

VIII. ACT ANENT PRESBYTERY OF JERUSALEM (AS AMENDED BY ACT IV 2003)

Edinburgh, 21st May 1979, Session 3.

The General Assembly enact, with consent of the majority of Presbyteries, enact and ordain as follows:-

1. The Presbytery of Jerusalem shall be an Overseas Presbytery of the Church of Scotland.

2. The membership of the Presbytery shall be in accordance with Act III 2000, so far as applicable.

3. (a) The Presbytery shall exercise such powers and perform such functions as normally belong to Presbyteries in the Church of Scotland, in so far as circumstances permit, and in so far as these are consistent with the powers and functions conferred on the World Mission Council by the General Assembly.

(b) The Presbytery shall not have the power to appoint missionaries or local agents, or to terminate their engagements except in cases of discipline nor shall it have any power to determine the duties or spheres of labour of missionaries or other agents, such power being expressly committed to the World Mission Council or other appropriate Mission Committee of the General Assembly.

(c) It shall be competent for any member of the Presbytery to dissent and complain to the General Assembly against a judgement of the Presbytery in respect of any matters arising in connection with any causes or questions affecting any of the matters dealt with under 3 (a) hereof. Notice of such Dissent and Complaint, or Appeal, shall be given to the World Mission Council, which shall have a right to be heard in its interests before the Assembly or any Committee thereof, appointed to deal with the subject matter of the Dissent and Complaint, or Appeal.

(d) The World Mission Council shall have power to make Regulations with reference to all or any matters affecting the appointment and service of its missionary agents and to alter or modify the same from time to time as it may deem necessary.

4. *Sec 4 repealed by Act IV 2003*

5. The Presbytery shall have the right to elect two Commissioners, one minister and one elder, to the General Assembly, in accordance with the regulations set forth in Schedule A hereto; provided that the General Assembly may amend these regulations without reference to Presbyteries under the Barrier Act.

6. The Presbytery shall not have the right to make returns to Overtures under the Barrier Act, but may receive such Overtures, and all other documents sent down to Presbyteries for discussion and comment, and may transmit comments to the General Assembly.

7. The Presbytery shall have direct access to the General Assembly in the transmission of Overtures.

8. The Presbytery shall be responsible to the General Assembly for the keeping of its permanent record, which shall be sent up to Assembly for examination at the same time and in the same manner as other records.

9. The Presbytery shall not be assessed for the General Purposes Fund nor for the Mission and Aid Fund.

10. The Law and practice of the Church anent Presbyteries shall apply to this Presbytery in so far as consistent with this Act, and in any question of interpretation this Act shall prevail, provided that the Presbytery shall not be bound to perform any Presbyterian function which by reason of the difference between conditions in Israel and conditions in Scotland, is clearly not applicable to it, and in the event of any question arising as to the application of any law of the Church to this Presbytery such questions shall be referred to the General Assembly and their deliverance thereon shall decide the question even if the law in question shall have been enacted by Barrier Act procedure.

11. Nothing in this Act shall affect the relation in which missionaries and ministers of the Church of Scotland stand at present to the World Mission Council, provided always, and it is hereby declared, that a missionary appointed by the World Mission Council shall remain under the jurisdiction and discipline of the Presbytery in matters of life and doctrine.

SCHEDULE A

Regulations anent election of two Commissioners to the General Assembly.

1. Commissioners shall be elected from the ordained ministers on the roll of the Presbytery and from the elders on the said roll, provided that, if no elder is available within the Presbytery, an elder may be selected from the whole eldership of the Church of Scotland .

2. A notice of the meeting at which Commissioners to the General assembly are to be elected shall be sent to each member of the Presbytery.

3. The minute recording the appointment of Commissioners shall (a) contain the sederunt of the meeting, (b) bear that the meeting was constituted, (c) state that the notice calling the meeting contained due intimation of the purpose to elect, and (d) be signed by the Moderator and the Clerk.

4. The Commission shall be forwarded, to the Secretary of the World Mission Council, together with the relative minute, not later than 10th April.

5. The Commission shall be forwarded, duly certified, by the Secretary of the World Mission Council to the Clerks of the General Assembly, so as to be in the hands of the latter by 24th April. The Commission shall be endorsed by the Clerk of the Presbytery to the effect that the elder named therein is a *bona fide* acting elder.