

1.1 INTRODUCTION

AUTHORITY

- 1.1.1 These By-Laws are made in the exercise of the powers of the Synod of Western Australia as provided for in the *Uniting Church in Australia Act 1976* (WA) and in the Constitution of the Uniting Church in Australia paragraphs 63 and 64.

PRIORITY

- 1.1.2 The Act and the Constitution and Regulations of the Uniting Church in Australia have priority over these By-Laws and, to the extent that there is any inconsistency with the said Act, Constitution and Regulations, the Act and the Constitution and Regulations shall prevail.

SCOPE

- 1.1.3 These By-Laws are to be read in conjunction with the Act and the Constitution and Regulations of the Uniting Church in Australia. In accordance with the Constitution, paragraphs 63 and 64, these By-Laws are limited to those matters which the Constitution and Regulations require or permit the Synod to prescribe, or which are necessary or convenient to be prescribed, for the carrying out or giving effect to the Constitution or Regulations or for the good ordering of the life of the Church within the Synod of Western Australia.

DELEGATION

- 1.1.4 These By-Laws may make provision for any specific body established or regulated under these By-Laws to make standing orders for the conduct of its business and responsibilities provided that no such rule shall be in conflict with the Act or the Constitution and Regulations of the Uniting Church in Australia or the By-Laws of the Synod of Western Australia.

THE BY-LAWS IN THE CHURCH

- 1.1.5 These By-Laws are to be read and used in the spirit of paragraph 17 of the Basis of Union, as an expression of the Church's response to the Gospel and to assist the Church in its service of God and humanity.

DEFINITIONS

- 1.1.6 In these By-Laws unless the context or subject matter otherwise indicates or requires:
- "the Act" means the *Uniting Church in Australia Act 1976* (WA).
- "agency" means any body whether incorporated or unincorporated established by or behalf of the Church for a religious, educational, charitable, commercial or other purpose.
- "the Assembly" means the national Assembly of the Uniting Church in Australia.
- "the Basis of Union" means the Basis of Union (1971 text) approved by the Congregational, Methodist and Presbyterian Churches.
- "By-Law" or "By-Laws" refers to or means the By-Laws of the Synod of Western Australia.
- "church" means the Christian church generally.
- "churches" means denominations of the Christian church and may include the Uniting Church.
- "the Church" means the Uniting Church in Australia.
- "the General Secretary" means the General Secretary for the time being of the Synod of

Western Australia of the Uniting Church in Australia.

“instrumentality” means an agency (see above) that is incorporated under the provisions of the *Uniting Church in Australia Act 1976* (WA).

“minister” means and includes a Minister of the Word, Deacon, Deaconess, Community Minister, Lay Pastor or Youth Worker recognised as such by the Uniting Church in Australia.

“the Moderator” means the Moderator for the time being of the Synod of Western Australia of the Uniting Church in Australia.

“the Presbytery” means the Presbytery of Western Australia of the Uniting Church in Australia.

“Regulation” or “Regulations” refers to or means the Regulations of the Uniting Church in Australia.

“Rule” or “Rules” refers to or means the Rules of the Presbytery of Western Australia.

“the Synod” means the Synod of Western Australia of the Uniting Church in Australia.

“Synod meeting” means an ordinary meeting or a special meeting of the Synod.

USE OF TECHNOLOGY

1.1.7 Any Commission or committee of the Synod may use technology for its meetings. Where members cannot meet together either physically or electronically for decision-making the protocol for circulating resolutions is as follows:

- (a) All members entitled to vote must be circulated and, provided that no decision of such a poll is binding unless there are no dissenting votes. The resolution is passed when the last member signifies agreement.
- (b) A member is not entitled to vote on a circulating resolution if she or he has a conflict of interest unless it has been disclosed and dealt with in accordance with these By-Laws and procedures set down by the meeting body.
- (c) Copies or electronic equivalent of all resolutions passed as circulating resolutions will be kept in the minute book or electronic equivalent and signed by the Chairperson of the next meeting.