



## **S6.2 Moderator By-Law**

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### **ROLE OF THE MODERATOR**

- S6.2.1 The Moderator is the public head of the Church in Western Australia.
- S6.2.2 The Moderator will provide visionary and faith leadership to the Church in Western Australia.
- S6.2.3 The Moderator will undertake the duties and responsibilities of the Moderator of the Synod as specified by the Constitution, Regulations, the Basis of Union, the Uniting Church in Australia Act 1976 (WA), By-Laws and as determined by the Synod, or the Synod Standing Committee from time to time.

### **RIGHTS AND AUTHORITIES OF THE MODERATOR**

- S6.2.4 The Moderator is the Visitor and as such includes the right and authority to:
- (a) visit any centre or activity of the Church within the Synod and Presbytery(ies);
  - (b) attend any meeting of, call a meeting of, and chair any meeting whether or not called by the Moderator of any committee, council, commission or board elected by the Synod or Presbytery(ies);
  - (c) examine the affairs of any committee, council, commission or board elected by the Synod or Presbytery(ies);
  - (d) see that the laws, Regulations, By-Laws and Rules of the Commonwealth of Australia, the State of Western Australia, the Church, the Synod and Presbytery(ies) are duly observed and abided by;
  - (e) interpret the meaning of the By-Laws and Rules and determine any other matter relating to any committee, council, commission or board elected by the Synod or Presbytery(ies) on which these By-Laws and Rules are silent; and
  - (f) suspend any committee, council, commission or board elected by the Synod or Presbytery(ies) if, in the opinion of the Moderator, the interests of the Church so require and to appoint persons to carry out the functions of the suspended committee, council, commission or board until the Synod or Presbytery(ies) reinstates or replaces it.

### **ELECTION**

- S6.2.5 (a) The Moderator will be elected by the Synod in accordance with such rules and procedures and for such term as the Synod may determine (refer Regulation 3.6.3.1).

- (b) No person will be declared elected as Moderator-elect until that person has obtained an absolute majority of the votes cast by members of the Synod.
- (c) The Moderator will not be an employee in the Church Office while serving as Moderator.

#### **TERM OF OFFICE**

- S6.2.6 The Moderator will serve for a period of three years or such other period as the Synod-in-session may decide.
- S6.2.7 When, by reason of death, illness, absence, resignation or other cause, the Moderator is unable to fulfil the duties of the office, the ex-Moderator or a person appointed by the Synod Standing Committee shall be Acting Moderator and shall have all the powers and authorities of the Moderator until such time as the Moderator resumes responsibilities or a new Moderator is elected.

#### **REMUNERATION AND TERMS OF PLACEMENT OR SERVICE**

- S6.2.8 (a) The office of Moderator can be a placement for an ordained person and is suitable for Ministry of Pastor or a lay person.
- (b) As soon as practicable after the election of the Moderator, the Synod Standing Committee will make the following arrangements for the position:
  - (i) if the Moderator-elect is an ordained person, the office of Moderator will be declared to be an approved Synod placement and negotiations undertaken with the Moderator-elect to determine the appropriate stipend, allowances, expenses, and terms of placement; or
  - (ii) if the Moderator-elect is not an ordained person, the person shall be designated to the role of Pastor as an approved Synod appointment and shall be so commissioned by the Synod at the time of induction to the role of Moderator. Negotiations will be undertaken with the Moderator-elect to determine the appropriate salary, allowances, expenses, and terms of service.

#### **CONFLICT OF INTEREST**

- S6.2.9 Where the Moderator has a conflict of interest in dealing with a matter, declared by the Moderator or perceived by the Synod Standing Committee, including matters related to Part 5 of the Regulations, the Synod Standing Committee shall meet apart from the Moderator and shall appoint an Acting Moderator for the matter concerned.