

## **20.10 POINT OF DISCUSSION : REGIONAL SYNOD NORTH WEST REGARDING NAME CHANGES OF THE GKSA TO GEREFORMEERDE KERKE IN SUIDER-AFRIKA (Artt 50, 204)**

- A. Rev PA Coetzee states the Point of Description.
- B. **Decision:** The Point of Description is referred to the Commission for Church Matters: Historical and Church Polity – with inclusion of the registration of the name of the church as trade mark.
- C. Dr WC Opperman reports on behalf of the Commission for Church Matters: Historical and Church Polity.

### **D. POINT OF DESCRIPTION**

Regional Synod Northwest requests the General synod of the Gereformeerde Kerke in Suid-Afrika to change the name of the Churches to Gereformeerde Kerke in Suider-Afrika.

#### **1. Motivation**

- 1.1 The Gereformeerde Kerke is not restricted to South-Africa alone, but falls in the boundaries of five countries in South-Africa namely: South-Africa, Botswana, Namibia, Zimbabwe and Zambia.
- 1.2 A name change will contribute to the more favourable consideration of work permits for ministers who are called to countries outside of South-Africa.
- 1.3 There is no legal implication in the name change of the GKSA to the Gereformeerde Kerke in Suider-Afrika, since the name is a description of Churches in communion with each other and does not denote or appoint a legal person. This point of view is completely in agreement with the advice of the legal deputies of the GKSA.

#### **2. Implication of name change**

- 2.1 If the General synod accepts the point of description, the decision of Synod 1985:477, 4.3 regarding the name of the churches, no longer applicable. The logo of the churchly stamp of the GKSA will be changed accordingly. We foresee no problems in this regard, since the name of the churches in 1985 was changed from Gereformeerde Kerk in Suid-Afrika to Gereformeerde Kerke in Suid-Afrika. The logo was also changed on the church stamp of the front page of Acta 1985. (Acta 1967:158-159 and Acta 1970:105).
- 2.2 The curators of the Theological School must be authorised to enter into negotiations with the NWU in order to amend the agreement between the NWU and the Gereformeerde Kerke in Suider-Afrika in order to replace "Gereformeerde Kerke in Suid-Afrika" with "Gereformeerde Kerke in Suider-Afrika."
- 2.3 Since the Administrative Buro of the GKSA is the legal person of the GKSA, The Rules of Procedure of the Administrative Buro of the GKSA should be amended accordingly.
- 2.4 Churches should be informed of the decision by the Administrative Buro as soon as possible, as well as with a notification in Die Kerkblad.

### **E. REPORT OF THE COMMISSION**

#### **1. Argumentation**

- 1.1 Motivation of the Regional Synod North West is convincing in that the GKSA do not have congregations in South Africa only.

- 1.2 It has been stated that the name "Southern Africa" would contribute towards more favourable consideration of permits for work. It is, however, not clear in which regard this may have advantages.
- 1.3 It has been stated that a change of name would have no legal implications for the GKSA.
- 1.4 It is, however, not clear from the point of discussion whether all the consequences of a change of name had been investigated adequately:
  - 1.4.1 The GKSA have relations with other Reformed Churches in Southern Africa (e.g. in Botswana). Should the name be changed to "Southern Africa" it would, by implication include these churches, *i.e.* churches that at present only have ecumenical relations with the GKSA.
  - 1.4.2 The question is also whether our Synod may decide on such a change of name on behalf of Reformed Churches of other countries, apart from Namibia and SA (Botswana, Zimbabwe, and Zambia). Would the more correct thing to do not be first to make certain of the points of view of those countries?
  - 1.4.3 Only a few legal implications accompanying a change of name have been mentioned in the point of discussion while there might still be others, e.g. alteration of deeds of transfer, regulations, intellectual proprietary right as has been done by the Admin Bureau as legal person of the GKSA.
  - 1.4.4 What has not been accounted for are aspects such as expenses incurred for the above mentioned, and also for new logos and letter-heads, as well as the effect that a change of name may have on sponsors or donors.
  - 1.4.5 There is also uncertainty as to the emotional impact a change of name may have on church members and others.

**Decision: Points 1.1 to 1.4.5 noted.**

## **2. Recommendation**

That the point of discussion is not given consequence to.

**Decision: Approved.**