

INSTITUTIONAL CHAPLAINS' PRESBYTERY CERTIFICATE WHERE THEY RESIDE

(A&P 2017, p. 280, 15)

The Declaratory Act (A&P 1988, p. 394) reads as follows:

That the General Assembly adopt a Declaratory Act that presbyteries are required to have the approval of the Board of Ministry's Institutional Chaplaincy Committee before placing the name of an Institutional Chaplain on the constituent roll of presbytery (Book of Forms section 176.1.7), and furthermore, that the presbytery on whose roll the chaplain is placed is determined by the bounds in which the chaplain serves rather than the bounds wherein the chaplain may reside (Book of Forms section 250.1).

The second half of this Declaratory Act, "and furthermore, that the presbytery on whose roll the chaplain is placed is determined by the bounds in which the chaplain serves rather than the bounds wherein the chaplain may reside" makes it clear institutional chaplains are to be cared for by, and accountable to, the presbytery within which they work. They are dealt with like congregational ministers, rather than ministers in every other kind of employment listed in the subsections of 176.1.

The overture asks that Book of Forms section 176.1 be revised to allow ordained ministers serving as institutional chaplains to be treated in the same manner as all other ordained ministers who serve in agencies not directly responsible to The Presbyterian Church in Canada. The Clerks of Assembly think the overture makes a valid and reasonable request. Ministers serving in pastoral charges need to be accountable to the presbytery that is responsible for the care and good order of the pastoral charges in which they serve. In these cases the presbytery directly oversees the execution of the minister's work and as well the conduct of the individual as a minister of the gospel. Presbyteries do not have the same level of oversight for the execution of a minister's work in non-congregational settings while still maintaining oversight related to the individual's conduct of the minister. Institutional chaplains are directly responsible to the institutions they serve for the performance of their work while remaining under the care and authority of a presbytery. It seems reasonable that the presbytery exercising this care and authority could well be the one in which the minister resides.

The Clerks are of the opinion that section 176.1.7 does not need to be amended in order to bring about this change since instructions for where the presbytery certificates of institutional chaplains are lodged is expressed in a Declaratory Act related to the section and not in legislation itself. Therefore a proposal to rescind Declaratory Act (A&P 1988, p. 394) is placed before this Assembly. A notation that the Declaratory Act has been rescinded will be referenced so the original decision is not lost.

A new Declaratory Act will make it clear that the presbytery certificate for institutional chaplains will be lodged with the presbytery within which they reside. The Declaratory Act could read as follows:

Institutional chaplains will have their presbytery certificate lodged with the presbytery in which they reside.

Institutional chaplains currently on the roll of a presbytery in which they work will have the option of remaining under the care of that presbytery.

The legislation in section 176.1.7 remains unchanged. The other Declaratory Acts attached to section 176.1.7 refer to matters unrelated to this overture and will remain in place.

Recommendation No. 7 (adopted, p. 15)

That the 1988 Declaratory Act re institutional chaplains be rescinded. (A&P 1988, p. 394)

Recommendation No. 8 (adopted, p. 15)

That the following Declaratory Act be adopted:

Institutional chaplains shall have their presbytery certificate lodged with the presbytery in which they reside.

Recommendation No. 9 (adopted, p. 15)

That the prayer of Overture No. 5, 2017 be granted in terms of the new Declaratory Act re institutional chaplains.