



CONSTITUTION
OF THE
AFRICA EVANGELICAL
PRESBYTERIAN CHURCH
(A.E.P.C)

**CONSTITUTION OF
THE AFRICA EVANGELICAL
PRESBYTERIAN
CHURCH**

Ratified in 1962

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BOOK 1:

THE CONFESSION OF FAITH

1. Of the Holy Scriptures

The Holy Scriptures referred to as the Word of God contain all the books of the Old and New Testaments which are these;

The Books of the Old Testament

Genesis	II Chronicles	Daniel
Exodus	Ezra	Hosea
Leviticus	Nehemiah	Joel
Numbers	Esther	Amos
Deuteronomy	Job	Obadiah
Joshua	Psalms	Jonah
Judges	Proverbs	Micah
Ruth	Ecclesiastes	Nahum
I Samuel	Song of Songs	Habakkuk
II Samuel	Isaiah	Zephaniah
I Kings	Jeremiah	Haggai
II Kings	Lamentations	Zechariah
I Chronicles	Ezekiel	Malachi

The Books of the New Testament

Matthew	Ephesians	Hebrews
Mark	Philippians	James
Luke	Colossians	I Peter
John	I Thessalonians	II Peter
The Acts of the Apostles	II Thessalonians	I John
Romans	I Timothy	II John
I Corinthians	II Timothy	III John
II Corinthians	Titus	Jude
Galatians	Philemon	Revelation

All the books are inspired by God and contain the sole authority of our faith and life. All commands and decrees of God necessary to life are contained therein, whether for his praise or for man's salvation or in matters of faith and life, all are contained in God's Word, and nothing is to be added thereunto by way of tradition or further light from the Holy Spirit. The Word of God contains many things, some easily known and some obscure, however, all doctrines necessary to man's salvation may be known and are to be accepted and to be read. The Word of God is understandable to men through the teaching of the Holy Spirit, even though the reader is not highly educated.

The books commonly called Apocrypha, not being inspired, are not accepted as part of the Word of God or part of the canon of the scriptures. They therefore have no authority in the church or in the Christian life.

In stating the Scriptures are inspired of God we understand that inspiration is the special work of God in directing the writers of Scripture by the Holy Spirit that they write the very Words of God. The Holy Spirit spoke to the writers in order that they write each thought and each word according to the will of God the Father and in that each word was inspired by God, the writers were kept free from all error whether in doctrines of God as to his person or whether in matters of history or in thoughts of man in all teaching. There is no error of any sort, for the writers were so directed by the Holy Spirit as to be kept from all error.

The work of God of inspiration is a specialized work and no other writing is similarly inspired as are the Holy Scriptures. (II Timothy 3: 16; II Peter 1: 21)

2. Of God and the Holy Spirit

There is but one only living and true God. God is a Spirit, infinite, eternal and unchangeable in His being, wisdom, power, holiness, justice, goodness and truth.

Whereas we believe there is but one God, we accept the trinity of three persons in the Godhead: God the Father; God the Son; and, God the Holy Spirit, these three being equal in substance, power and glory.

3. Of God's Eternal Decree

God did from all eternity by His most wise and holy counsel decree all things whatsoever to come to pass. All things are decreed by Him, not because He foresaw or because of meeting certain conditions, but simply because He ordained according to His good pleasure.

By the decree of God, some men and angels are predestinated unto everlasting life and others to everlasting death. Those ordained to eternal life were chosen in Christ before the

foundation of the world, according to the good pleasure of His will, without any foresight of faith or good works or anything in themselves as being the condition or causes moving Him thereunto.

As God hath appointed the elect unto glory, so hath He also according to His perfect will, appointed the means thereunto.

In the same manner, according to the unsearchable counsel of His will, the rest of mankind has been ordained to judgment and wrath for their sin to the praise of His glorious justice.

4. Of Creation

It pleased God the Father, Son and Holy Spirit, for the manifestation of His glory, to create the world and all things therein, whether visible or invisible in the space of six days and all very good.

After God made all other creatures He created man male and female, with souls, endued with knowledge, righteousness and true holiness, after His own image, having the law of God in their hearts, and able to fulfill it and, at the same time, power to transgress it.

5. Of Providence

God, the creator of all things, doth uphold, direct and govern all His creatures, actions and things, according to His wise and holy will to the praise of the glory of His wisdom, power, justice, goodness and mercy.

The providence of God extendeth itself even to the fall of man, and all other sin by angels and man, not by bare permission, but according to His direction and, yet in such a manner that the sinfulness thereof proceedeth only from the creature and not from God, who is holy and righteous and is not, nor can be, the author of sin.

As the providence of God reaches to all creatures, so in a most special manner, does it care for His church and disposeth all things to the good thereof.

6. Of the fall of man, of sin and the punishment thereof.

Our first parents, being deceived by the subtlety of Satan, sinned in eating the forbidden fruit. This was permitted by God according to His wise and holy will, having purposed to order it to His own glory.

In this sin, man fell from his original righteousness and communion with God and thus became dead in sin. This same death and corrupted nature has been passed on to all men descending from them by ordinary generation.

From this sinful nature, all evil and actual transgressions proceed and the sinful nature abides throughout this life.

7. Of God's covenant with man.

The first covenant made with man was a covenant of works, wherein life was promised to Adam and his posterity upon the condition of perfect and personal obedience to God's commands.

Man, by his fall, having made himself incapable of life by that covenant, the Lord was pleased to make a second commonly called the covenant of Grace, wherein He freely offereth unto sinners, life and salvation by Jesus Christ, requiring of them faith, that they be saved and promising to give to all who are ordained unto life, His Holy Spirit to make them willing and able to believe.

This covenant was administered differently in the time of the law and the time of the Gospel. Under law, it was administered by promises, prophecies, sacrifices, circumcision and other types signifying that Christ was to come. Under the New Testament after Christ had come, the covenant was administered in the preaching of the Word and the sacraments of Baptism and the Lord's Supper, and though fewer in number, yet equal blessing and fuller knowledge than that of the Old Testament. There are not, therefore, two covenants of Grace, but one, and the same under various dispensations.

8. Of Christ the Mediator

It pleased God to choose and ordain the Lord Jesus Christ to be the mediator between God and man. He who is the second person of the trinity, heir of all things, judge of the world, He who became man, was born of the Virgin Mary, suffered, died and rose again the third day, having two natures, God and man, yet one person, the only mediator between God and man.

This office the Lord Jesus Christ accepted of his own will and, having accomplished His ministry, shall return again to judge men and angels at the end of the age.

In all ages, for all men, there is no other Saviour for men. He is the Lamb of God, slain from the beginning of the world, and is the same yesterday, today and forever. For all who look to Him in faith, He gives salvation and intercedes for them in prayer, reveals to them His will through His Holy Word and governs and directs their hearts by the Holy Spirit.

9. Of Free Will

God created man giving him a will with a natural liberty to choose good or evil. Man, as created, had the power to do that which was good or to refuse, and he refused. Because of

his fall, he has lost ability to do anything to accompany or merit salvation, he is dead in sin and unable to save himself. When a man is saved, he is enabled to will and to do that which is good.

10. Of Effectual Calling

All whom God has predestinated to life eternal shall, in God's appointed time, believe. This calling is of God's free Grace alone, and not because of anything good foreseen in man.

11. Of Justification

Justification is an act of God's free Grace, wherein He pardoneth all our sins and accepteth us as righteous in His sight, only for the righteousness of Christ imputed to us and received by faith alone.

God continues to forgive the sins of those that are justified. Although they can never fall from the state of justification, yet by their sins, they may fall under the Father's displeasure until they repent and renew their faith in Christ.

12. Of Sanctification

They who are called and regenerated, having a new heart and a new spirit, are further sanctified by the Word of God, and the Holy Spirit dwelling in them. Sanctification is the work of God's free Grace whereby we are renewed in the whole man after the image of God and are enabled more and more to die unto sin and live unto righteousness.

13. Of Saving Faith

Saving faith is the work of the Holy Spirit in man's heart by which he is enabled to believe.

By this faith, a Christian believes the Word of God and obeys its commands and teachings, accepts God's promises for this life and that which is to come.

It is possible for this faith to be weak or strong and to grow in Christ who is the author and finisher of our faith.

14. Of Repentance Unto Life

Repentance unto life is to be preached by every minister of the Gospel as well as that of Faith in Christ.

A believer repents because of his knowledge of his own sinful nature and because he grieves for and hates his sins, he turns from his sin to God and His Grace. All sins, both great and small, are to be confessed to God, and on confession, the believer shall find mercy and forgiveness in Christ.

15. Of Good Works

Good works are commended by God in His Word. They are the fruits and evidences of a true and living faith. Ability to do good works is wholly from the Spirit of God, and, by them, the believer manifests his thankfulness to God and glorifies Him.

It is impossible, by our good works, to merit pardon of sin or eternal life. "For by Grace are ye saved, through Faith, and that not of yourselves, it is the gift of God."(Ephesians 2: 8)

The believer is the workmanship of God created unto good works which God has fore-ordained that he should walk in them.

16. Of the Perseverance of the Saints

They who have been accepted in Christ, called and sanctified by His Spirit, cannot totally fall away, but shall persevere to the end and be saved. This work of persevering is not because of their own will, but because of God's decree, His unchangeable love, the intercession of Christ and the abiding of the Holy Spirit.

Nevertheless, they may, through the temptation of Satan and the world and neglect of the Word of God, fall into sin and the displeasure of God and grieve the Holy Spirit. They may be deprived of God's blessing and hurt and scandalize others and thus bring temporal judgment upon themselves.

17. Of Assurance of Salvation

Those who truly believe in the Lord Jesus Christ and love Him, may, in this life, be certainly assured that they have eternal life. This assurance is based on the promises in God's Holy Word and the testimony of the Holy Spirit witnessing with our spirits that we are the children of God.

It is the duty of every believer to give all diligence to make his calling and election sure, that he may grow in peace and joy in Christ.

True believers may have the assurance of salvation diminished or shaken by falling into sin or temptation, yet, they are never without God's presence, His Spirit or the love of Christ by which they may be revived in their knowledge of joy and salvation.

18. Of the Law of God

God gave Adam a law, the covenant of works and promised life upon fulfilling and death upon failure to fulfill. This law, after Adam's fall, continued to be the perfect rule of righteousness and was given to Moses upon Mt. Sinai. The first four commandments contain our duty to God and the other six contain our duty to man.

Besides this law, called '*the Moral Law*', God gave the people of Israel another law called '*the ceremonial law*.' This law contained ordinances of worship, types of Christ and was fulfilled in Christ and abrogated under the New Testament.

All believers, though not under law as a covenant of works, are to obey the moral law as a rule of life. These laws are not contrary to the Grace of the Gospel, but do thoroughly comply with it.

19. Of Christian Liberty and Liberty of Conscience

The liberty, which Christ has purchased, consists of freedom from guilt of sin, the wrath of God, the curse of the law, being delivered from this present evil world, bondage to Satan, the dominion of sin and the sting of death. Further, there is a willing desire to love and serve God, not in fear, but because of a sincere love and desire.

In the New Testament, believers are also free from the yoke of the ceremonial law and have boldness to approach the very presence of our Holy God. God alone is the Lord of the conscience and it is free from the doctrines and commandments of men which are, in any way, contrary to the Word of God. To believe such doctrines or to obey such commandments is to destroy the true liberty of conscience.

20. Of Religious Worship and the Sabbath Day

True worship is to be given to God the Father, Son and Holy Ghost, and to Him alone, not to angels, saints or any other creature.

Believers are to worship God in prayer, with thanksgiving, with the reading of the Scriptures and preaching of the Word of God. Believers are to listen and to obey, understand by faith, sing hymns, receive the sacraments as instituted by Christ. All these are parts of the ordinary religious worship of God.

God is to be worshipped everywhere, in spirit and in truth, in family or in private or in public service. God has ordained that His people in all ages are to set aside one day in seven as holy unto Him. From the beginning to the resurrection of Christ, it was the last day of the week and from the resurrection of Christ, is the first day of the week which the Scriptures call the Lord's Day.

This day is to be kept holy unto the Lord, not only as a day of rest from their works and affairs of this life, but also in worship of God both in private and in public.

21. Of Lawful Oaths and Vows

A lawful oath is a part of a religious worship which the person swearing calleth upon God to witness what he asserteth or promiseth, and to judge accordingly to the truth or falsehood of his words.

The name of God only is that by which men may swear. A believer may not bind himself by any oath so as to sin or do anything contrary to the Word of God, but only to do that which is good, to be done voluntarily, out of faith or in way of thankfulness for mercy received.

22. Of Civil Magistrates

God, the supreme Lord and King of all the world, hath ordained civil magistrates to be under Him over the people for His own glory and for the people's good. It is lawful for Christians to accept the office and work of a magistrate. A civil magistrate may not assume administration of the Word and the Sacraments or interfere in matters of faith, yet, it is the duty of magistrates to protect the church of Christ, without giving preferences to one denomination of Christianity above the rest.

It is the duty of Christians to pray for magistrates and to honour their persons, to pay tribute, to obey their lawful commands and to be subject to their authority.

23. Of Marriage and Divorce

The church recognizes the Lord's principle and standard of marriage as a lifelong and indissoluble union, for better or for worse, of one man with one woman, to the exclusion of all others on either side.

The church requires that Christians marry only Christians and regular church marriage shall be granted to such.

Banns of all contemplated marriages must be proclaimed at three regular services – if possible, on three consecutive Sundays. If the two parties to the marriage do not live in the same area, the banns should be published in both areas.

Where valid objections to a marriage are raised, such marriage shall be deferred pending investigation by the church session concerned.

Christian marriage shall be solemnized by a minister according to the provisions of the African Christian Marriage and Divorce Ordinance 1931.

Believers who have been married by a native and custom prior to public confession of faith in the Lord Jesus Christ, shall be required to have a Christian marriage.

Marriages contracted according to native law and custom shall be reckoned as valid marriages and no one while remaining married under native law shall be capable of a Christian marriage to another person.

Adherents or members who contract marriages according to native law and custom, shall, together with consenting fathers, be liable to Church discipline, but such marriages shall be deemed valid. Before they can be restored to good standing in the church, the parties must satisfy the members of the local church session as to their genuine repentance and be married in the office of the registrar of marriages in accordance with Section 6 of the African Christian Marriage and Divorce Ordinance 1931. (The 'Office' is the place where the minister is for the time being conducting his business.)

In cases of immorality involving Believers or members of the church, such shall be subject to church discipline and such persons may be married in the Office of the Registrar of Marriages.

It shall be incumbent upon all adherents or members to discourage the marriage of a sister, daughter or any woman over whom in native law he may have authority, when such marriage is not based upon true affection on the part of both contracting parties.

The church recognizes that adultery constitutes a ground for divorce but that even in such cases, the office of the church is to seek to reconcile the parties. If persistent efforts fail, we would not disallow their seeking a divorce.

If one of the parties obtains a divorce, the proper course is to remain unmarried during the lifetime of the other.

If a person obtains a divorce and remarries before a District Commissioner, we would welcome the couple to church services, but not to church membership during the lifetime of the previous spouse.

24. Of Polygamy

No man, being a polygamist, shall be baptized.

Polygamists may receive catechistical instruction, but it shall be made clear in the beginning that such instruction does not anticipate baptism.

Where men living in polygamy give evidence of a desire to live the Christian life, every effort shall be made to help and encourage them looking forward to the time when all wives but one may be put away without dishonour to them.

A polygamist shall not put away a wife against her will and without providing for her. In response to honest, earnest prayer, God will provide a way.

Polygamous wives who are so bound by local custom that they are unable to remedy their state, though desirous of doing so, may not be baptized unless the presbytery gives its consent.

A woman who, while in darkness of heathendom, becomes a polygamous wife of an adherent or member of the church, and later professes faith in the Lord Jesus Christ, may not be baptized without the consent of the presbytery. But a woman who, having had Christian instruction, willfully becomes a polygamous wife may not be baptized.

A woman adherent or member of the church who consents to her husband's polygamous marriage shall be put under church discipline.

An adherent or church member who takes a second wife or a concubine shall be suspended from the church until such time as he repents and gives up the woman in question.

25. Of the Church

The Catholic or universal church, which is invisible, consists of the whole number of elect of all ages, that have been, are, or shall be gathered into one under Christ, He being the head and all believers being members of His body.

The visible church consists of all those, throughout the world, who profess Jesus Christ, together with their children. Unto this catholic visible church hath God given the ministry of preaching the Word, of gathering and perfecting the saints until the end of the world. The Lord Jesus Christ alone is the head of the church.

26. Of the Communion of the Saints

All saints that are united to Jesus Christ, their head, by His Spirit and by faith, have fellowship with Him in His suffering, death, resurrection and glory and are united one to another in love and communion with each other. They are obliged to do such work as to mutually provide for their good both in the inward and outward man.

Believers by profession are bound to maintain an holy fellowship and communion in the worship of God and in their Christian services. This fellowship is to be extended to all those who, in every place, call upon the name of the Lord Jesus.

27. Of the Sacraments

Sacraments are holy signs and seals of the covenant of Grace, instituted by God, which represent Christ and His benefits to believers and which put a visible difference between true believers and the rest of the world. There is no power or grace in the sacrament as such, but blessing is promised to all worthy receivers.

There are only two sacraments ordained by Christ in the Gospel: Baptism and the Lord's Supper. These sacraments are to be administered only by a lawfully ordained minister of God's Word.

28. Baptism

Baptism is a sacrament of the New Testament ordained by Jesus Christ, given to believers as a sign and seal of the covenant of Grace, of his new birth in Christ, the forgiveness of sins and his walk in newness of life. This sacrament is to be continued in the church until the end of the world.

The outward element to be used in this sacrament is water, wherewith the party is to be baptized 'in the name of the Father, and of the Son, and of the Holy Ghost'.

Dipping of the person in water is not necessary but baptism is rightly administered by pouring or sprinkling water upon the person.

Not only those that actually profess faith in and obedience unto Christ, but also infants of one or both believing parents are to be baptized.

The sacrament of baptism is but once to be administered to any person.

Each believer, prior to baptism, shall first have completed a period of probation, normally two years, after which he shall be approved by the local church session as having a good knowledge of the Lord Jesus Christ as personal saviour, and a good knowledge of the fundamental teachings of God's Word. He must also have demonstrated his Christian life before others and borne a good witness to the saving power of Christ.

29. Of the Lord's Supper

Our Lord Jesus, in the night wherein He was betrayed, instituted the sacrament of his body and blood called 'the Lord's Supper', to be observed in His church unto the end of the world as a perpetual remembrance of the sacrifice of Himself in his death and of the blessings bestowed on all true believers, their communion with Him and with each other as members of His body.

In this sacrament, Christ is not offered up to His Father, nor is any real sacrifice made for sin, but only a commemoration of that once offering up of Christ upon the cross.

Private masses or receiving of the sacrament by a priest alone, or worshipping of the elements, lifting them up are contrary to the Word of God and to the nature of this sacrament.

The outward elements of this sacrament, though sometimes called by the name of the things they represent, that is, the body and the blood of Christ, still remain truly and only, bread and wine as they were before.

30. Of the State of Man After Death and of the Resurrection of the Dead

The bodies of men, after death, return to dust and see corruption, but their souls immediately return to God who gave them. The souls of the righteous, being made perfect in holiness, are received into God's presence, waiting for the full redemption of their bodies, and the souls of the wicked are cast into hell to remain in torment and utter darkness until the judgment of the Great Day. Besides these two places for souls separated from their bodies, the Scriptures acknowledgeth non other.

At the return of the Lord Jesus Christ, such living persons as are found in Him, shall not die, but be changed and all the dead in Christ shall be raised up with the self-same bodies and none other, although with different qualities which shall be united again to their souls forever.

The bodies of the unjust shall, after Christ has reigned on Earth a thousand years, be raised by the power of God to dishonour.

31. Of the Last Things

God hath appointed a day wherein He will judge the world in righteousness by Jesus Christ, to whom all power and judgment is given of the Father. In which day, not only apostate angels shall be judged, but likewise, all persons that have lived upon earth shall appear before the tribunal of Christ to give account of their thoughts, words and deeds and to receive according to what they have done in the body whether good or evil.

The purpose for God's appointing this day is for the manifestation of the glory of His mercy in the eternal salvation of the elect and of His justice in the damnation of the evil and disobedient. The righteous shall go into eternal life and receive that fullness of joy which comes from the presence of the Lord, but the wicked shall be cast into eternal torment and eternal destruction away from the presence of God.

God has willed that that day be unknown to men that they may fear Him and always be watchful for His return.

BOOK 2:

FORM OF GOVERNMENT

Chapter I. The Visible Church and This Denomination as a Branch Thereof

1. The visible church throughout the world consists of all those who profess their faith in God through His Eternal Son, together with their baptized children. Any organization for worship in which the Gospel is faithfully preached and faithfully shown forth in the ordinances, and in which flagrant denial of the basic principles of the Gospel, whether in word or in deed, is faithfully disciplined, may be regarded as a branch of the visible Church. The invisible church consists of the whole number of those who have been chosen of God unto salvation and redeemed by the Lord Jesus Christ.
2. The AFRICA EVANGELICAL PRESBYTERIAN CHURCH is Calvinistic in theology and Presbyterian in government.
 - (1) Calvinistic churches are those which adhere to the system of doctrine taught in the infallible Word of God, as that system is set forth in the great Calvinistic creeds.
 - (2) Presbyterian churches are those which recognize Christ alone as the Supreme Head of the Church, and are governed by teaching and ruling elders, who are organized in local, regional and general courts.
3. The supreme and only infallible rule of faith and life, by which in every case, this denomination, as a branch of the visible church, is to exercise its ministry, is the written Word of God as defined in 'Chapter One' of the **Confession of Faith**.

The subordinant standards of this denomination are the *Westminster Confession of Faith* as adopted in this Constitution. We adhere to these subordinate standards as setting forth the system of doctrine taught in the Scriptures.

4. We accept and are ruled by Presbyterian principles of church government which we believe to be based upon and inferred from the New Testament.
 - (1) The Scriptures make clear the organization of the local church. Christians are enjoined not to neglect local assembly but to counsel, comfort, and encourage one another (Hebrews 10: 24, 25; I Thessalonians 4: 18). Paul directed that elders be ordained in every city (Titus 1: 5; II Timothy 2: 2). The first day of the

week, ‘the Lord’s Day’, is regularly the day for local Christian assembly (Acts 20: 7; I Corinthians 16: 2).

(2) Also, we believe that the Scriptures indicate that elders of the church are to gather in sessions, presbyteries, and general councils. We accept this by virtue of the following examples:

- i. First, the church of Jerusalem consisted of more congregations than one and all these congregations were under one presbyterial government (ref. Acts 6).
- ii. Secondly, the church in Ephesus appears to have had more than one congregation and yet to have been ruled by a council of elders (ref. Acts 19).
- iii. Accordingly, to Acts 9: 31, the Christian groups “throughout all Judea and Galilee and Samaria” are referred to as one church: “...the church throughout...”
- iv. The example of Scripture for a General Synod of elders from various regional presbyteries is found in the example of the apostolic church as recorded in Acts 15: 1-35 and 16: 4,5.

5. The powers of all church courts are administrative and declarative. They are not legislative. The Holy Scriptures are the only infallible rule of faith and life. All rules, permanent or temporary, adopted by any court of the church, are of force only as based upon, or in accord with the Scriptures.

It is the proper function of the church courts to make application of the revealed will of God as may be necessary for the administration by the church of its functions. The deliverances, resolutions, and administrative actions of the courts are to be accorded proper weight, yet our Confession of Faith specifically limits the powers of the courts of the church and protects the individual Christian conscience (ref. Confession of Faith XIX).

Chapter II: The Particular Church

1. A particular church of this denomination shall consist of a group of believers and their baptized children, organized to worship God in accordance with the standards of doctrine, government, and discipline of this denomination.

A. Those Who Are Members

2. Communicant Members of a particular church shall be persons who have been baptized in accordance with Christ's command, who have made a credible profession of faith in our Lord Jesus Christ, who are believed to be regenerated, and whose profession of Christ is not denied by a sinful character or false doctrine. All receiving membership shall agree to submit to the government of the particular church and of this denomination.
3. Non-communicant Members of a particular church shall be baptized children of believers of the church, the parents, one or both, having promised with a vow, to bring them up "in the nurture and admonition of the Lord," and to seek to lead them to accept Jesus Christ as their personal Saviour when they reach the years of discretion. These children shall not be permitted to partake of the Lord's table until they are able to fully obey the command to examine themselves as given in I Corinthians 11: 28. When such time has come, they shall be examined by the elders of the church and admitted to communicant membership of the church.

Believers who have not yet been baptized but who have made a credible profession of faith in our Lord Jesus Christ, and whose profession of faith is not denied by a sinful character or false doctrine, if they submit to the government and discipline of the church, shall be considered non-communicant members. Such members cannot approach the Lord's Table or hold any office of authority or teaching in the church. Also, they should be encouraged strongly to go on to baptism.

B. The Organization of the Particular Church

4. The congregation of every church shall meet once a year at a stated meeting to do the business which is necessary. Other meetings to transact particular business may be called by the session. They should be called if requested by at least two members of the session, or ten communicant members of the church or if the presbytery requires.
5. All communicant members of the particular church shall be entitled to vote in the business meetings of the congregation.

6. The congregation shall have the power to vote on the calling or removing of a pastor, and to elect or remove the members of the session or its board of deacons. The congregation shall be informed of the qualifications of those who are to be voted on. Election to the session does not make a man an elder unless and until he meets the qualifications given in Chapter V of this Form of Government and is ordained and installed.
7. The pastor, or a moderator appointed by the Presbytery, shall preside at the business meeting of the congregation, but the congregation may elect any elder in good standing in this denomination as a moderator of a particular meeting.
8. It is the business of the session to rule the church in spiritual matters, but, whereas the authority of the ministers and elders of the church, as well as the authority of the church courts, is from Christ according as His will is expressed in the Bible, and whereas this authority is not from the congregation, yet the congregation chooses its ruling elders by orderly ballot, and the ruling elder represents the congregation in the courts of the church.
9. An ordained pastor is not a member or representative of a particular church, but has his standing in church courts as a member of a presbytery. Pastors of particular churches are installed or removed by the authority of the presbytery, and not by the congregation. Yet, the presbytery may not install a pastor in any particular church without the approval of the congregation expressed by vote. Nor may the presbytery refuse to remove a pastor if a majority of the congregation requests his removal.
10. All ecclesiastical matters and powers not expressly designated for the officers and courts of the church by the Word of God or by this constitution of the denomination are reserved to the congregations of the several particular churches. The particular church may, if desired, adopt its own constitution, providing it does not violate any provisions of the standard of the denomination.
11. A particular church need remain in association with denomination only as long as it desire. But, in order to withdraw, a church must choose, by majority vote, to do so at two legal meetings of the congregation, said meetings being separated by an interval of one year.
12. A presbytery may remove a particular church from its rolls for sufficient reasons, but such action may be taken only after careful study of the facts, and after representatives of the church have been given opportunity to appear before the presbytery and be fully heard in the matter.

13. In the case of a particular church ceases to function, the presbytery to which it belongs may declare it extinct and remove it from the rolls. In such case, the presbytery may request possession of the records of the church and carry out any transaction necessary which the church or session thereof would ordinarily have handled.
14. A particular church is admitted to this denomination through the presbytery within the bounds of which it is situated. Upon request for admittance, it is the duty of the presbytery to ascertain that any existing organization of the new church conform with the standards of the denomination and to assist it in all matters which may require help.

C. The Session

15. The Session of a particular church consists of its pastor, or, when there is no pastor, a moderator appointed by presbytery, together with the elders elected by the congregation to serve on its session. Elders are elected and ordained to serve for life, but all elders in a church need not be active on the session and some of the elders may be inactive for a time according to the rules of the particular church. Elders may be removed from the session by vote of the congregation at a regularly called meeting for reasons not involving judicial procedure.
16. The session shall meet at stated times according to its own rule. If there are less than four elders in the session, the pastor and one elder shall constitute a quorum. If there are four or more elders in the session, the pastor and two elders shall be considered a quorum. But each session may determine their own rule on the matter of a quorum. Special meetings of the session may be called by the pastor or any two elders. The session shall also meet when required by presbytery to do so. Each meeting of the session shall be opened and closed with prayer.
17. The pastor, or if the church be without a pastor, the moderator appointed by the presbytery, shall be chairman at the meeting of the session, but the session, or the elders who have no moderator have the power to elect any minister of this denomination to be the moderator of the session of a particular meeting of the session.
18. The session shall appoint the elders who represent them in the presbytery and the synod.
19. The session shall elect, as its clerk, an able elder to keep the records of the session. Every session shall keep an accurate record of its proceedings and an accurate

- register of the members of the church, including the following classes: (1) Communicant members; (2) Baptized children; (3) Other non-communicant members; (4) Former members with reason for their absence from the rolls whether by letter of transfer, suspension, decease or otherwise removed. The records of the session shall be open to the presbytery or its appointed representatives at all times and, each year, the records of the session shall be submitted to the presbytery for review by committee at a stated meeting.
20. The session shall have authority to determine the purpose for which the building and grounds of the church may be used.
21. The session shall be responsible for the spiritual life, worship, and gospel ministry of the entire church, and shall study and promote the best measures for the edification of the people and for the part played by the local church in spreading the gospel at home and afar.
22. The session shall be responsible for the administration of the sacraments, the regular and special meetings for worship and evangelism and the prayer meetings of the church. In the absence of the pastor, the session shall appoint one to fill the pulpit, but must be subject to the presbytery in this matter (see Chapter III). The session shall also have authority in all activities of the Sunday School and all societies if the church for men, women or young people.
23. The session alone shall have power to receive communicant members into the church and to remove names from the communicant roll. But the session shall be subject to the higher courts of the church in this matter.
24. Communicant members may be added to the roll by: (1) confession of faith; (2) reaffirmation of faith, or, (3) letter of transfer from a church which is not deemed heretical.
25. The session may remove names from the roll of communicant members in three ways only. (1) By record of decease; (2) by letter of transfer or by record of ordination into the ministry, and , (3) by disciplinary action. The clerk of the session may be given power to remove names from the rolls in the first or the second way and the matter need not be brought before the session in every case. The session or the clerk shall not refuse a letter of transfer for a member in good standing to another church which is not deemed heretical.

26. Removal from communion by disciplinary action is of two kinds: (1) suspension, and, (2) excommunication. In either case, the provisions of the Book of Discipline shall be carefully followed.
27. Absence for a long period from the worship services of the church shall be sufficient grounds for removal of a name from the roll of communicants; but, if this absence be due to illness or some other good reason, the person shall not be disciplined. In no case shall a person whose whereabouts are known be suspended from the rolls without notification and an opportunity to appear before the session.
28. It is the duty of the session to govern and discipline the church in all spiritual matters. The elders shall assist the pastor in household visitation, inquiring into the spiritual knowledge and conduct of the people, encouraging them in Christian living. The session shall deal with offenders in accordance with the Scriptures and the Book of Discipline, always observing especially the admonition of Galatians 6: 1.
29. The session may delegate its powers and duties to its elders or to committees of the church, but it cannot do so irrevocably or completely, and with the session rests final responsibility for the spiritual life of the church.

D. The Board of Deacons

30. The Board of Deacons of the particular church shall be composed of the pastor together with the deacons elected by the congregation for active service as such. The pastor shall be the moderator of the board, but one of the deacons shall be elected by the board to serve as chairman in the absence of the pastor.
31. The provisions for the manner of membership, the matter of quorum, and for the meetings of the board shall be the same as the provisions for the session in these respects, as given in Section 15 and 16 of this chapter.
32. The board of deacons shall be responsible for assistance given to the poor of the congregation and of the community, and may perform such other administrative and charitable duties as may be assigned by the session or the congregation.
33. The board of deacons shall be subject to the session and shall report their activities and financial transactions to the session at stated intervals. They shall also make an annual report to the congregation.

E. Failure to Hold Elections

34. When the congregation of a particular church fails to hold election at the stated time, all elders, deacons and other officers whose terms expire shall hold office until their successors are elected.

Chapter III: The Presbytery

A. The Presbytery

1. A presbytery shall consist of all the ordained ministers enrolled therein, and the ruling elders appointed by the churches to represent them. Each church may choose one ruling elder to represent it in the presbytery.
2. The boundaries of the presbytery shall be set by the General Synod. But when the boundaries have been set, they may not be changed without the consent of the presbyters involved.
3. A quorum for a meeting of presbytery shall consist of at least three members of presbytery who are present at the time and place appointed, but at least 2 of them shall be ordained ministers. Each session of presbytery shall be opened and closed with prayer.
4. Each presbytery shall adopt standing rules which shall stipulate the time of stated meetings. Each presbytery shall meet regularly at least four times a year.
5. Meetings, other than stated meeting, may be held at the request of one third of the ministers and an equal number of elders therein. The call for such meetings shall be issued by the stated clerk in the name of the moderator or in the name of those who have requested the meeting. The call shall be issued in writing and sent to every minister and the clerk of every session in the presbytery, at least ten days in advance. The names of the ministers and elders desiring the meeting shall be given, also the time and place of the meeting shall be clearly stated. The particular business to be taken up in the meeting shall be stated and no other business than that stated shall be taken up in the meeting.

B. The Officers of Presbytery

6. The officers of a presbytery shall include a moderator, a stated clerk and a treasurer. The moderator shall serve for a term of one year. The terms of stated clerk and treasurer shall be longer and shall be determined by each presbytery in their stated rules. If a presbytery fails to hold election at the stated time, all officers whose term expire shall remain in office until their successors are elected.

C. The Duties of Presbytery

7. The duties of the presbytery shall be to "shepherd the church of God" as the Apostle Paul enjoined the presbytery of Ephesus (Acts 20: 17-38). Therefore, the presbytery should order whatever pertains to the spiritual welfare of the churches under its care,

always respecting the liberties guaranteed to the individual church and its persons under this constitution.

8. The presbytery shall be responsible for the faithful preaching of the Word and performance of pastoral duties in all churches under its care. The presbytery solely has the power to install and remove pastors. But the presbytery shall not, for any reason, install a pastor against a majority vote of the congregation as expressed by ballot in a legally called meeting; and the presbytery shall not, for any reason, refuse to dissolve the pastoral relationship if requested to do so by the majority of the congregation expressed in a legally called meeting. The presbytery shall care for the Lord's flock in love and consideration. Even if the objection to a pastor seems to be trivial, the presbytery shall remember that in this life no court or congregation can know all things perfectly (I Corinthians 13: 12), and that it is better for a pastor to move than for a particular church to be disrupted.

But if the cause of opposition to the pastor be serious sin or heresy among the people, the presbytery shall endeavour to cause the session to discipline the offenders in the scriptural manner in accordance with the Book of Discipline. If the session is unable to perform its duty or refuse to do so, the presbytery may take action which seems necessary.

9. When there is no pastor in a particular church, the presbytery is responsible for the preaching of the Word. If a pastor dies or is removed from his work, the presbytery shall enter into its records the date on which the pulpit became vacant, and shall appoint a minister as moderator of the session and congregation. The presbytery shall notify, in writing, the session of the church, giving the name of the one appointed as moderator. The presbytery shall be ready to help and counsel the session, but, unless the session is unable, the session shall arrange for the temporary filling of the vacant pulpit. If the congregation is unable to call a pastor, a stated supply may be engaged, but this must be done with the approval of the presbytery.
10. The presbytery shall have power to receive new churches and also to remove churches from its roll. The presbytery shall take action in these matters in accordance with Sections 12, 13, and 14 of Chapter II. The presbytery may unite two or more congregations at the request of the people but not without a legal meeting of each congregation at which consent is given in the matter by ballot.
11. The presbytery shall have power to examine the rolls and records of the churches in its care, including the minutes of the session, and shall review them annually. The

presbytery shall advise and direct any corrections in procedure or in record and shall approve or not approve all or part of the records.

12. The presbytery has the sole power to act in the case of those desiring the ministry. It is their duty to bring a person under care of presbytery, to license him to preach, and, when the time comes, to ordain him. In those matters presbytery shall proceed in accordance with Chapter V.
13. the presbytery shall have power to resolve questions of doctrine and procedure brought before it by its members, or by the sessions of the churches. It shall condemn opinions and practices which are injurious to the spiritual life of the church, and shall uphold the great doctrines and principles of the scriptures and/or our constitution.
14. The presbytery is a court with jurisdiction over the ministers who are members and over people of the churches in its care. In the affairs of members of the church who are not ministers, the session is the first court and the presbytery is the next highest court. In the case of ministers, the presbytery is the first court. As a court, the presbytery shall always act in accordance with the scriptures and the Book of Discipline.
15. The presbytery shall keep clear records of its churches, ministers, elders, candidates for the ministry who are under care and licensed. It shall also keep minutes of all its proceedings and actions. The books of presbytery shall be open to review by the Synod.
16. All ordained elders of the churches in the presbytery and ministers and elders in good standing in other presbyteries or in other denominations of like faith may be invited to sit with the presbytery as corresponding members. They shall be entitled to deliberate and advise, but shall note vote in any decisions of the presbytery. Other Christian friends may be welcomed as visiting brethren and may speak only by permission of the presbytery.

Chapter IV: The General Synod

Until such time as there may have been formed two or more presbyteries of this denomination, the churches of the denomination shall be governed by the ministers and elders meeting in the courts of the sessions and the presbytery. At such time as, by mutual consent, a second presbytery is brought into existence, the denomination shall begin to meet regularly in a General Synod and the provisions of this chapter shall then come into force.

A. Members and Organization

1. All ordained ministers of this denomination who are in good standing and who are present shall be enrolled as members of the General Synod. Together with the minister members there shall be elder commissioners sent to the synod by the presbyteries. Each presbytery shall appoint to the General Synod meeting member elder commissioners equal in number to the total number of ministers in that presbytery who are in good standing. But, in choosing these elder commissioners, the presbyteries shall seek to give as fair representation to the individual churches as possible. Alternate commissioners shall be appointed to attend the synod in case some commissioners are unable to attend.
2. Any fifteen commissioners, at least one half being ministers, met at the time and place designated for a meeting of the General Synod, shall constitute a quorum.
3. The General Synod shall be the highest court of the denomination. It shall have the power to assign to its officers or to committees the power to conclude matters, but the Synod shall not delegate its power beyond its own recall. At all times it is to be fully responsible for its actions and those of its agents.
4. Except in the provisions of this constitution and the standing rules, and except in matters of liability and obligations legally incurred, no meeting of the General Synod shall bind the actions of any subsequent meeting.

B. Officers

5. The regular officers of the Synod shall be a moderator, a stated clerk, and a treasurer. The moderator shall serve from the time of his election in the regular meeting until the election of his successor in the next regular meeting. He shall serve as moderator of any *pro re nata* meetings, held during the term, but in his absence or for other good reason, the commissioners of *pro re nata* meeting may elect their own moderator.

The Synod shall have a stated clerk who shall serve for a term of three years or until his successor is elected. It is desirable that a competent clerk be re-elected to succeed himself for as many terms as he is willing to serve. The treasurer shall be elected to serve for three years or until his successor is elected.

C. Meetings

6. The General Synod shall meet on its own adjournment. The term 'meeting' in this Form of Government (and Book of Discipline) shall designate an assembly of commissioners met at a time and place previously designated for such assembly. A meeting may extend over several days and include several sessions. (The Synod shall meet once each year or more often if so decided by the Synod.) All sessions of the Synod shall be opened and closed with prayer.
7. At the first session of a regular meeting of Synod, the moderator of the previous meeting shall deliver a sermon and lead in celebrating the Lord's Supper. If said moderator be a ruling elder, he shall appoint a minister to lead in the communion service. In the absence of a moderator, a minister appointed by the retiring moderator shall open the Synod, or, if such minister fail to be appointed the senior minister present shall open the Synod.
8. A regular meeting of Synod shall be adjourned in the following manner: A vote to adjourn the meeting shall be taken, and included in this vote shall be the time and place of the next regular meeting. Then the moderator shall say, "*In accordance with the authority delegated to me by the church, let this General Synod be dissolved, and I do hereby dissolve it and require another General Synod, the members of which shall be chosen as provided in our Form of Government, to meet at _____ on the _____ day of _____ A.D. _____.*" The meeting shall then be closed by prayer and the apostolic benediction.

The Synod may appoint to a committee the matter of selecting a time and place for the next regular meeting. In this case, the words of the moderator shall be: "*In accordance with the authority delegated to me by the church, let this General Synod be dissolved, and I do hereby dissolve it and require another General Synod, the members of which shall be chosen as provided in our Form of Government, to meet at a place to be designated by the committee duly authorized by the Synod on the designated day of the designated month of A.D. _____ (year).*"

9. It is not necessary that a *pro re nata* meeting of the Synod be opened with a sermon and the Lord's Supper, and it is to be closed simply with a vote for adjournment and with prayer.

10. A *pro re nata* meeting of the Synod shall be called by the moderator of the previous regular meeting or by the stated clerk, or by a group of ministers and elders if requested in writing by not less than one-third of the ministers of the denominations and an equal number of elders. The name (names) of the person(s) issuing the call of such meeting shall be given therein, together with the numbers of ministers and elders who shall have made written request for the meeting. The call shall be sent in writing to all ministers and stated clerks of all presbyteries, at least thirty days in advance. It shall clearly state the time and place of the meeting and the business to be taken up, and no other business shall be transacted at the *pro re nata* meeting.

D. Powers

11. The Synod shall have the power to form new presbyteries and to fix their boundaries, subject to Chapter III, Section 2.
12. The Synod shall have power to dissolve a presbytery for reasons which seem sufficient to the Synod, but only by a two-thirds(2/3) vote of the members present at a legally called meeting, and only if notice of intention to propose the dissolution has been sent to the stated clerk of the presbytery, all ministers and all sessions of all churches within the presbytery, at least two months prior to the meeting of Synod in which the vote is taken.
13. When a presbytery has been dissolved by Synod, the Synod shall immediately make provision for those ministers and churches, which are loyal to our standards, to remain in the denomination, by the formation of a new presbytery or presbyteries, or by assigning them to an existing presbytery. The clerk of Synod shall send notice in writing to all ministers and all sessions of churches involved and inform them of the action taken and provisions made.
14. The Synod shall promote peace and agreement among the presbyteries and the churches. The Synod shall hear all administrative and judicial cases properly brought before it and shall decide the same in accordance with the Scriptures and the Book of Discipline. The Synod may appoint a commission (or committee) to hear such cases.
15. The Synod shall have the power to examine the records and proceedings of the presbyteries and shall review these records for approval each year. The Synod shall take cognizance of situations within the presbyteries requiring reproof and correction and shall cause such administrative or judicial cases as may be necessary to be heard by the proper courts of the church.
16. The Synod shall advise concerning, or shall resolve, all questions of doctrine or practice properly brought before it. It shall have power to admonish, reprove, warn and bear

testimony concerning error in doctrine or sin in practice within the whole church of Christ on earth.

17. Any person or group of persons communicating to the church, should do so through proper channels. Members of the church confer directly with their elders and their pastor or with their sessions in all matters of doctrine or practice about which they are concerned. If they wish to communicate with the presbytery, they should do so only through the session of their church. In like manner, the members of a session or the session of any church communicates with the Synod through the presbyteries.
18. A lower court shall be obliged to transmit all communications properly addressed through it to the next higher court but the lower court shall have power to attach to such communications their own recommendations, comments or a record of relevant action.
19. A higher court shall not be obliged to take cognizance of a communication brought before it if it has not come through the proper channels, unless it be alleged that the lower court through whom the communication should have been conveyed, has failed, without good reason, to transmit it.
20. The Synod alone shall, in this denomination, have power to transact business with other denominations or branches of the church. Particular churches shall not be prevented from participation in such activities as Bible Conferences, or evangelistic programmes with churches which are true to the doctrines of God's Word, but a particular church shall not bind itself in matters of government or discipline with other denominations or branches of the church.

Chapter V: Ministers, Elders and Deacons

A. Qualifications of All Officers

The Scriptures indicate that God has given to the church men of differing gifts and functions (ref. Romans 12: 4-8; I Corinthians 7: 7, 12: 1-31; Ephesians 4: 7-16). But we believe that the authority of the prophets in the Old Testament and the apostles in the New Testament, with which they were empowered to write the Scriptures and to give commandment to the church, is not given in this day but was fulfilled in the times of the twelve apostles. We believe, too, that some of the gifts were given as signs to accompany the Gospel in special times and were not to be found at all times in the church. We believe that the offices of ministers, elders and deacons are given in the Scriptures as perpetual offices in the church.

1. The term “minister” in this Form of Government designates an elder of the church who has been called and ordained to the ministry of teaching and preaching the Word of God. The term “elders”, or “ruling elder”, designates one who has been ordained to the work of ruling in the church together with his brethren, the other elders and ministers with whom he shares the responsibility for the spiritual oversight of the church. The term “deacon” designates one who is ordained to serve the church in matters of charity and other duties assigned to the board of deacons by the session.
2. All ministers, elders and deacons of this denomination shall be men of established Christian character, and shall give credible affirmative answer to the following questions:

A. Ordination Vows

- (1) Do you acknowledge the Scriptures of the Old and New Testament to be the Word of God, inerrant in the original writings, the only infallible rule of faith and practice?
- (2) Do you sincerely accept the doctrinal standard of this church, herein called the Confession of Faith, as teaching the system of doctrine taught in the Word of God?
- (3) Do you acknowledge the Lord Jesus Christ as the only Redeemer and Head of His Church, and do you accept the form of church government by ministers and elders derived from the Holy Scriptures?
- (4) If need should be, are you ready to contend for the faith and to encourage all who maintain a true testimony against that which is contrary to sound doctrine and godliness?

- (5) As far as you can know your own heart, is it to the glory of God, and the edification of the church, and not to glorify yourself, that moves you to undertake the sacred office of minister (or elder, or deacon)?
- (6) Do you promise, with God's help, to be faithful and diligent in all your duties as a minister (elder/deacon) of the church; and do you promise to endeavour to lead a holy life, thus adorning the profession of the Gospel with godly character and walking as a good example before the flock over which God shall make you overseer (or which God has called you to serve)?
- (7) (*If the candidate is to be a pastor*) Do you accept and submit yourself unto the constitution and discipline of this church, performing your duties in the courts of the church in submission to the brethren according to the Word of God? Do you promise to receive, with grace, that exhortation which your brethren may tender you in the Lord?
- (8) Are you now willing to take charge of this congregation according to your declaration when you accepted their call, and do you promise to discharge the duties of a pastor to them, as God shall give you strength?
- (9) (*If the candidate is to engage in some service other than that of pastor*) Are you now willing to undertake the work of Christian minister (or an elder, or a deacon), and do you promise, as God gives you strength, to discharge the duties which God shall give you in this place of leadership?

B. Ministers

3. Ministers are elders whose qualifications are enjoined in the Scriptures (I Timothy 3: 1-7; Titus 1: 5-9) and are differentiated from ruling elders by their ordination to their special calling, that they should "labour in the work and doctrine" (I Timothy 5: 17, 18). The Scriptures indicate that they are worthy of "double honour" and that "the labourer is worthy of his reward."
4. The office of minister is first in the church, both for dignity and usefulness. In the Scriptures he is given various names to express his various duties. He is termed bishop because he has the oversight of the flock. He is called shepherd because he feeds them with spiritual food. He is called servant because he ministers for Christ. He is called elder because it is his duty to be a wise and faithful example to the flock, and to govern well because he is sent to declare the Gospel to sinners and to beseech them to be reconciled to God through Christ. He is called steward of the mysteries of God because

he is to dispense the manifold grace of God, and the ordinances instituted by Christ. An in humility, he is the slave of Christ, separated unto the Gospel of God.

Although laymen (un-ordained men) may teach the Word of God, lead in public prayer and worship, and in other ways exercise leadership in the church, yet the function of pastor, the administration of the Lord's Supper, and the blessing of people by divine benediction are reserved to ordained ministers. The regular preaching of the Word in divine worship should be exercised by the ordained ministers and those licensed to preach.

6. Steps to the ministry. The steps by which a young man becomes an ordained minister in this denomination are these:

- (1) The young man first shall be taken under care of his presbytery as a candidate for the ministry. He should be a member of a true church which teaches God's Word in truth. He shall be recommended by his pastor and session or by true spiritual leaders, who shall certify his Christian faith and character, and shall express reason why they believe he has the gifts of a minister.

When these recommendations are before the presbytery, the presbytery shall examine the candidate to determine (1) his personal experience of salvation, and (2) his evident calling of God to the Gospel ministry.

Being satisfied that God has called the candidate to the ministry, the presbytery shall cause the candidate's name to be enrolled as under its care, and shall diligently seek to guide and encourage him to complete his training and preparation. If Satan should seek to turn him aside by discouragement or sin, the presbytery should counsel with him and help him. The candidate is to report to presbytery once each year and shall be invited to attend all meetings of presbytery except such times as it may be felt wise to exclude him. If the presbytery cannot be assured that the candidate is pursuing his course of preparation and intention to be a minister, the presbytery shall drop him from its care.

The candidate may be transferred from one presbytery to another by a letter of recommendation.

- (2) The second step to the ministry is license to preach. The candidate for license to preach shall have completed at least two years of Bible School, and shall satisfy the presbytery that he is making good progress in his preparation to be a minister.

The time of license is a period of trial when the candidate is to be given opportunity to preach in the churches of our denomination to demonstrate his gifts for the ministry. If, during this time he receives from the churches a good report, he may go on in due time to ordination.

The candidate shall be examined by the presbytery, or a committee appointed by presbytery in the following subjects: (1) knowledge of the Bible; (2) theology; (3) history of Old Testament times; and, (4) church history. Each candidate shall be required to present in writing a brief statement of his beliefs and this shall be approved and filed with the stated clerk. If his examination was made by committee, he shall appear before the whole presbytery to be examined in theology. If one-fourth of the presbyters are unable to sustain the examination, he shall be required to appear for re-examination at a future meeting of presbytery. The candidate shall prepare a sermon which the presbytery may ask him to deliver in its presence.

No one shall be licensed to preach who has not completed the required two years of Bible School unless the presbytery votes by three-fourths (3/4) vote of members present that, because of exceptional gifts, the candidate may be licensed without this necessary preparation.

When the candidate has successfully passed the examination the presbytery shall proceed to license him in this manner. The questions found at the beginning of this chapter shall be put tot the candidate which he shall answer in the affirmative. The moderator shall offer prayer suitable to the occasion, and then address the candidate in these words: *"In the name of the Lord Jesus Christ, and by the authority which He has given to the church, we do license you for a period of one year to preach the Gospel, wherever God may call you, and may the Spirit of Christ fill your heart. Amen."* Then a record of the name, and date and the manner of the trial shall be recorded by the clerk of presbytery.

If the candidate, after licensure, shall move to the district of another presbytery, the licensing presbytery shall give him a letter of transfer with a record of the action of licensing as recorded in the records of that presbytery. Upon receipt of this notice, the presbytery to which he is transferring shall take action to receive him and shall notify the original presbytery thereof.

When the period of one year has expired, if the candidate has not been ordained, the presbytery may renew his license for another year.

(3) Ordination. A candidate for ordination shall have completed his course of Bible School and shall have received his diploma. But the presbytery may by three-fourths (3/4) vote of members present make exception to these educational requirements.

The presbytery may accept the examination for licensure as valid or it may require a re-examination of the candidate covering any or all of the subjects in the examination for licensure. If a long period has elapsed since his examination for licensure, the candidate shall be re-examined in theology, and in all cases before ordination, he shall be examined in his knowledge of the standards of this denomination.

When the examination is completed the presbytery shall take a vote on a motion to sustain the validity of the examination and authorize the ordination of the candidate at an appropriate time and place. He may be ordained by the presbytery as a whole or by a committee appointed by presbytery.

The service of ordination shall include: (1) a sermon appropriate to the occasion; (2) an explanation of the nature and importance of ordination to the ministry; (3) asking the candidate the questions in the second section of this Chapter, to which he shall answer in the affirmative; (4) the laying on of hands of the presbyters and the ordination prayer; and, (5) the charge to the newly ordained minister. If the candidate is to be installed as pastor in a church, the ordination should be in the presence of that congregation. (6) The congregation and the candidate shall answer the question found in Section 13 of this Chapter, with an affirmative answer, and, (7) a charge to the people of the congregation.

During the laying on of hands, the candidate shall kneel in an appropriate place and the ministers and elders present shall place their hands on his head and one of the ministers shall lead in the prayer of ordination. At the close of this prayer, the newly ordained minister shall rise and the ministers and elders participating shall give him the right hand of fellowship. The minister shall say, "*We give you the right hand of fellowship to take part in this ministry with us.*" Elders shall say, "*As elders, we welcome you as a minister to the fellowship of this presbytery.*"

7. Status of the minister. At the conclusion of the service, the newly ordained minister is to be reckoned as a minister of the presbytery and is no longer a member of any particular church. The clerk of presbytery shall enroll him among the ministers of the presbytery and his name shall be removed from the rolls of the particular church by the clerk of that session.

An ordained minister is free to preach the Gospel in any community, but he must respect the authority of the local session, and its pastor. No minister shall preach in any church if the session of that church refuses to give him permission. All ministers shall be careful not to stir up dissension.

8. A minister shall be a member of the presbytery within whose boundaries he resides. But there may be exceptions to this in case of missionaries or some other good reason approved by presbytery. A minister shall be as faithful as possible in attending the stated meeting of his presbytery.
9. No ordained minister shall be deposed from the ministry except by judicial process in accordance with the Book of Discipline. A minister's name may be removed from the rolls of presbytery only in the following ways: (1) By removal to another presbytery or to another denomination; (2) by his voluntary demission of the ministry; (3) by judicial process in accordance with the Book of Discipline; and, (4) by death.
10. A minister who seeks to demit the ministry shall ask counsel of the presbytery. And the presbytery shall require him to wait one year, and meanwhile, shall labour with him diligently to ascertain whether the proposed action is necessary and proper. If, at the end of the year his desire is unchanged and the presbytery agrees, the fact shall be recorded in the minutes of presbytery and his name removed from the rolls.
If a minister for a period of years fails to exercise the function of a minister, it is the duty of the presbytery to counsel with him and ask him to demit the ministry. If he continues to neglect the ministry and refuses to demit, the presbytery shall deal with him as provided in the Book of Discipline.
11. When a minister moves from one presbytery to another, he shall apply to the presbytery of which he is a member for a letter of transfer to the presbytery of his future residence. The presbytery receiving him shall give notice in writing to the former presbytery that he has been received, and at that time, his name shall be removed from its rolls.
12. When an ordained minister of another denomination shall seek admission to this denomination, the presbytery to which he applies shall examine him in the manner of a candidate for ordination and shall ask him the questions in Section 2 of this Chapter. If he passes the examination and answers the questions in the affirmative, he shall be enrolled as a minister of the presbytery.
13. When a particular church wishes to call a minister or a candidate who is licensed to preach, they shall issue a call as follows:
 - (1) A meeting of the congregation shall be called in accordance with Chapter II.

- (2) A vote shall be taken to determine the will of the congregation as to the acceptability of minister or candidate to be called.
- (3) If the congregation agrees to the call , the moderator shall write the call and the elders present shall sign it in the presence of the congregation.

The call shall be in this form: "*We, the congregation of _____ have carefully considered the qualification for the ministry of you, - _____, have good hope that your ministration in the Gospel will be profitable to our spiritual interests, and we do earnestly call and desire you to undertake the office of pastor in said congregation. We promise you all proper support, encouragement and obedience in the Lord. And that you may be free from the cares of this world, we promise to give you financial help as God enables us to do.*"

Two or three copies of the call shall be executed in the presence of the congregation. The first copy shall be sent to the presbytery in which the church is situated. The second copy shall be sent to the minister or candidate being called. If the person being called is of another presbytery, a third copy shall be sent to the clerk of that presbytery.

14. If the person called wishes to accept the call and take up the work of pastor, the following steps must be completed:

- (1) He must notify his presbytery of his desire to accept the call.
- (2) His presbytery must then dissolve the existing pastoral relationship if he is a pastor of another church.
- (3) If the church calling him is in another presbytery, he must be transferred to that presbytery.
- (4) If he is not ordained he shall be examined by the presbytery and ordained.
- (5) He shall be installed by the presbytery in a public service of worship. The questions to be asked at his installation are as follows:

Questions to the minister:

- i. Are you now willing to take charge of this congregation, as their pastor, according to your declaration then you accept this call?

- ii. Do you believe and declare from your heart, that you are moved to take this charge by a sincere desire to glorify God and to be of service to Him in His church?
- iii. Do you promise that, by the help of God's grace, you will endeavour faithfully to discharge all the duties of a pastor to this congregation, and that you will walk before them as becometh a minister of the Gospel of Christ, according to your ordination vows?

To these questions the minister shall reply in the affirmative.

Questions to the congregation:

- i. Do you, the people of this congregation, profess your willingness to receive _____ whom you have called to be your minister?
- ii. Do you promise to receive the word of truth from his mouth, with meekness and love; and do you promise to yield him all that honor, encouragement, and obedience in the Lord, to which his office, according to the Word of God, entitles him?
- iii. Do you promise to encourage him in his labours and assist his endeavours for your instruction and spiritual growth?
- iv. Do you promise to support him with your prayers and your gifts and whatever else may be needful for the honor of Christ and for his wants?

These questions shall be answered in the affirmative by the congregation, by voice or by uplifted hand.

Then a representative of the presbytery shall declare in the name of the presbytery that _____ is now duly installed as pastor of the _____ church. Following this, a charge shall be given to the pastor and another charge to the congregation delivered by those appointed for the purpose.

15. When any minister shall desire to resign his pastoral charge, the presbytery shall cite the congregation to appear by its commissioners, at the next meeting of presbytery to show cause why the presbytery should not accept the resignation. If the congregation fails to appear, or if the reason given by it are not sufficient in the eyes of the presbytery, the minister shall be given leave to resign his pastoral charge, and record of this shall be made and that pulpit shall be held vacant until supplied again in a proper manner.

In like manner, if any congregation wishes to be released from its pastor, it shall present its case to presbytery and, if acceptable, presbytery shall hear the answer of the minister and if his reasons are not sufficient, shall declare that the pastoral relationship is dissolved.

C. Ruling Elders and Deacons

16. The qualifications of both teaching elders and ruling elders are set forth in the Scriptures, especially in I Timothy 3: 1-7 and Titus 1: 5-9. The teaching elder is the minister, and the gifts of the ruling elder are mentioned in I Corinthians 12: 8 and Romans 12: 8. It is appropriate that laymen of good character to be chosen by the people of the church and be ordained to serve on the session, thus representing the people and ruling in God's house.
- The authority of the elder is exercised in the session, but an elder who is not currently serving on the session is still an elder, and may serve as an elder when chosen to do so. No elder may be devested of his standing as an elder, except by judicial process in accordance with the Book of Discipline.
17. Acts 6: 1-6 records manner in which the service of deacons was introduced in the apostolic church and I Timothy 3: 8-13 outlines the qualifications of the deacon. The functions of deacons are performed through the board of deacons, but a deacon who is not currently serving on the board of deacons is still a deacon, and no deacon may be devested of his standing as a deacon except by judicial process in accordance with the Book of Discipline.
18. Ordination of Elders and Deacons. When elected to serve as an elder or deacon in accordance with the provisions of Chapter II of the Form of Government, if not ordained, the person thus elected shall be ordained in the following manner:
- (1) At a public service of worship, the minister shall call the elder or deacon elect to stand before the congregation and , in the presence of the other elders and deacons present, shall briefly explain the nature of the office of elder or deacon according to the teaching of the Scriptures. The minister shall then propound to the elder or deacon elect the questions found in Section Two of this Chapter. To these questions the candidate shall reply in the affirmative.
 - (2) The minister shall then address to the congregation the following questions: Do you, the congregation of this church, receive this brother as a ruling elder (or

deacon), and do you promise to yield to him all the honor, and encouragement which is his due, and to obey him in the Lord, according to the Word of God?

- (3) When the people have answered their questions in the affirmative, by voice or by the uplifted hand, the minister shall set apart the candidate by a prayer of ordination. During this prayer, the candidate should kneel and the minister and elders present shall lay their hands upon his head.
- (4) At the close of the ordination prayer, the minister shall give to the newly ordained elder or deacon and to the congregation a word of appropriate exhortation, and the other elders or deacons in the congregation shall give the new elder or deacon the right hand of fellowship saying words to this purpose: "*We give you the right hand of fellowship to take part of this ministry with us.*"

Chapter VI: Incorporation

1. This denomination shall be incorporated in accordance with the laws of the Government of Kenya. A board of trustees of three ordained ministers and two elders shall be elected biennially by the highest court of the denomination meeting in regular session at a stated meeting. The board of trustees shall elect their own officers from among their members and shall meet at stated intervals according to their own rules.
2. The Board of trustees shall be called: The AFRICA EVANGELICAL PRESBYTERIAN CHURCH TRUSTEES REGISTERED, and shall be appointed under the Land (Perpetual Succession) Ordinance, for the purpose of holding all property of the denomination. The buildings, grounds, and properties of the local congregations shall be held by the board of trustees as a trust for the local congregations. But if and when any local church of this denomination elects to leave the denomination and does so in compliance with the provisions set forth in this Form of Government, the board of trustees shall release to this congregation the local buildings and properties which belong, in fact, to that congregation.

Chapter VII: Amendments

1. Amendments or alterations of the Form of Government and Book of Discipline may be made only in the following manner: The General Synod, after due discussion, may vote to make changes and send such proposed changes to the presbyteries. Each presbytery shall then discuss the changes and vote on them, sending a record of this vote to the next regular meeting of the Synod. If all the presbyteries shall approve of the changes proposed, the Synod shall declare that such changes have been adopted. Presbyteries may also overture the General Synod to send down suggested amendments to the constitution.
2. Amendments or alterations of the Confession of Faith are made in the same way as provided in Section 1, except that, in this case, both the General Synod and in the presbyteries approval must be by two-thirds (2/3) majority vote, and in the ensuing meeting of Synod, after approval by the presbyteries, the changes must again be approved by two-thirds (2/3) majority.
3. Until a Book of Discipline is formally adopted by amending the constitution of this denomination, the Book of the Evangelical Presbyterian Church, Inc., of the United States of America, shall be referred to as a guide in cases of disciplinary action.

APPENDIX

Suggested Order of Ordination and Installation

During the regular workshop, the following order to be observed:-

1. Opening parts of the service to be led as usual by the pastor.

Sermon

2. Ordination Service

(Following the sermon, the Moderator of presbytery should preside for the Ordination.)

A. Opening Scripture: Romans 10: 13-17

B. Short prayer by Moderator. (Thank God for the Church He has founded on earth, praying for all pastors and preachers of the world.)

C. Statement by the Moderator:

“In the name of the Lord Jesus Christ, the great Head of the Church, who, having ascended to heaven has given gifts to men for the building of the Body of Christ, we meet here as a presbytery to ORDAIN (_____) to the office of the Holy Ministry by prayer and by the laying on of hands of the presbytery. Having ordained him, it is our further duty to INSTALL him as pastor of this congregation of the (_____) church.

“In the act of ordination, the Africa Evangelical Presbyterian Church, as part of the Universal Church, worshiping one God – Father, Son and Holy Spirit – affirms anew, its belief in the Gospel of the sovereign grace and love of God by which, through Christ Jesus, His only Son, our Lord, He freely offers all men, upon repentance and faith, the forgiveness of sins, renewal by the Holy Spirit and eternal life, and calls them to labour in the fellowship of faith for the cause of God’s Kingdom through-out the world.

“This Presbyterian church acknowledges the Word of God, as contained in the Scriptures of the Old and New Testaments, to be the only rule of faith and life. For its standards it accepts the Westminster Confession of Faith as containing the system of doctrine taught in the Scriptures, and it adheres to the Form of Government and Book of Discipline as setting forth the Government of the church. It administers in the name of the Father, Son and Holy Spirit, the sacrament of Baptism and the Lord’s Supper.

"(_____), knowing these things, you have come of your own commitment to be ordained to this office of the Holy Ministry. We ask you now to make answer to the following questions which the presbytery, in the name of Christ and His Church, requires of you:

D. Questions to Pastor

(Questions 1 – 8 are to be asked as found in the Constitution of the A.E.P.C.)

Ordination Vows to Pastors

1. Do you believe the Scriptures of the Old and New Testament to be the Word of God, inerrant in the original writings, the only infallible rule of faith and practice?
2. Do you sincerely receive and adopt the doctrinal standards of this church, the Westminster Confession of Faith, and Catechism, Larger and Shorter, as embodying the system of doctrine taught in the Holy Scriptures, to the maintenance of which this church is bound before God by solemn obligation?
3. Do you acknowledge the Lord Jesus Christ as the only Redeemer and Head of His church, and do you accept the Presbyterian form of Church Government as derived from the Holy Scriptures?
4. Do you promise such subjection to your brethren as is taught in the Word of God?
5. Have you been induced, as far as you know your heart, to seek the office of the Holy ministry from love to God and a sincere desire to promote His glory in the Gospel of His Son?
6. Do you promise to be zealous and faithful in maintaining the truths of the Gospel and the purity and peace of the Church, whatever persecution or opposition may arise unto you on that account?
7. Do you promise to be faithful and diligent in your personal and family life, as well as in the public duties of your office, endeavouring to adorn the profession of the Gospel by your life, and walking with exemplary piety before the flock over which God shall make you overseer?
8. Are you now willing to undertake the work of the Christian ministry, and do you promise to discharge the duties which may be incumbent upon you in this character as God may give you strength?

E. Prayer of Ordination

(_____) is to kneel, while the Moderator and other ministers of the presbytery lay their hands on his head. Then the Moderator or one selected by the presbytery is to pray.

Suggested Prayer:

“Almighty God and Everlasting Father, who governs all things in heaven and earth by Your wisdom, and has, from the beginning, ordained for your Church the ministry of reconciliation, giving some apostles, and some prophets, and some evangelists and some pastors and teachers, for the perfecting of the saints, and for the work of the ministry, for the building up of the Body of Christ: send down Your Holy Spirit upon this Your servant, whom we, in Your Name and in obedience to Your holy will, do now, by laying on of hands, ordain and appoint to the office of the holy ministry in the church, committing to him authority to preach the Word, administer the sacraments and to bear rule in the church. Give to him, we pray, the grace of Your Holy Spirit, confirming in heaven what we do in Your Church on earth, and owning him as a true Minister of the Gospel of Your Son.

“With the example of Christ before him, may he sanctify himself so that others may be sanctified through the truth.

“Let the same mind of humility be in him which was also in Christ Jesus.

“May he quicken and nourish Your people in the faith of the Gospel, preaching to them the whole counsel of God.

“Increase his own faith, love patience, knowledge and wisdom in You, O God.

“As he abides in the fellowship of Your Son, make his speech be full of sincerity and truth.

“May he, by his words and by his life, show forth the power of the Gospel to the saving of men and to the glory of Your holy name.

“Grant this, O Heavenly Father, for the sake of Your dear Son, Jesus Christ, in whose name we pray. AMEN.

F. The Declaration

(All the congregation asked to stand)

"In the name of the Lord Jesus Christ, the great Head of the Church, and by the authority of the presbytery, I now declare you duly ordained to the office of the Holy Ministry, committing to you, authority to preach the Word, to administer the sacraments, and to bear rule in the church."

(Now the Moderator and all other pastors of the presbytery shall take him by the right hand and say, "We give you the right hand of fellowship, to take part in this ministry with us.")

(Congregation remain standing for questions.)

G. Questions to the Congregation

(Moderator) "You have heard (_____) declare his willingness to be the pastor of this congregation and we wish now to proceed with his installation. We direct, therefore, the following questions to you, the members of this congregation. Please make affirmative answer by raising your right hands (or voices):

1. Do you, the people of this congregation, now affirm your readiness to receive (the Reverend _____) whom you have called to be your pastor?
2. Do you promise to encourage him in his difficult labour, and to assist his efforts for your instructing and spiritual edification?
3. Do you promise to receive the word of Truth from his mouth, with meekness and love, and to submit to him in the due exercise of discipline?
4. Do you promise to support him, while he is your pastor by giving him that competent material maintenance which you have promised, and whatever else you may see needful for the honour of God, and for his comfort among you?

H. Prayer of Installation

I. Declaration

"In the name of the Lord Jesus Christ, and by the authority of this presbytery, I do pronounce and declare that the Rev. _____ is duly constituted the Pastor of this congregation.

"Let us, therefore, pray to God that He may be pleased to sanctify with His heavenly blessings this relationship of pastor and people which has now, in His name, been established.

J. Prayer.

K. Charge to the Pastor

L. Charge to the Congregation

M. Hymn

N. Benediction

BOOK 3

THE RULES OF DISCIPLINE

CHAPTER 8. Discipline -- Its Nature, Subjects and Ends

8-1. Discipline is the exercise of authority given the Church by the Lord Jesus Christ to instruct and guide its members and to promote its purity and welfare.

The term has two senses:

- a) The one referring to the whole government, inspection, training, guardianship and control which the church maintains over its members, its officers and its courts.
- b) The other a restricted and technical sense, signifying judicial process.

8-2. All baptized persons, being members of the church are subject to its discipline and entitled to the benefits thereof.

8-3. The exercise of discipline is highly important and necessary. In its proper usage discipline maintains:

- a) The glory of God.
- b) The purity of His Church.
- c) The keeping and reclaiming of disobedient sinners.

Its ends, so far as it involves judicial action, are the rebuke of offenses, the removal of scandal, the vindication of the honor of Christ, the promotion of the purity and general edification of the church, and the spiritual good of offenders themselves.

8-4. The power which Christ has given the church is for building up, and not for destruction. It is to be exercised as under a dispensation of mercy and not of wrath. As in the preaching of the Word the wicked are doctrinally separated from the good, so by discipline the church authoritatively separates between the holy and the profane. In this it acts the part of a tender mother, correcting her children for their good, that every one of them may be presented faultless in the day of the Lord Jesus. Discipline is systematic training under the authority of God's Scripture. No communing or non-communing member of the church should be allowed to stray from the Scripture's discipline. Therefore, teaching elders must:

- a) Instruct the officers in discipline.
- b) Instruct the congregation in discipline,
- c) Jointly practice it in the context of the congregation and church courts.

8-5. Scriptural law is the basis of all discipline because it is the revelation of God's will. Proper disciplinary principles are set forth in the Scriptures and must be followed. They are:

- a) Instruction in the Word.
- b) Individual's responsibility to admonish one another (Matthew 18:15, Galatians 6:1).
- c) If the admonition is rejected, then the calling of one or more witnesses (Matthew 18:16).
- d) If rejection persists, then the Church must act through her court unto admonition, suspension, excommunication and deposition (see BCO 29 and 30 for further explanation).

Steps (a) through (d) must be followed in proper order for the exercise of discipline.

CHAPTER 9

Disciplining of Non-communing Member

- 9-1.** The spiritual nurture, instructions and training of the children of the church are committed by God primarily to their parents. They are responsible to the church for the faithful discharge of their obligations. It is a principle duty of the church to promote true religion in the home. True discipleship involves leaning the Word of God under the guidance of the Holy Spirit both at home and in the church. Without leaning there is not growth and without growth there is no discipline and without discipline there is no sin and iniquity (1 Timothy 4:7).
- 9-2.** The home and the church should also make special provision for instructing the children in the Bible and in the church Catechisms. To this end Sessions should establish and conduct under their authority Sunday Schools and Bible Classes, and adopt such other methods as may be found helpful. The Session shall encourage the parents of the church to guide their children in the catechizing and disciplining of them in the Christian religion.
- 9-3** The church should maintain constant and sympathetic relations with the children. It also should encourage them, on coming to years of discretion, to make confession of the Lord Jesus Christ and to enter upon all privileges of full church membership. If they are wayward they should be cherished by the church and every means used to reclaim them.
- 9-4** Adults non-communing members, who receive with meekness and appreciation the oversight and instruction of the church, are entitled to special attention. Their rights and privileges under the covenant should be frequently and fully explained, and they should be warned of the sine and danger of neglecting their covenant obligations.
- 9-5** Adults non-communing members shall be deemed under the care of the church to which their parents belong, if they live under the parental roof and are minors; otherwise, under that of the church where they reside, or with which they ordinarily worship.

CHAPTER 10

Offenses

- 10-1** An offense, the proper object of judicial process, is anything in the doctrines or practice of a church member professing faith in Christ which is contrary to the Word of God. The Confessions of Faith and the Larger and Shorter Catechisms of the Westminster Assembly, together with the formularies of government, discipline, and worship are accepted by the Presbyterian Church in America as standard expositions of the teaching of Scripture in relation to both faith and practice. Nothing, therefore, ought to be considered by any court of an offense, or admitted as a mater of accusation, which cannot be proved to be such from Scripture.
- 10.2** Offenses are either personal or general, private or public; but all of them being sins against God, are therefore grounds of discipline.
- 10-3** Personal offenses are violations of the divine law, considered in the special relation of wrongs or injuries to particular individuals. General offenses are heresies or immoralities having no such relation, or considered apart from it.
- 10-4** Private offenses are those which are known only to a few persons. Public offenses are those which are notorious.

CHAPTER 11

Church Censures

- 11-1** The censures which may be inflicted by church courts are admonition suspension from the Sacraments, excommunication, suspension from office, and deposition from office. The censures of admonition or definite suspension from office shall be administered to an accused who, upon conviction, satisfies the court as to his repentance and makes such restitution as is appropriate. Such censure concludes the judicial process. The censures of indefinite suspension or excommunication shall be administered to an accused who, upon conviction, remains impenitent.
- 11-2** Admonition is the formal reproof of an offender by a church court, warning him of his guilt and danger, and exhorting him to be more circumspect and watchful in the future.
- 11-3** Suspension from Sacraments is the temporary exclusion from those ordinances, and is indefinite as to its duration. There is no definite suspension from the Sacraments.
- Suspension from office is the exclusion of a church officer from his office. This may be definite or indefinite as to its duration. With respect to church officers, suspension from Sacraments shall always be accompanied by suspension from office. But suspension from office is not always necessarily accompanied with suspension from Sacraments.
- Definite suspension from office is administered when the credit of religion, the honor of Christ, and the good of the delinquent demand it, even though the delinquent has given satisfaction to the court.
- Indefinite suspension is administered to the impenitent offender until he exhibits signs of repentance, or until by his conduct, the necessity of the greatest censure be made manifest. In the case of indefinite suspension from office imposed due to scandalous conduct, the procedure outlined in BCO 34-8 shall be followed

CHAPTER 12

The Parties in Cases of Process

- 12-1** Original jurisdiction (the right to first or initially hear and determine) in relation to ministers of the Gospel shall be in the Presbytery of which the minister is a member, except in cases of provided in BCO 34-1. Such original jurisdiction is relations to church members shall be in the Session of the church of which he/she is a member, except in cases as provided in BCO 33-1.
- 12-2** It is the duty of all church Sessions and Presbyteries to exercise care over those subject to their authority. They shall with due diligence and great discretion demand from such persons satisfactory explanations concerning reports affecting their Christian character. This duty is more imperative when those who deem themselves aggrieved by injurious reports shall ask an investigation.
- If such investigation, however originating, should result in raising a strong presumption of the guilt of the party involved, the court shall institute process, and shall appoint a prosecutor to prepare the indictment and to conduct the case. This prosecutor shall be a member of the court, except that in a case before the Session, he may be any communing member of the same congregation with the accused.
- 12-3** The original and only parties in a case of process are the accuser and the accused. The accuser is always the Presbyterian Church in America, whose honor and purity are to be maintained. The prosecutor, whether voluntary or appointed, is always the representative of the Church, and as such has all its rights in the case. In appellate courts the parties are known as appellant and appellee.
- 12-4** Every indictment shall begin: "**In the name of the Presbyterian Church in America,**" and shall conclude, "**against the peace, unity and purity of the Church, and the honor and majesty of the Lord Jesus Christ, as the King and Head thereof.**" In every case the Church is the injured and accusing party, against the accused.
- 12.5.** An injured party shall not become a prosecutor of personal offenses without having tried the means of reconciliation and of reclaiming the offender, required by Christ.

"Moderator , if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: If he shall hear thee, thou hast gained thy brother but if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word may be established" (Matthew 18:15-16).

A church court, however, may judicially investigate personal offenses as if general when the interest of religion seem to demand it. So, also, those to whom private offenses are known cannot become prosecutors without having previously endeavored to remove the scandal by private means.

- 12.6** When the offense is general, the case may be conducted wither by any person appearing as prosecutor or by a prosecutor appointed by the court.
- 12.7.** When the prosecution is instituted by the court, the previous steps required by our Lord in the case of personal offenses are not necessary. There are many cases, however, in which it will promote the interests of religion to send a committee to converse in a private manner with the offender, and endeavor to bring him to a sense of his guilt, before instituting actual process.
- 12.8.** Greater caution ought to be exercised in receiving accusations from any person who is known to indulge a malignant spirit towards the accused; who is not of good character; who is himself under censure or process; who is deeply interested in any respect in the conviction of the accused; or who is known to be litigious, rash or highly imprudent.
- 12.9.** Every voluntary prosecutor shall be previously warned, that if he fail to show probable cause of the charges, he may himself be censured as a slanderer of the brethren.
- 12.10** When a member of a church court is under process, all his official functions may be suspended at the court's discretion; but this shall never be done in the way of censure.
- 12.11** In the discussion of all questions arising in his own case, the accused shall exercise the rights of defendant only, not of judge.

CHAPTER 13

General Provisions Applicable to all Cases of Process

- 13.1.** It is incumbent on every member of a court of Jesus Christ engaged in a trial of offenders, to bear in mind the inspired injunction:

“Brethren, if a man is overtaken in any trespass, you who are spiritual restore such a one in the spirit of gentleness, considering yourself lest you also be tempted: (Galatians 6:1)

- 13.2.** Process against an offender shall not be commenced unless some person or persons undertake to make out the charge; or unless the court finds it necessary, for the honor of religion, itself to take the step provided for in BCO 31-2.
- 13.3.** It is appropriate that with each citation the moderator or clerk call the attention of the parties to the Rules of Discipline (BOC 27 through 46) and assist the parties to obtain access to them. When a charge is laid before the Session or Presbytery, it shall be reduced to writing, and nothing shall be done at the first meeting or the court, unless by consent of parties, except:

1. To appoint a prosecutor,
2. To order the indictment drawn and a copy, along with names of witnesses then known to support it, served on the accused, and
3. To cite all parties and their witnesses to appear and be heard at another meeting which shall not be sooner than ten days after such citation.

At the second meeting of the court the charges shall be read to the accused, if present, and he shall be called upon to say whether he be guilty or not.

If the accused confesses, the court may deal with him according to its discretion; if he plead and take issue, the trial shall proceed.

Accused parties may plead in writing when they cannot be personally present. Parties necessarily absent should have counsel assigned to them.

- 13.4.** The citation shall be issued and signed by the moderator or clerk by order and in the name of the court. He shall also issue citations to such witnesses as either party shall nominate to appear on his behalf.
- 13.5** In drawing the indictment, the times, places and circumstances should, if possible, be particularly stated, that the accused may have an opportunity to make his defense.
- 13.6.** When an accused person shall refuse to obey a citation, he shall be cited a second time. This second citation shall be accompanied with a notice that if he does not appear at the time appointed (unless providentially hindered, which fact he must make known to the court), or that if he appear and refuse to plead, he shall be dealt with for his contumacy, as hereinafter provided.
- 13.7.** The time which must elapse between the serving of the first citation on the accused person, and the meeting of the court at which he is to appear, shall be at least ten (10) days. The time allotted for his appearance on the subsequent citation shall be left to the discretion of the court, provided that it be quite sufficient for the seasonable and convenient compliance with the citation.
- 13.8.** When the offense with which an accused person stands charged took place at a distance, and it is inconvenient for the witnesses to appear before the court having jurisdiction, that court may either appoint a commission of its body, or request the coordinate court contiguous to the place where the facts occurred to take the testimony for it. The accused shall always have reasonable notice of the time and place of the meeting of this commission or coordinate court.
- 13.9** When an offense, alleged to have been committed at a distance, is not likely otherwise to become known to the court having jurisdiction, it shall be the duty of the court within whose bounds the facts occurred, after satisfying itself that there is probable ground for accusation, to send notice to the court having jurisdiction, which shall at once proceed against the accused; or the whole case may be remitted for trial to the coordinate court within whose bounds the offense is alleged to have been committed.

13.10. Before proceeding to trial, courts ought to ascertain that their citation having been duly served.

13.11. In every process, if deemed expedient there may be a committee appointed, which shall be called the Judicial Committee, and whose duty it shall be to digest and arrange all the papers, and to prescribe, under the direction of the court, the whole order of the proceedings. The members of this committee shall be entitled, notwithstanding their performance of this duty, to sit and vote in the case as members of the court.

13.12. When the trial may be fair and impartial, the witnesses shall be examined in the presence of the accused, or at least after he shall have received during citation to attend. Witnesses may be cross-examined by both parties, and any questions asked must be pertinent to the issue.

13.14. On all questions arising in the progress of a trial, the discussion shall first be between the parties; and when they have been heard, they may be required to withdraw from the court until the members deliberate upon and decide the point.

13.15. When a court of first resort proceeds to the trial of a case, the following order shall be observed:

1. The moderator shall charge the court.
2. The indictment shall be read, and the answer of the accused heard.
3. The witnesses for the prosecutor and then those for the accused shall be examined.
4. The parties shall be heard: first, the prosecutor, and then the accused, and the prosecutor shall close.
5. The roll shall be called, and the members may express their opinion in the case.
6. The vote shall be taken, the verdict announced and judgment entered on the records.

- 13.16.** Either party may, for cause, challenge the right of any member to sit in the trial of the case, which question shall be decided by the other members of the court.
- 13.17.** Pending the trial of a case, any member of the court who shall express his opinion of its merits to either party, or to any person not a member of the court; or who shall absent himself from any sitting without the permission of the court, or satisfactory reasons rendered, shall be therefore disqualified from taking part in the subsequent proceedings.
- 13.18.** Minutes of the trial shall be kept by the clerk, which shall exhibit the charges, the answer, written record of the testimony, as defined by *BCO* 35-7, and all such acts, orders, and decisions of the court relating to the case, as either party may desire, and also the judgment.
- The clerk shall without delay assemble the Record of the Case which shall consist of the charges, the answer, the citations and returns thereto, and the minutes herein required to be kept.
- The parties shall be allowed copies of the Record of the Case at their own expense if they demand them.
- When a case is removed by appeal or complaint, the lower court shall transmit “**the Record**” thus prepare to the higher court with the addition of the notice of appeal or complain, and the reasons therefore, if any shall have been files.
- Nothing which is not contained in the “**Record**” shall be taken into consideration by the higher court. On the final decision of a case in a higher court, the judgment shall be sent down to the court in which the case originated.
- 13.19.** No professional counsel shall be permitted as such to appear and plead in cases of process in any court; but an accused person may, if he desires it, be represented before the Session by any communing members of the same particular church, or before any other court, by any member of that court. A member of the court so employed shall not be allowed to sit in judgment in the case.

13.20. Process, in case of scandal, shall commence within the space of one year after the offense was committed, unless it has recently become flagrant. When, however, a church member shall commit an offense, after removing to a place far distant from his former residence, and where his connection with the church is unknown, in consequence of which process cannot be instituted within the time above specified, the recent discovery of the church membership of the individual shall be considered as equivalent to the offense itself having recently become flagrant. The same principle, in like circumstances, shall also apply to ministers.

CHAPTER 14

Special Rules Pertaining to Process Before Sessions

- 14.1.** Process against all church members, other than ministers of the Gospel, shall be entered before the Session of the church to which such members belong, except in cases of appeal. However, if the Session refuses to act in doctrinal cases or instances of public scandal and two other Session of churches in the same Presbytery request the Presbytery of which the church is a member to initiate proper or appropriate action in case of process and thus assume jurisdiction and authority, the Presbytery shall do so.
- 14.2.** When an accused person, having been twice duly cited, shall refuse to appear before the Session, or appearing, shall refuse to plead, the court shall enter upon its records the fact, together with the nature of the offense charged, and he shall be suspended from sealing ordinances for his contumacy. The censure may be made public, should this be deemed expedient by the Session, and shall in no case be removed until the offender has not only repented of his contumacy, but has given satisfaction in relation to the charges against him.
- 14.3.** If the charge be one of gross crime or heresy, and the accused persist in his contumacy, the court may proceed to inflict the highest censure.
- 14.4.** When it is impracticable immediately to commence process against an accused church member, the Session may, if it thinks the edification of the church requires it, prevent the accused from approaching the Lord's Table until the charges against him can be examined.

CHAPTER 15

Special Rules Pertaining to Process Against a Minister (Teaching Elder)

- 15.1.** Process against a minister shall be entered before the Presbytery of which he is a member. However, if the Presbytery refuses to act in doctrinal cases or cases of public scandal and two other Presbyteries request the General Assembly to assume original jurisdiction (to first receive and initially hear and determine), the General Assembly shall do so.
- 15.2** Also no minister ought, or account of his office, to be screened in his sin, or slightly censured, so scandalous charges ought not to be received against him on slight grounds.
- 15.3** If any one knows a minister to be guilty of a private offense, he should warn him in private. But if the offense be persisted in, or become public, he should bring the case to the attention of some other minister of the Presbytery.
- 15.4.** If a minister accused of an offense, having been twice duly cited, shall refuse to appear before the Presbytery, he shall be immediately suspended. If after another citation, he shall still refuse to attend, he shall be deposed as contumacious, and suspended or excommunicated from the church. Record shall be made of the judgment and of the charges under which he was arraigned, and the sentence shall be made public.
- 15.5.** Heresy and schism may be of such a nature as to warrant deposition; but errors ought to be carefully considered, whether they strike at the vitals of religion and are industriously spread, or whether they arise from the weakness of the human understanding and are not likely to do much injury.
- 15.6.** If the Presbytery find on trial that the matter complained of amounts to no more than such acts of infirmity as may be amended, so that little or

nothing remains to hinder the minister's usefulness, it shall take all prudent measures to remove the scandal.

- 15.7.** When a minister, pending a trial, shall make confession, if the matter be base and flagitious, such as drunkenness, uncleanness, or crimes of a greater nature, however penitent he may appear to the satisfaction of all, the court shall without delay impose definite suspension or depose him from the ministry.
- 15.8.** A minister under indefinite suspension from his office or deposed for scandalous conduct shall not be restored, even on the deepest sorrow for his sin, until he shall exhibit for a considerable time such an eminently exemplary, humble and edifying life and testimony as shall heal the wound made by his scandal. A deposed minister shall in no case be restored until it shall appear that the general sentiment of the church is strongly in his favour, and demands his restoration; and then only by the court infliction the censure, or with that court's consent.
- 15.9.** When a minister is deposed, his pastoral relation shall be dissolved; but when he is suspended from office it shall be left to the discretion of the Presbytery whether the censure shall include the dissolution of the pastoral relation.
- 15.10.** Whenever a minister of the Gospel shall habitually fail to be engaged in the regular discharge of his official functions, it shall be the duty of the Presbytery, at a stated meeting, to inquire into the cause of such dereliction and, if necessary, to institute judicial proceedings against him for breach of his covenant engagement. If it shall appear that his neglect proceeds only from his lack of acceptance to the church, Presbytery may, upon the same principle upon which it withdraws license from a licentiate for lack of evidence of the divine call, divest him of his office without censure, even against his will, a majority of two-thirds (2/3 being necessary for this purpose).

In such a case, the clerk shall under the order of the Presbytery forthwith deliver to the minister concerned a written note that, at the next stated meeting, the question of his being so dealt with is to be considered. This notice shall distinctly state the grounds for this proceeding. The party thus

notified shall be heard in his own defense; and if the decision pass against him he may appeal, as if he had been tried after the usual forms. This principle may apply, with any necessary changes, to ruling elders and deacons.

CHAPTER 16

Evidence

- 16.1.** All persons of proper age and intelligence are competent witnesses, except such as do not believe in the existence of God, or a future state of rewards and punishments. The accused party may be allowed, but shall not be compelled to testify; but the accuser shall be required to testify, on the demand of the accused. Either party has the right to challenge a witness whom he believes to be incompetent, and the court shall examine and decide upon his competency. It belongs to the court to judge the degree of credulity to be attached to all evidence.
- 16.2.** A husband of wife shall not be compelled to bear testimony against one another in any court.
- 16.3** The testimony of more than one witness shall be necessary in order to establish any charge; yet if, in addition to the testimony of one witness, corroborative evidence be produced, the offense may be considered to be proved.
- 16.4.** No witness afterwards to be examined, unless a member of the court, shall be present during the examination of another witness on the same case, if either party object.
- 16.5.** Witnesses shall be examined first by the party introducing them; then cross-examined by the opposite party; after which any member of the court, or either party, may put additional interrogatories. No question shall be put or answered except by permission of the moderator, subject to an appear to the court. The court shall not permit questions frivolous or irrelevant to the charge at issue.

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- 16.6.** The oath or affirmation to a witness shall be administered by the Moderator in the following or like terms:

Do you solemnly promise, in the presence of God, that you will declare the truth, the whole truth, and nothing but the truth, according to the best of your knowledge in the matter in which you are called to witness, as you shall answer it to the great Judge of the living and the dead?

If, however, at any time a witness should present himself before a court, who for conscientious reasons prefers to swear or affirm in any other manner, he should be allowed to do so.

17.7. Every question put to a witness shall, if required, be reduced to writing.

When answered, it shall, together with the answer, be recorded, if deemed by the court or by either party of sufficient importance, and the testimony of the witness shall be read to him for his approbation and subscription.

18.8. The records of a court or any part of them, whether original or transcribed, if regularly authenticated by the moderator and clerk, or by either of them, shall be deemed good and sufficient evidence in very other court.

19.9. In like manner, testimony taken by one court and regularly certified shall be received by every other court as no less valid than if it had been taken by itself.

20.10. When it is not convenient for a court to have the whole or perhaps any part of the testimony in any particular case taken in its presence, a commission shall be appointed, or coordinate court requested, to take the testimony in question, which shall be considered as if taken in the presence of the court.

Due notice of the commission or coordinate court, and of the time and place of its meeting, shall be given to the opposite party, that he may have an opportunity of attending. If the accused shall desire on his part to take testimony at a distant for his own exculpation, he shall give notice to the court of the time and place at which it shall be taken, in order that a commission or coordinate court, as in the former case, may be appointed for the purpose. Testimony may be taken on written interrogatories by filing the same with the clerk of the court having jurisdiction of the case, and giving two weeks' notice thereof to the adverse party, during which time he may file cross-interrogatories, if he desire it. Testimony shall then be taken by the

commission or coordinate court in answer to the direct and cross-interrogatories, if such are filed, and no notice need be given of the time and place of taking the testimony.

- 20.11.** A member of the court who has given testimony in a case becomes disqualified for sitting as a judge if either party makes objection.
- 20.12.** An officer or private member of the church refusing to testify may be censured for contumacy.
- 20.13.** If after trial before any court new testimony be discovered, which the accused be lives important, it shall be his right to ask a new trial and it shall be within the power of the court to grant his request.
- 20.14.** If, in the prosecution of an appeal, new evidence be offered which, in the judgment of the appellate court, has an important bearing on the case, it shall be competent for that court to refer the case to the lower court for a new trial; or, with the consent of parties, to admit the evidence and proceed with the case.

CHAPTER 17

The Infliction of Church Censures

- 17.1.** When any member or officer of the church shall be found guilty of an offense the court shall proceed with all tenderness and shall deal with its offending brother in the spirit of meekness, the members considering themselves lest also be tempted.
- 17.2.** Church censures and the modes of administering them should be suited to the nature of the offenses. For private offenses, censure should be administered in the presence of the court alone, or in private by one or more members of the court. In the case of public offenses, the degree of court, acting in accordance with paragraphs below which deal with particular censures.
- 17.3.** The Censure of Admonition should be administered in private by one or more members of the court if the offense is known only to a few and is not aggravated in character. If the offense is public the Admonition should be administered by the moderator in presence of the court and may also be announced in public should the court deem it expedient.
- 17.4.** Definite suspension from office should be administered in the presence of the court alone or in open session of the court, as it may deem best, and public announcement thereof shall be at the court's discretion.
- 17.5.** Indefinite suspension from office or the Sacraments should be administered after the manner prescribed for definite suspension, but with added solemnity, that the indefinite suspension may be the means of impressing the mind of the delinquent with a proper sense of his danger. Indefinite suspension should also be administered under the blessing of God of leading him to repentance. When the court has resolved to pass this sentence, the moderator shall address the offending brother to the following purpose:

Whereas, you, _____ (here describe the person as a teaching elder, ruling elder, deacon, or private member of the church) are convicted by sufficient proof (or are guilty by your own confession) of the sin of _____ (here insert the offense), we the _____ Presbytery (or Church Session) is the name and by the authority of the Lord Jesus Christ, do now declare you suspended from the

**Sacraments of the Church (and from the exercise of your office),
until you give satisfactory evidence of repentance.**

To this shall be added such advice or admonition as may be judged necessary, and the whole shall be concluded with prayer to almighty God that He would follow this act of discipline with His blessing.

- 17.6.** Excommunication is to be administered according to one or other of the two modes laid down for indefinite suspension, or to be inflicted in public as the court may decide. In administering this censure the moderator of the Session shall make a statement of the several steps which have been taken with respect to the offending brother, and of the decision to cut him off from the communion of the church. He shall then show from Matthew 18:15-18 and 1Corinthians 5:1-5 the authority of the church to cast out unworthy members, and shall explain the nature, use and consequences of this censure. He shall then administer the censure in the words following:

Whereas, _____, a member of this church has been by sufficient proof convicted of the sin of _____, and after much admonition and prayer, obstinately refuses to hear the Church, and has manifested no evidence of repentance: Therefore, in the name of _____ church do pronounce him to be excluded from the Sacraments, and cut off from the fellowship of the Church.

Prayer shall then be made that God's blessing this solemn action of the court may issue in the repentance and restoration of the offender, and in the establishment of all true believers.

- 17.7** The censure of deposition shall be administered by the moderator in the words following:

Whereas, _____, a teaching elder of this Presbytery (or ruling elder or deacon of this church), has been proved, by sufficient evidence to the guilty of the sin of _____, we, the _____ Presbytery (or Church Session), do adjudge him disqualified for the office of the Christian ministry (or ruling eldership, or deaconship), and therefore we do hereby, in the name and by the

authority of the Lord Jesus Christ, depose from the office of a teaching elder (or ruling elder or deacon) the said _____, and do prohibit him from exercising any of the functions thereof.

If the censure include suspension or excommunication, the moderator shall proceed to say:

We do moreover, by the same authority, suspend the said _____ from the Sacraments of the church, until he shall exhibit satisfactory evidence of sincere repentance,

or

We do moreover, by the same authority, exclude the said _____ from the Sacraments, and cut him off from the fellowship of the church.

The sentence of deposition ought to be inflicted with solemnities similar to those already prescribed in the case of excommunication.

CHAPTER 18

The Removal of Censure

- 18.1.** A person who has been definitely suspended from office shall be restored by the court at the end of the term of his suspension by declaring words of the following import to him:

Whereas, you _____ have been debarred from the office of teaching elder, (or ruling elder, or deacon), but have now fulfilled the time of your censure, we, of the _____ Presbytery (or Church Session) do hereby, in the name and by the authority of the Lord Jesus Christ, absolve you from the sentence of suspension and do restore you to the exercise of your said office, and all the functions thereof.

- 18.2.** After any person has been indefinitely suspended from the Sacraments, it is proper that the rulers of the church should frequently converse with him as well as pray with him and for him, that it would please God to give him repentance.

- 18.3.** When the court shall be satisfied as to the reality of the repentance of an indefinitely suspended offender, he shall be admitted to profess his repentance, either in the presence of the court alone or publicly. At this time the offender shall be restored to the Sacraments of the church, and/or to his office, if such shall be the judgment of the court. The restoration shall be declared to the penitent in the words of the following import.

Whereas, you, _____, have been debarred from the Sacraments of the church (and/or from the office of teaching elder, or ruling elder, or deacon), but have now manifested such repentance as satisfies the church, we, the _____ Church Session (or Presbytery), do hereby, in the name and by the authority of the Lord Jesus Christ, absolve you from the said sentence of suspension from the Sacraments (and/or your office) and do restore you to the full communion of the church (and/or the exercise of your said office, and all the functions thereof).

After which there shall be prayer and thanksgiving.

18.4. When an excommunicated person shall be so affected with his state as to be brought to repentance, and to desire to be readmitted to the communion of the church, the Session, having obtained sufficient evidence of his sincere penitence, shall proceed to restore him. This may be done in the presence of the court, or of the congregation as seems best to the Session.

On the day appointed for his restoration, the minister shall call upon the excommunicated person and propose to him in the presence of the court or the congregation the following questions:

- 1. Do you, form a deep sense of your great wickedness, freely confess your sins in thus rebelling against God , and in refusing to hear His Church; and do you acknowledge that you have been in justice and mercy cut off from the communion of the Church?**

Answer, I do.

- 2. Do you now voluntarily profess and sincere repentance and contrition for your sin and obstinacy; and o you humbly ask the forgiveness of God and His Church?**

Answer, I do.

- 3. Do you sincerely promise, through divine grace, to live in all humbleness of mind and circumspection; and to endeavor to adorn by al holy life the doctrine of God our Savior.**

Answer, I do.

Here the minister shall give the penitent a suitable exhortation, encouraging and comforting him. Then he shall pronounce the sentence of restoration in the following words:

Whereas, you _____, have been shut out from the communion of the church, but now have manifested such repentance as satisfies the church; in the name of the Lord Jesus Christ, and by His authority, we , the Session of this church, do declare you absolved from the sentence of excommunication formerly pronounced against you, and we do restore you to the communion of the church, that you may be a partaker of all the benefits of the Lord Jesus to your eternal salvation.

The whole shall be concluded with prayer and thanksgiving.

- 18.5.** The restoration of a deposed officer, after public confession has been made in a manner similar to that prescribed in the case of the removal of censure from an excommunicated person, shall be announced to him by the Moderator in the following from, namely:

Whereas, you, _____, formerly a teaching elder of this presbytery (or a ruling elder or deacon of this Church), have been deposed from your office, but have now manifested such repentance as satisfies the church; in the name of the Lord Jesus Christ, and by His authority, we, the _____ Presbytery (or Church Session) do declare you absolved from the said sentence of deposition formerly pronounced against you; and we do furthermore restore you to your said office, and to the exercise of all the functions thereof, whenever you may be orderly called thereto.

After this there shall be prayer and thanksgiving, and the members of the court shall extend to him the right hand of fellowship.

- 18.6.** When a ruling elder or deacon has been absolved from the censure of deposition, he cannot be allowed to resume the exercise of his office in the church without re-election by the people.
- 18.7.** When a person under censure shall remove to a part of the country remote from the court by which he was sentenced. And shall desire to profess repentance and obtain restoration, it shall be lawful for the court, if it deems it expedient, to transmit a certified copy of its proceedings to the Session (or Presbytery) where he delinquent resides, which shall take up the case and proceed with it as though it had originated with itself.
- 18.8.** In the restoration of a minister who is under indefinite suspension from the Sacraments, and/or his office, or has been deposed, it is the duty of the Presbytery to proceed with great caution. It should first admit him to the Sacraments, if he has been debarred from them. Afterwards it should grant him the privilege of preaching on probation for a time, so as to rest the sincerity of his repentance and prospect of his usefulness. When satisfied in these respects, the

presbytery shall take steps to restore him to his office. But the case shall always be under judicial consideration until the declaration of restoration has been pronounced.

18.9. In the case of the removal of censures from, or the restoration of, a minister, jurisdiction shall be as follows:

- a) If the censure(s) does not include excommunication, the presbytery inflicting the censure(s) shall retain the authority to remove the censure(s) and, at its discretion, restore him to office. This authority is retained by the presbytery even when a divested or deposed minister is assigned, under the provisions of *BCO 46-8*, to a session.
- b) If the censure includes excommunication, the penitent may only be restored to the communion of the church through a session (*BCO 1-3; 6-4; 57-4; 57-5; 57-6*). Once the penitent is restored, and therefore a member of a local church, the authority to remove any other censure(s) in respect to office, concurrently imposed with that of excommunication shall belong to the court originally imposing such censure(s).

CHAPTER 19

Cases Without Process

- 19.1.** When any person shall come forward and make his offense known to the court, a full statement of the facts shall be recorded and judgment rendered without process.
- 19.2.** A minister of the Gospel against whom there are no charges, if fully satisfied in his own conscience that God has not called him to the ministry, or if he has satisfactory evidence of his inability to serve the Church with acceptance, may report these facts at a stated meeting of Presbytery. At the next stated meeting, if after full deliberation the Presbytery shall concur with him in judgment, it may divest him of his office without censure. This provision shall in like manner apply with any necessary changes to the case of ruling elders and deacons; but in all such cases the Session of the church to which the ruling elder or the deacon who seeks demission belongs shall act as the Presbytery acts in similar cases where a minister is concerned.
- 19.3.** When a member or officer shall renounce the communion of this church by joining some other evangelical church; if in good standing, the irregularity shall be recorded, and his name erased. But if charges are pending against him, they shall be communicated to the church which he has joined. If the denomination be heretical, an officer shall have his name stricken from the roll, and all authority to exercise his office derived from this church shall be withdrawn from him. but a private member shall not be otherwise noticed than as above prescribed.

CHAPTER 20

General Review and Control

- 20.1.** It is the right and duty of every court above the Session to review, at least once a year, the records of the court next below, and if any lower court fails to present its records for this purpose, the higher court may require them to be produced immediately, or at any time fixed by this higher court.
- 20.2.** In reviewing records of a lower court the higher court is to examine:
1. Whether the proceedings have been correctly recorded;
 2. Whether they have been regular and in accordance with the Constitution;
 3. Whether they have been wise, equitable and suited to promote the welfare of the church.
 4. Whether the lawful injunction of the higher court have been obeyed.
- 20.3.** It is ordinarily sufficient for the hither court merely to record in its own minutes and in the records reviewed whether it approves, disapproves or corrects the records in any particular; but should any serious irregularity be discovered the higher court may require its review and correction by the lower. Proceedings in judicial cases, however, shall not be dealt with under review and control when notice of appeal or complaint has been given the lower court; and no judgment of a lower court in a judicial case shall be reversed except by appeal or complaint.
- 20.4.** Courts may sometimes entirely neglect to perform their duty, by which neglect heretical opinions or corrupt practices may be allowed to gain ground; or offenders of a very gross character may be suffered to escape; or some circumstances in the proceedings of very great irregularity may not be distinctly recorded by them. In any of these cases their records will by no means exhibit to the higher court a full view of their proceedings. If, therefore, the next higher court be well advised that any such neglect or irregularity has occurred on the part of the lower court, it is incumbent on it to take cognizance of the same, and to examine, deliberate and judge in the whole matter as completely as if it had been recorded, and thus brought up by review of its records.

20.5. When any court having appellate jurisdiction shall be advised, either by the records of the court next below or by memorial, either with or without protest, or by any other satisfactory method, of any important delinquency or grossly unconstitutional proceedings of such court, the first step shall be to cite the court alleged to have offended to appear by representative or in writing, at a specified time and place, and to show what it has done or failed to do in the case in question.

The court thus issuing the citation may reverse or redress the proceedings of the court below in other than judicial cases; or it may censure the delinquent court; or it may remit the whole matter to the delinquent court with an injunction to take it up and dispose of it in a constitutional manner; or it may stay all further proceedings in the case; as circumstances may require.

20.6. In process against a lower court, the trial shall be conducted according to the rules provided for process against individuals, so far as they may be applicable.

CHAPTER 21

References

- 21.1.** A reference is a written representation and application made by a lower court to a higher for advice or other action on a matter pending before the lower court, and is ordinarily to be made to the next higher court.
- 21.2.** Among proper subjects for reference are matters that are new, delicate or difficult; or on which the members of the lower court are very seriously divided; or which relate to questions involving the Constitution legal procedures respecting which the lower court feels the need of guidance.
- 21.3.** In making a reference the lower court may ask for advice only, or for final disposition of the matter referred; and in particular it may refer a judicial case with request for its trial and decision by the higher court.
- 21.4.** A reference may be presented to the higher court by one or more representatives appointed by the lower court for this purpose. It should be accompanied with so much of the record as shall be necessary for proper understanding and consideration of the matter referred.
- 21.5.** Although references are sometimes proper, in general it is better that every court should discharge the duty assigned it under the law of the church.
A higher court is not required to accede to the request of the lower, but it should ordinarily give advice when so requested.
- 21.6.** When a court makes a reference, it ought to have all the testimony and other documents duly prepared, produced and in perfect readiness, so that the higher court may be able to fully consider and handle the case with as little difficulty or delay as possible.

CHAPTER 22

Appeals

- 22.1.** An appeal is the transfer to a higher court of a judicial case on which judgment has been rendered in a lower court, and is allowable only to the party against whom the decision has been rendered. The parties shall be known as the appellant and appellee. An appeal cannot be made to any court other than the next higher, except with its consent.
- 22.2.** Only those who have submitted to a regular trial are entitled to an appeal.
- 22.3.** The grounds of appeal are such as the following: any irregularity in the proceedings of the lower court; refusal of reasonable indulgence to a party on trial; receiving improper or declining to receive proper evidence; hurrying to a decision before all the testimony is taken; manifestation of prejudice in the case; and mistake or injustice in the judgment and censure.
- 22.4.** Notice of appeal may be given the court before its adjournment. Written notice of appeal, with supporting reasons, shall be filed by the appellant with both the clerk of the lower court and the clerk of the higher court, within thirty (30) days following the meeting of the court. No attempt should be made to circularize the courts to which appeal is being made by either party before the case is heard.
- 22.5.** It shall be the duty of the clerk of the lower court to file with the clerk of the higher court, not more than thirty (30) days after receipt of notice of appeal, a copy of all proceedings in connection with the case, including the notice of appeal and reasons therefore, the response of the lower court, the evidence, and any papers bearing on the case, which together shall be known as "**the Record of the Case**", without the consent of the parties in the case. Should new evidence come to light the case shall be remanded to the lower court from which the appeal was made, unless both parties consent to admit the new evidence and proceed with the case.
- 22.6.** Notice of appeal shall have the effect of suspending the judgment of the lower court until the case has been finally decided in the higher court. However, the court of original jurisdiction may, for sufficient reasons duly recorded, prevent the appellant from approaching the Lord's Table, and if an officer, prevent him from exercising some or all his official functions, until the case is finally decided (*cf. BCO 31-10;33-3*). This shall never be done in the way of censure.

- 22.7.** If the lower court shall neglect to send up “**the Record of the Case**” or any part of it, to the injury of the appellant, it shall receive a proper rebuke from the higher court, and the judgment from which the appeal has been taken shall be suspended until “**the Record**” is produced upon which the issue can be fairly tried.
- 22.8.** After a higher court has decided that an appeal is in order and should be entertained by the court, the court shall hear the case, or in accordance with the provisions of *BCO 15-2* and *15-3*, appoint a commission to do so. At the hearing, after the Record has been read, each side should be allotted not over thirty (30) minutes for oral argument, the appellant having the right of opening and closing the argument. After the hearing has been concluded, the court or commission should go into closed session, and discuss the merits of the case.

The vote then should be taken, without further debate, on each specification in this form:

Shall this specification of error be sustained?

If the court or commission deem it wise, it may adopt a minute explanatory of its action, which shall become a part of its Record of the Case. The court or commission shall designate one of its members to write the opinion, which opinion shall be adopted by the court or commission as its opinion.

- 22.9.** The decision of the higher court may be to affirm in whole or in part; to reverse in whole or in part; to render the decision that should have been rendered; or to remand the case to the lower court for a new trial. In every case a written opinion shall be prepared, and a copy of the opinion and judgment entered will be delivered personally or mailed to the lower court and the appellant, with a written receipt required.
- 22.10** An appellant may represent himself or be represented as provided in *BCO 32-19*.
- 22.11.** An appellant shall be considered to have abandoned his appeal if he fails to appear before the higher court, in person or by counsel, for a hearing thereof, after he has been properly notified; but an appellant may waive, in writing, his right to appear with permission of the court and not be considered to have abandoned his case. In case of such failure to appear, the judgment of the lower court will stand unless the appellant gives to the court a prompt and satisfactory explanation.
- 22.12.** If any appellant manifests a litigious or otherwise unchristian spirit in the prosecution of his appeal, he shall receive a suitable rebuke by the appellate court.

CHAPTER 23

Complaints

- 23.1.** A complaint is a written representation made against some act or decision of a court of the church. It is the right of any communing member of the church in good standing to make complain against any action of a court to whose jurisdiction he is subject, except that no complaint is allowable in a judicial case in which an appeal is taken.
- 23.2.** A complaint shall first be made to the court whose act or decision is alleged to be in error. Written notice of complaint, with supporting reasons, shall be filed with the clerk of the court within thirty (30) days following the meeting of the court. The court shall consider the complain at its next stated meeting, or at a called meeting prior to its next stated meeting. No attempt should be made to circularize the court to which complaint is being made by either party.
- 23.3.** If, after considering a complaint, the court alleged to be delinquent or in error is of the opinion that it has not erred, and denies the complaint, the complaint may make complain to the next higher court. If the court fails to consider the complaint by or at its next stated meeting, the complainant may make complaint to the next higher court. Written notice of complaint, together with supporting reasons, shall be filed with both the clerk of the lower court and the clerk of the higher court within thirty (30) days following the meeting of the lower court.
- 23.4.** Notice of complaint shall not have the effect of suspending the action against which the complaint is made, unless one-third (1/3) of the members present when the action was taken shall vote for its suspension, until the final decision in the higher court.
- 23.5.** The court against which complaint is made shall appoint one or more representative to defend its action, and the parties in the case shall be known as complainant and respondent. The complainant himself may present his complaint, or he may obtain the assistance of a communing member of the Presbytery Church in America, who is in good standing in presenting his complaint.
- 23.6.** It shall be the duty of the clerk of the lower court to file with the clerk of the higher court, not more than thirty (30) days after receipt of notice of complaint, a copy of all its proceedings in connection with the complaint including the notice of complaint and supporting reasons, the response of the lower court, if any, and any papers

bearing the complain. If the clerk of the lower court shall neglect to send up the proceedings on the complaint, he shall receive a proper rebuke from the higher court, and the act or decision complained against shall be suspended until the proceedings are produced so that the higher court can fairly consider the compliant.

- 23.7.** The complaint shall be considered to have abandoned his complaint if he fails to appear before the higher court, in person or by counsel, for a hearing thereof, after he has been properly notified; but a complainant may waive, in writing, his right to appear with permission of the court and not be considered to have abandoned his case. In case of such failure to appear, the judgment of the lower court will stand unless the complainant give to the court a prompt and satisfactory explanation.
- 23.8.** After the higher court has decided that the complaint is in order, the court shall hear the complaint, or in accordance with the provision of *BCO 15-2* and *15-3*, appoint a commission to do so. If the date of the hearing shall, for good cause, be other than the same day it is presented, the court shall notify the complainant and respondent in writing of the date set for the hearing.
- 23.9.** After the hearing, after all the papers bearing on the complaint have been read, the complainant and respondent will be given the opportunity to present argument, the complainant having the right of opening and closing the argument. After the hearing has been concluded, the court or the commission should go into closed session, and discuss and consider the merits of the complaint. The vote should then be taken as to what disposition should be made of the complaint, and the complainant and respondent notified of the court's decision.
- 23.10.** The higher court has power, in its discretion, to annul the whole or any part of the action of a lower court against which complaint has been made, or to send the matter back to the lower court with instructions for a new hearing.

CHAPTER 24

(Vacated)

CHAPTER 25

Dissents, Protest, and Objections

- 25.1.** Any member of a court who had a right to vote on a question, and is not satisfied with the action taken by that court, is entitled to have a dissent or protest recorded.

None can join in a dissent or protest against an action of any court except those who had a right to vote in the case.

Any member who did not have the right to vote on an appeal or complaint (see BCO 39-2), and is not satisfied with the action taken by the court, is entitled to have an objection recorded.

A dissent, protest or objection shall be filed with the clerk of the lower court within thirty (30) days following the meeting of the lower court or with the clerk of the General Assembly before its adjournment.

- 25.2.** A dissent is a declaration on the part of one or more members of a minority, expressing a different opinion from the majority in its action on any issue before the court, and may be accompanied with the reasons on which it is founded.

- 25.3.** A protest is a more solemn and formal declaration by members of a minority, bearing their testimony against what they deem an improper or erroneous action on any issue before the court, and is generally accompanied with the reasons on which it is founded.

- 25.4.** An objection is a declaration by one or more members of a court who did not have the right to vote on an appeal or complaint, expressing a different opinion from the decision of the court and may be accompanied with the reasons on which it is founded.

- 25.5.** If a dissent, protest, or objection be couched in temperate language, and be respectful to the court, it shall be recorded; and the court may, if deemed necessary, put an answer to the dissent, protest, or objection on the records along with it. Here the matter shall end, unless the parties obtain permission to withdraw their dissent, protest, or objection absolutely, or for the sake of amendment.

CHAPTER 26

JURISDICTION

- 26.1.** When a church member shall remove his residence beyond the bounds of the congregation of which he is a member, so that he can no longer regularly attend its services, it shall be his duty to transfer his membership by presenting a certificate of demission from the Session of the church of which he is a member to the church with which he wishes to unite.

When the church of which he is a member has no Session, or for other good reasons it seems impossible for the member to secure a certificate of demission, he may be received by the Session upon other satisfactory testimonials, in which case the church of which he was a member shall be duly notified.

26.2 When a church member shall remove his residence beyond the bounds of the church of which he is a member into the bounds of another, it shall be the duty of the teaching and ruling elders of the church of which he is a member, as far as possible, to continue pastoral oversight of him and to inform him that according to the teaching of our *Book of Church Order* it is his duty to transfer his membership as soon as practicable to the church in whose bounds he is living.

It shall be the duty of the church from whose bounds the member moved to notify the teaching and ruling elders of a church into whose bounds he has moved and request them to take pastoral oversight of the member, with a view of having him transfer his membership, unless BCO 18-7 applies.

If a member, after having thus been advised, shall neglect for one (1) year to have his membership transferred, his name shall be removed by the Session unless special permission is granted by the Session for such as: servicemen, students, etc to remain on the roll.

The name of any member whose residence has been unknown for one year to the Session shall be removed from the roll and such names are not to be counted in the annual statistical reports, though act of removal should be recorded in the Session's minutes. If such a person at a later date should appear or desire transfer of his or her letter, the Session will inform the governing body of the inquiring church of their action in removing said person from their role.

- 26.3.** Members of one church dismissed to join another shall be held to be under the jurisdiction of the Session dismissing them until they form a regular connection with that to which they have been dismissed.

- 26.4.** Associate members are those believers temporarily residing in a location other than their permanent homes. Such believers may become associate members of a particular church without ceasing to be communicant members of their home churches. An associate member shall have all the rights and privileges of that church, with the exception of voting in a congregational or corporation meeting, and holding an office in that church.
- 26.5.** When a member of a particular church has willfully neglected the church for a period of one year, or has made it known that he or she has no intention of fulfilling the church vows, then the Session should delete such names from the church roll, but only after the Session has followed scriptural procedures (Matthew 18). The Session shall always notify the person whose name has been deleted.
- 26.6.** When a Presbytery shall dismiss a minister, licentiate or candidate, the name of the Presbytery to which he is dismissed shall be given in the certificate, and he shall remain under jurisdiction of the Presbytery dismissing him until received by the other.
- 26.7.** No certificate of demission from either a Session or a Presbytery shall be valid testimony of good standing for a period longer than one (1) year, unless its earlier presentation be hindered by some providential cause; and such certificates given to persons who have left the bounds of the Session or Presbytery granting them shall certify the standing of such persons only to the time of their leaving those bounds.
- 26.8.** When a Presbytery shall divest a minister of his office without censure, or depose him without excommunication, it shall assign him, to membership in some particular church, subject to the approval of the Session of that church.

