would then need to be a range of Uniting Church Regulation changes (and possibly Congress Regulation changes).

Proposal

It is proposed that the National Conference

- i. Receive the report
- ii. Support the proposal that Congress seeks its inclusion in Division 3 of the UCA Constitution, and regulation changes that would be needed as a result of that change.
- iii. Authorise the National Executive to prepare appropriate proposals for the Assembly.
- iv. Authorise the National Executive to make any changes to Congress Regulation that may be necessary as a result of decisions of the Assembly, and report such changes to the next National Conference for endorsement.