

## 12.2 BESWAARSKRIFTE

### 12.2 PETITIONS OF PROTEST

#### 12.2.1 RAPPORT DEPUTATE BEOORDELING ONTVANKLIKHEID VAN BESWAARSKRIFTE (Art 24)

#### 12.2.1 REPORT DEPUTIES ADJUDICATION OF ADMISSABILITY OF PETITIONS OF PROTEST (Art 24)

- A. Ds ASA de Bruyn stel die Rapport.  
Rev. ASA de Bruyn tables the Report.
- B. Die Rapport word staande die Sinode afgehandel.  
The Report is concluded while the Synod is in session.

#### C. RAPPORT / REPORT

<p><b>1. Werkswyse</b> Die kriteria vir die beoordeling vir die Ontvanklikheid van Beswaarskrifte word gevind in die KO boekie, Febr 2015, p58-59 (p58:3.1, a-e) wat soos volg lui:</p> <ol style="list-style-type: none"><li>1. 'n Gravamen word gerig tot die vergadering wat die betrokke besluit geneem het waarteen beswaar gemaak word.</li><li>2. Dit moet betyds vir opname in die Agenda van die betrokke vergadering ingedien word.</li><li>3. Die besluit waarteen die beswaar ingedien word, moet duidelik woordeliks aangegee word.</li><li>4. Die gronde waarop die beswaar steun, moet ook duidelik aangegee word.</li><li>5. 'n Beswaarskrif oor 'n bepaalde besluit mag nie meer as een keer ingedien word nie, tensy die beswaarde met gewigtige redes aantoon waarom nie berus kan word nie.</li></ol> <p><b>Besluit: Kennis geneem.</b></p> <p><b>2. Beswaarskrifte en beoordeling daarvan</b></p> <p>2.1 <i>Beswaarskrif (KO, artt 31 en 46) – Dr HF van Wyk teen die woord “Inkompleet” – besluit van Sinode 1961 (20.3)</i></p> <p>2.1.1 <u>Beoordeling</u> Die Beswaarskrif voldoen aan al die kriteria van ontvanklikheid.</p> <p><b>Besluit: Kennis geneem.</b></p> <p>2.1.2 <u>Aanbeveling</u> Die Beswaarskrif word ontvanklik verklaar.</p> <p><b>Besluit: Goedgekeur.</b></p>	<p><b>1. Procedure</b> The criteria for the evaluation of Gravamina is found in the CO book, Feb 2015, p64 (p64:2.1, 2.1.1-2.1.5) which reads as follows:</p> <ol style="list-style-type: none"><li>1. A Gravamen must be addressed to the assembly that has decided on something against which objection is filed.</li><li>2. It must be handed in in-time for inclusion in the specific meeting's Agenda.</li><li>3. The decision against which objection is filed must be reflected clearly in verbatim presentation.</li><li>4. The fundamental reasons for the objection must be stated clearly.</li><li>5. A Petition of Protest pertaining to a particular decision may not be submitted more than once, except if the person who harbours the objection would present solemn and very important reasons for failing to come to terms with the decision.</li></ol> <p><b>Decision: Noted.</b></p> <p><b>2. Gravamina and adjudication of review</b></p> <p>2.1 <i>Gravamen (CO, arts 31 and 46) – Dr HF van Wyk against the word “inkompleet” – decision of Synod 1961 (20.3)</i></p> <p>2.1.1 <u>Adjudication</u> The Gravamen conforms to the criteria for admissability.</p> <p><b>Decision: Noted.</b></p> <p>2.1.2 <u>Proposal</u> The Gravamen is found to be admissible.</p> <p><b>Decision: Approved.</b></p>
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<p>2.2 <i>Beswaarskrif (KO, artt 31 en 46) – Klassis Kwazulu-Natal Suid teen die besluit van Algemene Sinode 2018 rakende die prosedure ingevolge Kerkorde, artikel 8 (24.7)</i></p> <p>2.2.1 <u>Beoordeling</u></p> <p>2.2.1.1 Daar word voldoen aan kriteria 1-4 vir die beoordeling van die ontvanklikheid van Beswaarskrifte.</p> <p><b>Besluit: Kennis geneem.</b></p> <p>2.2.1.2 Wat betref kriteria pt 5 beveel die Kommissie die volgende werkswyse aan:</p> <p>2.2.1.2.1 Die Beswaarskrif word beoordeel.</p> <p>2.2.1.2.2 Tydens die beoordeling moet die noodsaak (KO, art 46) (gewichtige redes) getoets word en 'n finale aanbeveling daarvoor gemaak word.</p> <p><u>Motivering</u></p> <p>Die Deputate wat die ontvanklikheid van die Beswaarskrif moes beoordeel, word gekonfronteer met die probleem in die lig van KO, art 46 dat ten einde te bepaal of die beswaar teen die bepalings van art 46 indruis, moet die Deputate die meriete van die gronde van die Beswaar beoordeel.</p> <p>Die inhoudelike van die saak blyk reeds hanteer te wees. Maar om te bepaal of die gronde wat aangevoer word nuut is, moet dit geweeg word.</p>	<p>2.2 <i>Gravamen (CO, arts 31 and 46) – Classis Kwazulu-Natal South against the decision of General Synod 2018 regarding the procedure in terms of Church Order, art 8 (24.7)</i></p> <p>2.2.1 <u>Adjudication</u></p> <p>2.2.1.1 The Gravamen conforms to criteria 1-4 for the adjudication of admissability of Gravamina.</p> <p><b>Decision: Noted.</b></p> <p>2.2.1.2 As far as criteria pt 5 the Commission proposes the following approach:</p> <p>2.2.1.2.1 The Gravamen is weighed.</p> <p>2.2.1.2.2 During the adjudication the need (CO, art 46) (valid and concrete reasons) must be tested and a final decision must be made.</p> <p><u>Motivation</u></p> <p>The Deputies that adjudicated the admissability of the Gravamen, are confronted with the problem in the light of CO, art 46, that in order to determine if the Gravamen are against the principles of art 46, the Deputies have to weigh the merits of the grounds of the Gravamen.</p> <p>The substance of the matter seems to have already been dealt with. But to determine whether the appeal grounds are new, they must be weighed.</p>
<p><b>Besluit: Goedgekeur.</b></p> <p>2.3 <i>Beswaarskrif (KO, artt 31 en 46) – Streeksinode Pretoria teen Kerkgroei-bediening en sustentasie (27.8)</i></p> <p>2.3.1 <u>Beoordeling</u></p> <p>Die Beswaarskrif voldoen aan al die kriteria van ontvanklikheid.</p> <p><b>Besluit: Kennis geneem.</b></p> <p>2.3.2 <u>Aanbeveling</u></p> <p>Die Beswaarskrif word ontvanklik verklaar.</p> <p><b>Besluit: Goedgekeur.</b></p>	<p><b>Decision: Approved.</b></p> <p>2.3 <i>Gravamen (CO, arts 31 and 46) – Regional Synod Pretoria against Church Growth and Sustentation (27.8)</i></p> <p>2.3.1 <u>Adjudication</u></p> <p>The Gravamen conforms to the criteria for admissability.</p> <p><b>Decision: Noted.</b></p> <p>2.3.2 <u>Proposal</u></p> <p>The Gravamen is found to be admissable.</p> <p><b>Decision: Approved.</b></p>