PROPERTY SALE PROCEEDS POLICY
(BY-LAW 18.5 – SCHEDULE 1)

A. Preliminaries

This Policy shall be read in conjunction with By-law 18.5 "Use and Sale of Property". The objects and definitions in the By-law also apply in this Policy.

B. Decision making

In using its discretion, the Resources Board shall endeavour to achieve the objects of the By-law. It shall balance the needs of individual Congregations and Responsible Bodies with those of the wider Church.

In considering each Property Proposal, the Resources Board shall consider the extent to which the associated Mission Plan will assist in achieving the purposes of that Congregation and of the whole Church, the sustainability of the Mission Plan and whether classification as available for Alternative Missional Use may be applicable.

In considering a request for an extension of time it shall consider the degree of isolation, size and capacity of the Congregation involved.

C. Charges relating to a sale

The fee payable to the Synod for the services of staff directly involved in the property sales process for any property held in the name of the Property Trust shall be 1.5% of the gross property settlement amount with a minimum fee of $500 and a maximum fee of $20,000. The minimum and maximum fee amounts shall be indexed in the same manner as boundary values.

D. Indexing Boundary Values

Unless required by the provisions of the By-law, the Resources Board shall determine which boundary values shall be indexed. All such indexation shall be based on the Consumer Price Index for all groups for Adelaide.

E. Procedures

The Resources Board shall determine the details of the procedures to be used in implementing the By-law, including the design and provision of any forms which it may require to be used.

In determining such procedures, the Resources Board shall take into account any recommendations of the General Secretary (or delegate).

F. Distribution of wider church share of Net Sales Proceeds

		Distribution Beneficiaries					
Category of Sale	Tiering if applicable % available to the wider church for each tier	Funds available to Congregation	New Church & Ministry Development Fund*	Funds available to the Uniting Foundation	UAICC Capital Fund	Property Compliance & Consultation Fund	TOTAL
Unsafe building not replaced		0%	50%	15%	10%	25%	100%
Congregation closed (to follow Managing Properties Transferred to Synod Framework)		0%	85%, with up to 10% (max $10k) able to be directed by remnant Congregation members, in consultation with presbytery****)	0%	5%	10%	100%
Under-utilisation of property as per Regulation 4.11.10		0%	70%	15%	10%	5%	100%
Amalgamation** of two or more congregations (and resulting property sales)	Tier 1 (15% share)	85%	5%	0%	5%	5%	100%
	Tier 2 (30% share)	70%	15%	0%	10%	5%	100%
	Tier 3 (50% share)	50%	35%	0%	10%	5%	100%
Sale of property (including a manse not to be replaced, and leasing lump sum payments***) determined by the congregation to be surplus	Tier 1 (15% share)	85%	5%	0%	5%	5%	100%
	Tier 2 (30% share)	70%	15%	0%	10%	5%	100%
	Tier 3 (50% share)	50%	35%	0%	10%	5%	100%
Sale of investment property		100%	0%	0%	0%	0%	100%
Sale of manse or church building to be replaced		100%	0%	0%	0%	0%	100%
Sale of manse to invest proceeds in the Manse Reinvestment Scheme*****		100%	0%	0%	0%	0%	100%

**With respect to the Synod Strategic Map, the Resources Board may exercise its discretion to allocate a portion of sale proceeds otherwise to be distributed to the New Church and Ministry Development Fund to assist a congregation address extreme and high-risk matters, where the Congregation's financial resources are insufficient. Any allocation made on this basis shall be utilised (used or committed) within 12 months, or otherwise forwarded to the New Church and Ministry Development Fund.*

** Amalgamation means, unless otherwise agreed by the Resources Board:

a. When two or more congregations come together to form a stronger or more solid entity and where the Presbytery "*considers that it is in the best interests of the mission, witness and service of the Church*" (Reg 3.4.4); and
a. All amalgamating congregations must each be meeting the requirements of a 'congregation' prior to amalgamating to be eligible for this category (as per the Stewarding Congregation Property By-Law 18.7). If one or more of the amalgamating congregations does not meet these requirements, then the 'Closing Congregation' category of sale may be applicable; and
b. A substantial majority of the amalgamating congregations' members transfer to the amalgamated (new) congregation; and
c. A new church council is elected, and a fresh mission and vision statement prepared, with a growth (strengthening mission) focus. At least one Responsible Body involved in the amalgamation will cease to exist (and finalise entity registration arrangements e.g. ACNC, GST etc). Normally the Presbytery will cease to recognise the Congregations Amalgamating to form a new amalgamated Congregation. In every case, the Congregations involved in the amalgamation will no longer exist in their current form and that decisions made in relation to the amalgamation are binding; and
d. The elected church (or Parish Mission) council with oversight of the newly amalgamated congregation implements a new or renewed mission and vision statement with a growth (strengthening mission, witness and service) focus; and
e. The Resources Board, following consultation with the Presbytery(s) (as the Presbytery seeks to make proper arrangements regarding property affected), and normally prior to any amalgamation, shall determine the allocation of Beneficial Use of any property (UCA Regulation 4.1) affected by the amalgamation. These determinations should be incorporated in a Memorandum of Understanding between the Synod, Presbytery and the amalgamating Congregation.

*** where there is a leasing lump sum payment that is equal to or greater than 5 times the average annual rental the whole lump sum should be categorised as 'property sales' under the Property Sales Proceeds Policy and any other payments made under the lease will continue to be covered by existing policies

**** a closing congregation may, in consultation with their Presbytery, direct 10% of any net sales proceeds arising (to a maximum of $10,000) to:

a. The destination congregation(s) which a large remnant of the closing congregation members has joined
b. An agreed project or the presbytery of the closing congregation for mission purposes

***** the Manse Reinvestment Scheme contains 3 investment options, including Conservative, Growth, and the Virtual Manse Investment Option

G. Delegations

Pursuant to provision G1 of the By-law, the Resources Board delegates its authority as follows:

(1) The Resources Board delegates its authority to initiate the sale of property to the Synod Property Committee. (*By-law 18.5 D1*)

(2) The Resources Board delegates its authority to consider and make decisions in response to a Property Proposal to sell property to the Synod's Manager, Property and Projects in respect to all property with a capital value of $150,000 or less, provided that the Property Proposal has been endorsed by the General Secretary (or delegate). (*By-law 18.5 E1*)

(3) The Resources Board delegates its authority to consider and make decisions in response to a Property Proposal to sell property to the Synod Property Committee in respect to all property with a capital value of $3.5 million or less, in consultation with the General Secretary (or delegate). *(By-law 18.5 E1*)

(4) The Resources Board delegates its authority to approve the release of funds allocated for local use from the Property Sales Accounts for approved Property Proposals to the Synod's Manager, Property and Projects for amounts not exceeding $20,000. (*By-law 18.5* E1 and F6)

(5) The Resources Board delegates its authority to approve the release of funds allocated for local use from the Property Sales Accounts for approved Property Proposals for Property Purchases, Capital Expenditure and Major Equipment for amounts not exceeding $250,000 to the Executive Officer, Resources (or delegate). (*By-law 18.5 E1 and F6*)

(6) The Resources Board delegates its authority to approve the release of funds allocated for local use from the Property Sales Accounts for approved local missional initiatives or for giving to approved New Church & Ministry Development projects for amounts not exceeding $75,000 to the General Secretary (or delegate). (*By-law 18.5* E1 and F6)

(7) The Resources Board delegates its authority for the apportionment of funding for compliance and staff costs to the General Manager, Operations and Services. This apportioning will be done annually and be based on the actual time taken for implementation of the Property By-law and related policies during the previous financial year. The use of funds to meet statutory compliance requirements will be managed through Synod's Property Services office.

Approved by the Annual Meeting of the Presbytery and Synod, 30 October 2015
Commencement: 1 July 2016

Approved updates to Synod Strategic Map references on 25 September 2025