

Remit No. 3 - Transfer and Settlement to be Optional

Background:

The 40th General Council (2009) amended the policies related to the transfer and settlement of Candidates for the Order of Ministry, as follows:

- (1) The transfer and settlement process would be retained, but Candidates for the Order of Ministry would no longer be required to agree to transfer and settlement. Instead they would be afforded the same choice that is provided to Pastoral Charges. They could choose either to agree to transfer and settlement, or to seek a call or an appointment. Their decision would have to be made by February 1 of the year in which they were recommended for commissioning or ordination; the choice would be irrevocable for that ensuing year;
- (2) since Candidates would have the option of seeking a call or an appointment, the Transfer Committee would no longer consider “limiting conditions,” although the transfer process would continue to honour the principle of reasonable accommodation, especially, but not exclusively, related to human rights concerns; and
- (3) financial incentives for choosing to agree to transfer and settlement would be established by the Executive of the General Council.

This would entail a change to sections 9.4.1, 9.6.2, and 9.9 of the Basis of Union.

The 40th General Council (2009) authorized this Remit to the Presbyteries to test the will of the Church as to whether Candidates for the Order of Ministry could choose either to agree to transfer and settlement, or to seek a call or an appointment, and whether the Basis of Union should be changed to reflect this policy.

In accordance with paragraph 505(a)vi. of the By-Laws, the 40th General Council (2009) further determined, by more than two-thirds (2/3) of the votes cast, that these changes are to come into effect on July 1, 2010, provided that the Executive of the General Council declares that two-thirds (2/3) of the Presbyteries have given their approval, and pending the final action of the 41st General Council (2012).

The Question:

Does the Presbytery agree that Candidates for the Order of Ministry ought to be able to choose either to agree to transfer and settlement, or to seek a call or an appointment;

And that the Basis of Union should be amended to reflect this policy, as follows:

<u>existing</u>	<u>changes shown</u>	<u>proposed</u>
<p>9.4 There shall be a Settlement Committee for each Conference. On this Committee each Presbytery within the bounds of Conference shall be represented by one member of the Order of Ministry and one lay member appointed by the Presbytery.</p>	<p>9.4 There shall be a Settlement Committee for each Conference. On this Committee each Presbytery within the bounds of Conference shall be represented by one member of the Order of Ministry and one lay member appointed by the Presbytery.</p> <p><u>9.4.1 It shall be the duty of this Committee to consider placing all Candidates for the Order of Ministry who have chosen, by the date during the year in which they are recommended for commissioning or ordination, set by the General Council, to be settled by the process of transfer and settlement.</u></p>	<p>9.4 There shall be a Settlement Committee for each Conference. On this Committee each Presbytery within the bounds of Conference shall be represented by one member of the Order of Ministry and one lay member appointed by the Presbytery.</p> <p>9.4.1 It shall be the duty of this Committee to consider placing all Candidates for the Order of Ministry who have chosen, by the date during the year in which they are recommended for commissioning or ordination, set by the General Council, to be settled by the process of transfer and settlement.</p>

existing (continued)

9.4.1 It shall be the duty of this Committee to consider all applications for settlement from

members of the Order of Ministry

or
from Pastoral Charges, Presbytery Accountable Ministries, or Presbytery Recognized Ministries within the bounds of the Conference

which are transmitted by Presbyteries. For this purpose the Committee shall meet at least annually.

9.4.2 A member of the Order of Ministry by his or her own action, and a Pastoral Charge through its constitutional

changes shown (continued)

~~9.4.1~~ 9.4.2 It shall also be the duty of this Committee to consider all applications for settlement from:

(1) members of the Order of Ministry;

(2) Candidates for the Order of Ministry who have chosen, by the date during the year in which they are recommended for commissioning or ordination, set by the General Council, to seek a call or an appointment;

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(3) ~~from~~ Pastoral Charges, Presbytery Accountable Ministries, or Presbytery Recognized Ministries within the bounds of the Conference;

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9.4.3 A member of the Order of Ministry by his or her own action, and a Pastoral Charge through its constitutional

existing (continued)

representatives, may seek a change of pastoral relation by means of an application in writing to the Presbytery. If the Presbytery acts to declare a vacancy based on such a request, this will be reported promptly to the Settlement Committee.

9.4.3 While settlements shall ordinarily be made at the annual meeting, the Settlement Committee shall have authority, through its Executive, to effect settlements during the Pastoral Year.

9.5 A member of the Order of Ministry, a Pastoral Charge at a meeting properly called to consider the Pastoral Relationship, any other Presbytery Accountable Ministry, or any other Presbytery Recognized Ministry may decide to apply through the Presbytery to be settled by the Settlement Committee. All such applications shall be in writing.

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existing (continued)

9.6 A member of the Order of Ministry shall have the right to appear before the Settlement Committee to represent their case in regard to their request for settlement. A Pastoral Charge, or Official Board when authorized by the Pastoral Charge, may appoint no more than two persons, who are members in good standing of that Pastoral Charge, to represent it before the Settlement Committee regarding a request for settlement. Such representatives shall be authorized at a meeting properly called to consider the pastoral relationship and such authorization shall be in writing. Any other Presbytery Accountable Ministry or Presbytery Recognized Ministry may appoint in writing no more than two persons to represent it before the Settlement Committee regarding a request for settlement.

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existing (continued)

- 9.6.1 A Pastoral Charge, where a vacancy has been declared by Presbytery, may extend a call to a member of the Order of Ministry who is eligible for call, but the right of settlement shall rest with the Settlement Committee, which shall report to the Conference for information only.
- 9.6.2 While the right of settlement shall rest with the Settlement Committee, it shall comply as far as possible with the expressed wishes of members of the Order of Ministry and of Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries.

changes shown (continued)

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 - (2) Candidates for the Order of Ministry who have chosen, by the date during the year in which they are recommended for commissioning or ordination, set by the General Council, to seek

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existing (continued)changes shown (continued)proposed (continued)

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9.7 When a Pastoral Charge, with a vacancy declared by Presbytery, fails to extend a call by the end of the Pastoral Year (June 30th), the Settlement Committee may make the settlement.

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9.7.1 The Settlement Committee shall have authority to initiate communications with members of the Order of Ministry and with Pastoral Charges, other Presbytery Accountable Ministries, and other Presbytery Recognized Ministries, in order to effect settlements.

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Charge, Presbytery Accountable Ministry, or Presbytery Recognized Ministry may place another name before the Settlement Committee.

- 9.8 There shall be a Transfer Committee on which each Conference shall be represented.
- 9.8.1 The Transfer Committee shall have authority to transfer members of the Order of Ministry and Candidates for the Order of Ministry from one Conference to another, according to the Basis of Union.
- 9.9 The Transfer Committee shall have authority to transfer Candidates for the Order of Ministry recommended for ordination or commissioning

changes shown (continued)

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existing (continued)

to the Conference where, in the judgement of the Transfer Committee, their skills and gifts best match the needs and gifts of Presbytery Accountable Ministries.

This authority of the Transfer Committee will not apply to:

- (1) Diaconal Ministers who having served five years in full-time ministry are recommended for ordination; or
- (2) Ordained Ministers who having served five years in full-time ministry are recommended for commissioning.

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