

Business and Property Committee - Terms of Reference¹

Updated August 2015 - Approved by Standing Committee 25th August 2015

MANDATE

To advise and assist Church Councils in understanding legal and Uniting Church requirements in relation to administration of their properties and finances.

To encourage Congregations to maximise the use of their property and financial resources for the purposes of ministry.

To protect and preserve our valuable properties for the future ministry of the Church.

The Committee vests their trust and blessing to a Church Council's Property Committee and their role in the management and administration of property under their beneficial stewardship². For Presbytery property, this Committee assumes the role of the Property Committee.

NOTIFICATIONS

Purchases, sales, building renovations and repairs are to be referred to the Business and Property Committee under the following criteria:

Item	Criteria – Dollars or others
Sale and Purchase applications of property	None – All applications to be presented
Capital Improvements	None – All applications to be presented
Repairs	Forecasted costs above \$25,000 to be presented OR If below \$25 000 but equal to 10% or more of the total yearly budgeted income.
Leases and Licenses	None – All applications to be presented
User Agreements	All uses of UCA church buildings by another church group or denomination need to be presented; Other uses above the value of \$10 000 p.a need to be presented.

¹ See The Uniting Church in Australia – Regulations 4.3.1

² The Uniting Church in Australia – Regulations 4.4.1

DELEGATIONS

Delegations to this Committee from the Synod allow for the authority to:

1. Purchase or sell property to the value of \$1m;
2. Approve building projects forecasted not to exceed \$1m; and
3. Approve, vary or surrender a lease where the terms (including any options for renewal) do not exceed three (3) years; and no more than \$500,000.

These delegations do not approve the use of sales proceeds, a loan or a grant application in conjunction with any of the above proposals. These applications are outside the authority of this Committee, and require a separate application process, yet assistance to achieve these outcomes will be undertaken if required.

RESPONSIBILITIES

The Committee, subject to any relevant by-laws and directions of the Presbytery, shall:

- advise Church Councils and other bodies within the bounds of the Presbytery with respect to finance and property matters for which they are responsible;
- receive and consider applications from Church Councils and other bodies within the bounds of the Presbytery with respect to finance and property matters as provided by these guidelines having regard to:
 - the mission of the Church within the bounds of the Presbytery
 - the policies of the Synod and the Presbytery
 - financial feasibility in areas of church income/ expenditure/ property
 - any other relevant matters.
- submit proposals from any Church Council or other body within the bounds of the Presbytery to the Synod Property Board with recommendations for final decision;
- initiate proposals in regard to property matters within the bounds of the Presbytery;
- Adhere to the directions of the Regulation 4.4.3 & 4³ in relation to the Management of Presbytery Properties to ensure properties are maintained in good and safe condition;
- Responsible for administering and allocating any financial development funds which may exist across the Presbytery;
- Evaluate ways and proposals to fund the missional priorities of the Presbytery; and
- Make a written report to Presbytery meetings from the Committee Chair.

³ Reference as above - The Uniting Church in Australia – Regulations

APPOINTMENT

- Membership with appropriate gifts and skills shall be appointment by the Presbytery on a three (3) year rotational basis, with a maximum of a nine (9) year term;
- More than half of the Committee shall be members of the Presbytery;
- Appointed members of the Committee shall retain membership for a maximum of nine (9) consecutive years;
- The Presbytery Chairperson, Presbytery Treasurer and Presbytery Executive Minister and or their delegate, are ex-officio members of the Committee;
- The Committee is to nominate its own Chairperson annually, to be ratified by the Standing Committee. The Chairperson will be an ex-officio member of Standing Committee.
- The Committee is to comprise no less than five (5) elected members with a maximum of seven (7); (excluding ex-officio member / delegates)
- The Committee may invite additional members where appropriate on the Committee or associated working groups.

These working groups may be given sub-delegated actions or responsibilities to address particular matters. All working groups are to have at least two (2) representatives from the main committee within the working group;

- An approved terms of reference by this Committee shall be formed for all working groups, outlining key components such as timeframe, delegations, reporting lines and scope;
- Presbytery Standing Committee has the right to remove a member of a Committee at any time.

MEETINGS

- To be held no less than quarterly;
- Additional meetings may be convened by the Committee Chair according to need or if requested by two Committee members or the Chairperson of Presbytery;
- Only Presbytery appointed members and the Presbytery Chairperson may vote;
- Quorum shall be half of the elected members;
- Minutes to be presented to the next Presbytery Standing Committee after the Committee meeting;
- Minutes to be available, on request to any member of Presbytery – subject to observance of any privacy or commercial interests.

PROCESS FOR REVIEW

- The Committee's Terms of Reference to be reviewed every five (5) years by the Committee and then submitted to Presbytery Standing Committee for ratification; and
- Presbytery Standing Committee has the right to amend the Terms of Reference at any time.