

UNITING CHURCH IN AUSTRALIA
NATIONAL ASSEMBLY



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October 29 2007

Dear Colleagues in Ministry,

You may be aware that the 11th Assembly identified property sharing in cross-cultural settings as a significant issue to be addressed. The Assembly appointed a task group to survey all situations where two or more Uniting Church congregations are sharing property, and to report to the next Assembly.

We would appreciate your assistance in responding to the attached survey which is going to all congregations in Australia. **Even if your congregation does not share property with another migrant group please complete the form.**

This survey form is very important to the church as it considers a range of issues that arise as part of being a multicultural church.

Please return the completed forms to Rev Dr Tony Floyd, Multicultural & Cross Cultural Ministry, by December 30 2007. All information will be kept confidential by the task group, with any reporting being on an aggregate basis. Tony Floyd's email address is multimin@nat.uca.org.au

I realise that you are very busy however the survey can take as little as three minutes to complete and up to 10 minutes if you share property. I encourage you to complete the survey and send it back immediately to Tony by email.

I will also take this opportunity to remind you that the 11th Assembly also encouraged any congregations sharing property to undertake a '*Living together as God's people in this place*' workshop and to explore ways in which their life together can reflect the love, justice and hospitality of God, and ensure that the sharing of property promotes the ministry and mission of the people of God. For further information on the workshops which relate to property sharing please go to <http://nat.uca.org.au/multi> or contact Rev Dr Tony Floyd 02 8267 4224 or 0438 299 377 (Assembly), Rev Myong Duk Yang 02 8267 4377 (NSW), Rev Don Ikitoelagi 03 9251 5287 (Vic), or Rev Leva Pat 07 3377 9816 (Qld).

Thank you for your cooperation with this review.

Grace and Peace,

Terence Corkin
General Secretary

ASSEMBLY SURVEY ON PROPERTY SHARING

Congregation: _____ Presbytery: _____

Contact Person: _____ Position: _____ Phone: _____ Email: _____

Do you share a property with another congregation, Uniting (UCA) or non-Uniting (non-UCA)? YES / NO
 If YES please complete survey below: If NO please complete details at top and return

Property shared with other Congregation (church and/or hall)	Name of other Congregation	UCA or Non-UCA	Cultural background of other Congregation	Language spoken by other Congregation	How long have you shared the property?	How would you describe the relationship: 'landlord & tenant', 'host & guest', 'partnership', or other? Do you have a contractual agreement or some other means of administrative arrangement?

Cross – Cultural Ministry and Property Sharing

What has been your primary motivation for sharing property with other congregations?

The Assembly endorsed Property Policy in a Multicultural Church states “where two or more Uniting Church of Australia congregations function from one property base, an appropriate form of written agreement will apply to that relationship. It will accord rights of usage, an appropriate sharing of costs and take into account the ministry needs. The working out of this agreement should recognise their equality and sharing in mission as sisters and brothers in the service of Christ, through this Church.”

Are you aware of this policy?

Do you believe your own arrangements are consistent with this policy?

Do you consider the arrangements in place are in the ‘joint beneficial interest’ of both congregations?

Have issues or difficulties emerged through your shared property arrangements and, if so, how have they been resolved?

Where have you turned to seek help?

Which of the UCA councils [Church, Presbytery, Synod, Assembly] has been most helpful?

If you are currently sharing property with a non-Uniting Church congregation, would you be prepared to terminate that arrangement in order to accommodate another Uniting Church congregation seeking a place to worship? Give reasons for your decision.

Please share any other comments you have on property sharing in a cross-cultural context.

Please return forms to: **REV DR TONY FLOYD, MULTICULTURAL & CROSS CULTURAL MINISTRY, UNITING CHURCH ASSEMBLY**
PO BOX A2266 SYDNEY SOUTH NSW 1235

THE UNITING CHURCH IN AUSTRALIA – NATIONAL ASSEMBLY PROPERTY POLICY IN A MULTICULTURAL CHURCH

Preamble

This document is a rewrite of the Assembly policy adopted in September 1992. The changes can be summarized as consequential amendments due to changes in nomenclature eg Parish to congregation, minor editorial corrections for clarity, and some expansion of theological points of the Conclusion.

**Terence Corkin,
Assembly General Secretary**

1. Introductory statement

1.1 This policy clarifies the basis upon which property is acquired, held by the Uniting Church and transferred internally within it. As the number of new Aboriginal and migrant ethnic congregations within the Uniting Church are growing, it has become necessary to develop a unified national policy on the sharing of properties between two or more culturally different congregations in the Uniting Church in Australia and on the transfer of rights over property from one congregation to another.

This policy is to give every congregation of the Church the opportunity to receive fair and appropriate consideration as we are parts of the same body.

1.2 Synod and presbytery has responsibilities to assist and encourage congregations as they develop a mission strategy that effectively relates to their immediate community and the wider Australian society. The presbytery provides pastoral and administrative oversight for the mission of the Church within the congregation and regional community area while the synod provides support, resources and encouragement.

1.3 In matters of property, final responsibility rests with the synod working in consultation with congregations and presbyteries. The regulations specify the manner in which the Synod Property Board may make a final decision. **(Note that the property belongs to the Uniting Church in Australia. The legally registered body to hold property is the Synod Property Trust. It is the transfer of rights and responsibility for the control and use of the property and not the transfer of ownership that is referred to.)**

1.4 The duties and responsibilities of a congregation are detailed in Regulation 3.1.13. The presbytery exercises oversight of congregations and may "disband and cease to recognise a congregation for reasons which it considers are in the best interests of the mission, witness and service of the Church within the bounds of the presbytery" [3.1.6 (b)]. Such a decision only occurs following prayerful consideration and adequate consultation.

1.5 Each congregation should have a conscious mission strategy. This is especially important for both parties when transfer of property rights and usage is considered.

- In many situations an existing congregation may have a long historical relationship to a particular property through many generations and therefore to transfer the use of the property to another congregation may involve considerable pain. However, that relationship alone is not sufficient reason for the continuation of the congregation. It exists to worship God and bear faithful witness to the Gospel of Jesus Christ in the local community. If it is no longer able to fulfil these purposes, then it may be appropriate for that congregation and for the property to be made available for the use of a new congregation.
- The emerging new congregation similarly needs to develop a conscious mission strategy, though it may have no property and only limited resources. It is expected that requests for property and resource needs will become approved as a consequence of that strategy and particular cultural heritage. Presbytery will encourage each congregation involved to see these issues in terms of conscious, specific mission strategy of a multicultural church.

1.6 As the synod assists in resourcing new church development, so it will be important to create resources to meet cases of particular need involving transfer of rights and usage of property between existing congregations and new congregations.

If the Uniting Church is to be truly a fellowship of pilgrim people responding to God's call to mission, to worship and service, our only right to ownership of property is where it is a creative facility for that purpose. It must always be a means to an end – the purpose to which we are called – never an end in itself.

2. Transfer of Property between Congregations

2.1 Where, by arrangement, a congregation of the Uniting Church desires to obtain sole use of a property from an existing congregation, the presbytery will assist these congregations to develop their future mission strategy and consequently, property needs, and will make recommendations to the Synod. The presbytery may consult with the Synod mission agency and the Synod Property Officer early in this process.

In some cases, there will be no financial transaction involved; however, where it is agreed that the existing congregation requires some compensation for the property in order to enable it to carry out its mission strategy as agreed, the amount of compensation will be worked out between the synod, the presbytery and the congregations, with an agreed recommendation to the Synod Property Board for final property approval.

The Synod will then make the property available to the new congregation on the basis of an approved financial arrangement. For example, that arrangement could include a basis whereby the new congregation will contribute annually an agreed proportion of its income to an appropriate synod mission fund as an expression of gratitude and to defray the transfer cost.

2.2 When by arrangement property is transferred between Uniting Church congregations to further the mission of both congregations, that may occur as a generous gift from one congregation to the other or it may involve an appropriate consideration which will need to be negotiated between the parties in consultation with presbytery and synod. Whilst financial transactions may be necessary, these should be based upon mission needs, rather than market considerations.

2.3 It is important to assess each transfer in terms of the mission possibilities. The following factors are most important:

- The results of an investigation projecting future needs for resources for witness and mission in that area
- The mission benefits to both congregations of such a transfer occurring.
- The present resources of both parties to the dealing.

2.4 There will need to be adequate assistance given to the "releasing" congregations to grieve over the loss, and to accept fully that the mission of the Church is best served by these changes. An appropriate service of symbolic handing over and celebration of new beginnings conducted by the presbytery is appropriate.

3. Shared Use of Property

3.1 Where two or more Uniting Church of Australia congregations function from one property base, an appropriate form of written agreement will apply to that relationship. It will accord rights of usage, an appropriate sharing of costs and take into account the ministry needs. The working out of this agreement should recognise their equality and sharing in mission as sisters and brothers in the service of Christ, through this Church.

3.2 Where two or more Uniting Church congregations are involved on a continuing basis, it is inappropriate for the sharing of property to be based on a rental or tenancy agreement. As all property is resource for mission, it should be shared on the basis of the agreement which will foster the mission and growth of the Church as a whole.

3.3 The wording of the agreement or covenant will vary but the principles are as follows:

3.3.1 Both Uniting Church congregations have a clear priority of use of the property (both church and hall accommodation) before this accommodation could be offered to any outside body.

3.3.2 The needs of each congregation will be given equal attention in decisions relating to the use of property.

3.3.3 Each congregation which uses the property shares in the cost of its maintenance in a responsible way. This might be in proportion to the time usage by the respective Uniting Church in Australia congregations, or it may have some relation to the size of the respective groups or nature of usage. A mutually agreed basis of sharing the costs of repairs, maintenance, and service charges is to be determined.

3.3.4 Where two or more congregations share property (and have separate Church Councils) there will be joint meetings of the Councils. (Or fair representation of each congregation) when property decisions are to be taken.

3.3.5 Where there is sharing of property by two or more congregations a Property Sub-Committee is formed, a joint committee comprised of representatives of each congregation. The make up of that membership would normally be in proportion to the number of active members of each congregation, or in some other proportion as agreed by the Presbytery/Presbyteries.

4. Purchase or Sale of Property

4.1 The purchase or sale of property must be in accordance with the regulations of the Uniting Church and the procedures as directed through the Synod Property Board.

4.2 All purchases and sales of property by the Uniting Church must legally be made in the name and identity of the Property Trust of the Synod.

4.3 Where a congregation receives a request to lease or sell a property to a church group that is not a part of the Uniting Church in Australia, the congregation must seek permission of the presbytery and Synod Property Board in the usual manner. The Board will be required to make every endeavour to ensure that the property is not needed by any other UCA congregation before taking a final decision. This might be achieved through talking to Synod Multicultural Committees (in synods where one exists) or any related ethnic community etc

5. Conclusion

All our church property belongs to God and we are stewards of it. Property is a resource for the ministry and mission of the whole people of God. This means equality and partnership in the way we share the resources God has given us. The implementation of these Guidelines will require careful consideration by the congregations and presbyteries concerned, and a great deal of patience and charity on the part of everyone. The challenges also represent exciting opportunities for cross-cultural learning and sharing as we open ourselves to receive the transforming gift of hospitality from one another.

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