

**THE CONSTITUTION  
OF  
METROPOLITAN  
BIBLE BAPTIST CHURCH**

# THE CHURCH CONSTITUTION

## ARTICLE I – NAME OF ASSOCIATION

### SECTION 1 – NAME OF CHURCH

- A. The name of this church shall be the **Metropolitan Bible Baptist Church, Inc.**
- B. **METROPOLITAN BIBLE BAPTIST CHURCH Inc** is, and shall continue to be, an independent, autonomous, local, New Testament, Baptist church.

## ARTICLE II – DEFINITION

### SECTION 1 – DEFINITION OF TERMS

- A. The term *Church* or *church* refers to Metropolitan Bible Baptist Church Inc. unless otherwise provided by its context.
- B. The term *Association* refers to Metropolitan Bible Baptist Church Inc. unless otherwise provided by its context.
- C. A *born-again Christian* or a *believer in Christ* is one who confesses and believes the Lord Jesus Christ as his Saviour and Lord
- D. The term *Rules* or *rules* refer to this Constitution.

## ARTICLE III – OBJECTS OF ASSOCIATION

### SECTION 1 – PURPOSES

- A. The purposes of this Church shall be:
  - (1) To preach the Gospel of the Lord Jesus Christ unto the salvation of the lost.
  - (2) To scripturally baptise those who believe on the Lord Jesus Christ into the membership of the Church.
  - (3) To teach and instruct such believers the Word of God for the development in them of a consistent Christian character.
  - (4) To publicly worship the Almighty God.
  - (5) To promote missionary enterprise at home and abroad.
  - (6) To use the Word of God – the Authorised King James Version of 1611 A.D. as the only final authority and textbook in all teaching, preaching, and practice of the Church.

- (7) To provide for the needs of those in the congregation spiritually, physically, and educationally, and to care voluntarily for the needy in the local Church area as long as the Church's resources do warrant.
- B. The property and income of the Church shall be applied solely towards the promotion of the objects of the Church and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

## **ARTICLE IV – POWERS OF ASSOCIATION**

### **SECTION 1 – POWERS OF THE CHURCH**

- A. The powers conferred on the Church are the same as those conferred by section 13 of the Act, so that subject to the Act and any additions, exclusions or modifications inserted below, the Church may do all things necessary or convenient for carrying out its objects and purposes, and in particular, may -
  - (1) acquire, hold, deal with, and dispose of any real or personal property;
  - (2) open and operate bank accounts;
  - (3) invest its money -
    - (a) in any security in which trust monies may lawfully be invested;  
or
    - (b) in any other manner authorised by the rules of the Church;
  - (4) borrow money upon such terms and conditions as the Church thinks fit;
  - (5) give such security for the discharge of liabilities incurred by the Church as the Church thinks fit;
  - (6) appoint agents to transact any business of the Church on its behalf;
  - (7) enter into any other contract it considers necessary or desirable;  
and
  - (8) may act as trustee and accept and hold real and personal property upon trust, but does not have power to do any act or thing as a trustee that, if done otherwise than as a trustee, would contravene this Act or the rules of the Church.

## **ARTICLE V – QUALIFICATIONS FOR MEMBERSHIP OF ASSOCIATION**

### **SECTION 1 – MEMBERSHIP REQUIREMENTS**

- A. The membership of this Church shall be open to all who are Scripturally baptised believers in the Lord Jesus Christ, who take the Word of God as

their rule of faith and who willingly agree both in letter and in spirit to be governed by this CONSTITUTION.

- B. Any person who is not a born-again Christian but wishes to become a member of the church must -
  - (1) confess and believe the Lord Jesus Christ as his Saviour and Lord and Scripturally baptised in water,
  - (2) recommended by the Pastor for membership of the Church, and
  - (3) approved by at least two-thirds majority votes of the members of the Church in a general church meeting or service.
- C. Any person who fails to qualify in accordance to the provision under Article V, Section 1B, shall not be eligible for membership of the Church.

## **SECTION 2 – STATUS OF MEMBERS**

- A. Members of this Church shall be considered as either “active”, “inactive”, or excluded” members.

## **SECTION 3 – RECEPTION OF MEMBERS**

- A. Members may be received into this Church upon presenting themselves to the Church in one of three ways:

### **(1) By Baptism**

- (a) Any person professing saving faith in the Lord Jesus Christ may, upon the vote of the Church, be baptised and entered into its Membership.

### **(2) By Letter**

- (a) Any person who is a member of good standing from an independent Baptist church that uses the King James Bible, and of like faith and practice, may, upon the vote of the Church, be received into Membership following receipt of a Letter of Recommendation and Transfer from his or her church.
- (b) In the event the Letter of Recommendation is not available on grounds of church discipline imposed against the applicant, or for causes that are beyond the applicant's ability to produce, the applicant shall undergo a period of probation of at least one year of faithful church attendance, or at the discretion of the Pastor.
- (c) Any Christian believer who seeks Membership with the Church, whose affiliation is with some other non-Baptist organisation, or who have not been Scripturally baptised by a Baptist church, cannot be received in this manner, but must be baptised in accordance to Section 3(1)(a), Article IV.

### **(3) By Restoration**

- (a) An Excluded Member (under discipline) may be restored to active Membership by the vote of the Church upon his/her public confession that he/she has sinned against God and the Church, and the Church has expressly forgiven him/her.
- (b) If a former active member who has been fallen into a non-active roll by missing four consecutive weeks of attending church services wishes to become active again he shall have to prove himself worthy by once again attending four consecutive weeks in church services before he is automatically considered an active member.

## **ARTICLE VI – REGISTER OF MEMBERS OF ASSOCIATION**

### **SECTION 1 – ASSOCIATION SECRETARY**

- A. The Secretary, on behalf of the Church, must comply with section 27 of the Act by keeping and maintaining in an up to date condition a register of the members of the Church and their postal or residential addresses and, upon the request of a member of the Church, shall make the register available for the inspection of the member and the member may make a copy of or take an extract from the register but shall have no right to remove the register for that purpose.
- B. The register must be so kept and maintained at the Secretary's place of residence, or at such other place as the members at a general meeting decide.
- C. The Secretary must cause the name of a person who dies or who ceases to be a member under Article VIII to be deleted from the register of members referred to in Section 1 hereof.

## **ARTICLE VII – SUBSCRIPTIONS OF MEMBERS OF ASSOCIATION**

### **SECTION 1 – SUBSCRIPTIONS AND FINANCES**

- A. This Church shall not issue any subscriptions to its members or collect any amount or money from its members.
- B. The Church shall be supported financially in all its endeavours by its members voluntarily through tithes, freewill offerings, and gifts.
- C. Notwithstanding a moral obligation upon each Member to support the Church financially as expressed in the CHURCH COVENANT, no person may be legally bound or pledged to such support; neither shall this Church be legally bound in any way by its receiving of financial support in the manner described above.

## **ARTICLE VIII – TERMINATION OF MEMBERSHIP OF ASSOCIATION**

### **SECTION 1 – DISMISSAL OF MEMBERS**

A. Members may be dismissed from Membership of this Church in one of three ways:

(1) By Letter

- (a) Letters of Commendation and Transfer, for the purpose of uniting with some other Baptist Church of like faith and practice shall, upon written request from that Church, be granted to members in good standing.
- (b) Letters shall not be granted for individual Members to carry or keep in their possession.
- (c) Letters shall not be granted where the Member concerned is of excluded status.
- (d) Members seeking to unite with some other Baptist Church of like faith and practice, shall be considered to remain as members of this Church until a letter is granted.

(2) By Exclusion

- (a) Members may be excluded from the rights and privileges of Membership following a disciplinary action by the Church.

(3) By Promotion

- (a) Members called home to be with the Lord, cease to be Members of this Church, and shall have recorded against their name in the Membership roll "promoted to glory" with the date.

## **SECTION 5 – INACTIVE MEMBERS**

- A. Any Member who has been absent from normal Church meetings over a period of **six weeks**, unless providentially hindered, shall be placed on "inactive" status.
- B. A Member on Inactive status may regain his or her Active status by attending normal Church meetings consistently for a period of **twelve weeks**.
- C. Inactive members shall automatically lose their rights and privileges as Members of the Church.

## **ARTICLE IX – SUSPENSION OR EXPULSION OF MEMBERS OF ASSOCIATION**

### **SECTION 1 – CHURCH DISCIPLINE**

- A. All Members of the Church shall bind themselves subject to the discipline of the Church and shall conduct themselves in accordance with the CHURCH COVENANT, the ARTICLES of the CONTITUTION, and the STATEMENT OF FAITH of the Church.

- B. Church discipline shall be limited to Church matters as provided for by the documents mentioned in Section 1A, Article IX hereof.
- C. The decision of the Church against an erring member(s) shall be final, executory, and unappealable.

## **SECTION 2 – PROCEDURE**

- A. Church discipline shall not be taken until after all possible steps have been exhausted to secure repentance, forgiveness, or reconciliation.
- B. In an instance where an offence is believed to have been committed, and the offending party is the subject of the discipline of the Church, the persons who are in possession of evidence relevant to the alleged offence must present such evidence in writing to the Pastor for consideration and action.
- C. Upon a recommendation from the Pastor, the Church may vote to exclude a Member from active Membership, upon which that Member shall forfeit all rights and privileges pertaining to Membership.

## **SECTION 3 – PRIVATE OFFENCES**

- A. If a Member of the Church has any cause for complaint of a sufficiently serious nature to justify his complaint, the Church requires that such complaint be given in writing to the Pastor for consideration and action.
- B. No Member shall have the right to accuse another Member in any meeting of the Church unless Section 3A, Article V has been complied with.

## **SECTION 4 – PUBLIC OFFENCES**

- A. When a Member of the Church shall behave in a manner that would likely to cause division in the Church, to impede the progress of the work of the Church, or to bring into disrepute the Name of Christ or the testimony of the Church, such behaviour, if persisted, after due admonition from the Pastor, shall constitute sufficient grounds for the Pastor to bring the person involved before the Church for disciplinary action.
- B. Public offences shall include but not limited to:
  - (1) Unchristian or immoral conduct
  - (2) Holding or teaching false doctrine, whether such teaching is conducted in any Church meetings or in some by-the-way class or fellowship
  - (3) Calling, holding, or participating in secret or unconstitutional meetings with Members of this Church
  - (4) Gossip and an unbridled tongue
  - (5) Active opposition to the policy, leadership, or expressed will of the Church
  - (6) Habitual, continuous, and unjustifiable absence from normal Church meetings for a period of six months
  - (7) Any Member desiring to unite with some non-Baptist “church” or religious organisation shall not be granted a Letter of Commendation and Transfer, but shall be excluded by automatic disciplinary action

## **SECTION 5 – ADVISORY COUNCIL**

- A. In the case of very serious disciplinary matters, the Church may vote to call upon a number of impartial pastors from other Baptist churches of like faith and practice to form an Advisory Council.
- B. An Advisory Council will hear any complaints, defence, and evidence, and then advise the Church as to what action it might well take.
- C. Any Advisory Council shall have no legislative or executive authority, and any advice it grants shall not be binding upon the Church.
- D. In the case where a charge is laid against the Pastor of this Church, the procedure provided for under Section 5, Article V hereof shall be followed.

## **ARTICLE X – COMMITTEE OF MANAGEMENT**

### **SECTION 1 – THE OFFICERS OF THE CHURCH**

- A. Subject to sub-rule Article IX, the affairs of the Church will be managed exclusively by a Committee of Management consisting of-
  - (1) a Pastor;
  - (2) a Deacon;
  - (3) a Secretary;
  - (4) a Treasurer; and
  - (5) not less than three other persons, all of whom must be members of the Church.
- B. Committee members must be elected to membership of the Committee at an annual general meeting or appointed under Article X, Section 1H.
- C. Subject to Article X, Section 1H, a Committee member's term will be from his or her election at an annual general meeting until the election referred to in Article X, Section 1B at the next annual general meeting after his or her election, but he or she is eligible for re-election to membership of the Committee.
- D. Except for nominees under Article X, Section 1G, a person is not eligible for election to membership of the Committee unless a member has nominated him or her for election by delivering notice in writing of that nomination, signed by-
  - (1) the nominator; and
  - (2) the nominee to signify his or her willingness to stand for election, to the Secretary not less than 7 days before the day on which the annual general meeting concerned is to be held.
- E. A person who is eligible for election or re-election under this rule may -
  - (1) propose or second himself or herself for election or re-election; and
  - (2) vote for himself or herself.



- F. If the number of persons nominated in accordance with Article X, Section 1D for election to membership of the Committee does not exceed the number of vacancies in that membership to be filled-
- (1) the Secretary must report accordingly to; and
  - (2) the Chairperson must declare those persons to be duly elected as members of the Committee at, the annual general meeting concerned.
- G. If vacancies remain on the Committee after the declaration under Article X, Section 1F, additional nominations of Committee members may be accepted from the floor of the annual general meeting. If such nominations from the floor do not exceed the number of vacancies the Chairperson must declare those persons to be duly elected as members of Committee. Where the number of nominations from the floor exceeds the remaining number of vacancies on the Committee, elections for those positions must be conducted.
- H. If a vacancy remains on the Committee after the application of Article X, Section 1G, or when a casual vacancy within the meaning of rule 14 occurs in the membership of the Committee-
- (1) the Committee may appoint a member to fill that vacancy; and
  - (2) a member appointed under this sub-rule will -
    - (a) hold office until the election referred to in Article X, Section 1B; and
    - (b) be eligible for election to membership of the Committee, at the next following annual general meeting.
- I. The Committee may delegate, in writing, to one to more sub-committees (consisting of such member or members of the Church as the Committee thinks fit) the exercise of such functions of the Committee as are specified in the delegation other than-
- (1) the power of delegation; and
  - (2) a function which is a duty imposed on the Committee by the Act or any other law.
- J. Any delegation under Article X, Section 1I may be subject to such conditions and limitations as to the exercise of that function or as to time and circumstances as are specified in the written delegation and the Committee may continue to exercise any function delegated.
- K. The Committee may, in writing, revoke wholly or in part any delegation under Article X, Section 1I.

## **ARTICLE XI – PASTOR AND DEACON**

### **SECTION 1 – THE QUALIFICATIONS AND ROLES OF PASTOR**

- A. The Pastor is the leader and overseer of the Church. The call for the Pastor of the Church shall be in the following manner:

- (1) The Pastor shall be ordained (chosen) by the Church with due consideration to his spiritual qualifications (as stated in 1 Timothy 3:1-7 and Titus 1:5-7), doctrinal beliefs, and spiritual gifts.
- (2) The Church may call upon several pastors of other Baptist Churches of like faith and practice to form an Advisory Council, which will, in the presence of the Church, examine the candidate and advise the Church as to his suitability. In the case of the absence of the previous Pastor, or where the candidate has no previous pastoral experience, this course of action should always be taken.
- (3) The Pastor shall serve for an indeterminate term.
- (4) The Pastor may be dismissed from office only on the grounds of personal immorality, divorce, or violation of any provision on the STATEMENT OF FAITH of the Church, or gross neglect of his duties and responsibilities as Pastor.
- (5) The Pastor shall have full liberty to preach the Gospel and the Word of God.
- (6) He shall administer the Ordinances of the Church; act as Moderator of all meetings for the consideration and transaction of business; supervise the teaching ministry of the Church; tenderly watch over its Membership and spiritual interest; and organise and develop its strengths for the best possible service as he sees fit.
- (7) He shall be at liberty to hold any special meetings and conferences as he sees fit provided that such meetings are called for in writing with time for members to pray about the agenda, and minutes of such meetings to be kept.
- (8) The Pastor shall receive remuneration for his services from the Church's Tithes and Offerings only when the Church is financially capable and in accordance with Australian law. In case the Church is not financially capable, the Pastor shall be required to work in government or private enterprises or agencies to meet the needs of his person and family. This clause shall extend to the assistant or associate pastor, or any person or worker of the Church.
- (9) When the Pastor is absent from his pulpit he is to ensure a suitable replacement is engaged from within the Church, or from other recognised independent Baptist churches. Should the pastor's pulpit supply (relief preacher) fails to preach or teach in accordance to what the Church teaches, the Church shall notify the Pastor to stop the pulpit supply from preaching or teaching.
- (10) The Pastor shall have the privilege to choose the Deacon, the Secretary, the Treasurer, and other officers of the Church from the members of the Church subject to the approval of the Church, and he shall have full authority over any paid or voluntary workers of the Church.

- (11) The Pastor shall exercise general supervision over all the affairs of the Church, and over all Church workers and Advisory panels.
- (12) Upon the recommendation of the Pastor, the Church may ordain other suitably qualified men to supplement the pastorate, particularly in the areas of special ministry. The Church may ordain preachers for the ministry upon the Pastor's recommendation.
- (13) Associate Pastors shall fulfil all the requirements hitherto mentioned, but shall work under the direct supervision of the Pastor.

## **SECTION 2 – PASTOR'S SALARY**

- A. This Church shall always endeavour to honour its Pastor to the best of its financial ability.
- B. The Pastor's salary, allowances, and conditions of employment shall be set and mutually agreed upon by the Pastor and the Church at the time of his initial call.
- C. The Pastor's salary, allowances, and conditions of employment shall be **reviewed** at least **annually** by the Church following prior consideration and subsequent recommendation of the Diaconate, with the view of adjusting his salary in accordance to the financial capacity of the Church.
- D. The Church will, whenever financially capable, undertake to pay the expenses of the Pastor and his wife to travel to one National Fellowship Meeting of his choice each year within Australia and also advise the Church of the travel made and accommodation, etc.
- E. Upon resignation of the Pastor, he must give **thirty days notice** and present his resignation in writing to the Church.
- F. Upon the dismissal of the Pastor, **one month's salary must be given**.
- G. The salaries, expenses, and conditions of employment of all other paid employees of the Church shall be determined by the Pastor subject to the approval of the Church.
- H. The Church shall fulfil all obligations required by law with respect to its paid workers.
- I. The Pastor as a paid worker of the Church shall request for holiday time in writing for approval by the Church.
- J. The Pastor, his wife, and immediate family members must not be present at the Church's meeting (headed by a deacon as chairman) where pastor's salary is under consideration.

## **SECTION 3 – THE QUALIFICATIONS AND ROLES OF DEACON**

- A. A Deacon shall be a male member in good standing of the Church. The Deacon is a servant of Church and shall act under the direction of the Pastor. The Deacon/s may be chosen in the following manner:
- (1) Deacons shall be chosen by the Church only as needed and recommended by the Pastor, and with due consideration to their spiritual qualifications (as stated in 1 Timothy 3:8-12 and Acts 6:3-5).
  - (2) A Deacon shall serve for a period of three years. A Deacon elected for the first time shall serve for a period of one year so as to be proved, and thereafter may be re-elected for a period of three years.
  - (3) Deacons shall assist the Pastor in promoting the spiritual welfare of the Church, in attending to the necessities of the needy, observance of the ordinances, directing soulwinning/visitation, and leading guests/visitors committee, Sunday school, and other ministries of the Church.

## **ARTICLE XII – SECRETARY**

### **SECTION 1 – THE QUALIFICATIONS AND ROLES OF SECRETARY**

#### **A. The Secretary**

- (1) The Secretary must-
  - (a) co-ordinate the correspondence of the Church;
  - (b) keep full and correct minutes of the proceedings of the Committee and of the Church;
  - (c) comply on behalf of the Church with-
    - (i) section 27 of the Act with respect to the register of members of the Church, as referred to in rule 6;
    - (ii) section 28 of the Act by keeping and maintaining in an up to date condition the rules of the Church and, upon the request of a member of the Church, must make available those rules for the inspection of the member and the member may make a copy of or take an extract from the rules but will have no right to remove the rules for that purpose; and
    - (iii) section 29 of the Act by maintaining a record of -
      - (A) the names and residential or postal addresses of the persons who hold the offices of the Church provided for by these rules, including all offices held by the persons who constitute the Committee and persons who are authorised to use the common seal of the Church under rule 22; and
      - (B) the names and residential or postal addresses of any persons who are appointed or act as trustees on behalf of the Church, and the Secretary must, upon the request of a member of the Church, make available the record for the inspection of the member and the member may make a copy of or take an

extract from the record but will have no right to remove the record for that purpose;

- (d) unless the members resolve otherwise at a general meeting, have custody of all books, documents, records and registers of the Church, including those referred to in paragraph (c) but other than those required by rule 13 to be kept and maintained by, or in the custody of, the Treasurer; and
- (e) perform such other duties as are imposed by these rules on the Secretary.

## **ARTICLE XIII – TREASURER**

### **SECTION 1 – THE QUALIFICATIONS AND ROLES OF TREASURER AND OFFICERS OF INCORPORATION**

#### **A. The Treasurer**

- (1) The Treasurer must-
  - (a) be responsible for the receipt of all moneys paid to or received by, or by him or her on behalf of, the Church and must issue receipts for those moneys in the name of the Church;
  - (b) pay all moneys referred to in paragraph (a) into such account or accounts of the Church as the Committee may from time to time direct;
  - (c) make payments from the funds of the Church with the authority of a general meeting or of the Committee and in so doing ensure that all cheques are signed by himself or herself and at least one other authorised Committee member, or by any two others as are authorised by the Committee;
  - (d) comply on behalf of the Church with sections 25 and 26 of the Act with respect to the accounting records of the Church by-
    - (i) keeping such accounting records as correctly record and explain the financial transactions and financial position of the Church;
    - (ii) keeping its accounting records in such manner as will enable true and fair accounts of the Church to be prepared from time to time;
    - (iii) keeping its accounting records in such manner as will enable true and fair accounts of the Church to be conveniently and properly audited; and
    - (iv) submitting to members at each annual general meeting of the Church accounts of the Church showing the financial position of the Church at the end of the immediately preceding financial year.
  - (e) whenever directed to do so by the Chairperson, submit to the Committee a report, balance sheet or financial statement in accordance with that direction;

- (f) unless the members resolve otherwise at a general meeting, have custody of all securities, books and documents of a financial nature and accounting records of the Church, including those referred to in paragraphs (d) and (e); and
- (g) perform such other duties as are imposed by these rules on the Treasurer.

#### **B. Officers of Incorporation**

- (1) Officers of Incorporation shall be appointed by the Pastor subject to the approval of the Church.
- (2) Officers of Incorporation may be authorised by the Church to –
  - (a) procure loans whenever necessary for the purchasing of property and financing of the erection of buildings;
  - (b) to make, execute, and deliver notes of the Corporation evidencing such indebtedness; and
  - (c) to secure the payment thereof by executing on behalf of the Corporation, mortgages or deeds of trust on any property, real or personal, owned by METROPOLITAN BIBLE BAPTIST CHURCH or pledge the same as collateral security for any such loans; and
  - (d) to execute on behalf of the Corporation extension agreements with reference thereto or renewals thereof.

### **ARTICLE XIV – CASUAL VACANCIES IN MEMBERSHIP OF COMMITTEE**

#### **SECTION 1 – CASUAL VACANCY**

- A.** A casual vacancy occurs in the office of a Committee member and that office becomes vacant if the Committee member -
  - (1) dies;
  - (2) resigns by notice in writing delivered to the Pastor or, if the Committee member is the Pastor, to the Deacon and that resignation is accepted by resolution of the Committee;
  - (3) is convicted of an offence under the Act;
  - (4) is permanently incapacitated by mental or physical ill-health;
  - (5) is absent from more than -
    - (a) 3 consecutive Committee meetings; or
    - (b) 3 Committee meetings in the same financial year without tendering an apology to the person presiding at each of those Committee meetings;
  - (4) of which meetings the member received notice, and the Committee has resolved to declare the office vacant;

- (5) ceases to be a member of the Church; or
  - (6) is the subject of a resolution passed by a general meeting of members terminating his or her appointment as a Committee member.
- B. To enable the Church to conduct its business decently and in order, certain honorary or voluntary tasks shall be delegated to active Members of the Church by the Pastor, subject to the approval of the Church and the willingness of the Member concerned.
  - C. No Member shall perform more than **one** of these duties **at any one time**.
  - D. The term of service for these tasks shall be determined by the Pastor at the time of appointment, but shall not exceed two years, whereupon the Member concerned may be re-appointed for a further period or replaced.
  - E. The Pastor of the Church shall act as an interim Secretary or Treasurer in the absence of the Secretary or the Treasurer of the Church.

## ARTICLE XV – PROCEEDINGS OF COMMITTEE

### SECTION 1 – COMMITTEE MEETINGS

- A. The Committee must meet together for the dispatch of business not less than two in each year and the Pastor, or at least half the members of the Committee, may at any time convene a meeting of the Committee.
- B. Each Committee member has a deliberative vote.
- C. A question arising at a Committee meeting must be decided by a majority of votes, but, if there no majority, the person presiding at the Committee meeting will have a casting vote in addition to his or her deliberative vote.
- D. At a Committee meeting four Committee members constitute a quorum.
- E. Subject to these rules, the procedure and order of business to be followed at a Committee meeting must be determined by the Committee members present at the Committee meeting.
- F. As required under sections 21 and 22 of the Act, a Committee member having any direct or indirect pecuniary interest in a contract, or proposed contract, made by, or in the contemplation of, the Committee (except if that pecuniary interest exists only by virtue of the fact that the member of the Committee is a member of a class of persons for whose benefit the Church is established), must -
  - (1) as soon as he or she becomes aware of that interest, disclose the nature and extent of his or her interest to the Committee; and
  - (2) not take part in any deliberations or decision of the Committee with respect to that contract.

- G. Section 1, F(1) hereof does not apply with respect to a pecuniary interest that exists only by virtue of the fact that the member of the Committee is an employee of the Church.
- H. The Secretary must cause every disclosure made under sub-rule (6) (a) by a member of the Committee to be recorded in the minutes of the meeting of the Committee at which it is made.

## **ARTICLE XVI – GENERAL MEETINGS**

### **SECTION 1 – REGULAR BUSINESS MEETINGS**

- A. The Committee-
  - (1) may at any time convene a special general meeting;
  - (2) must convene annual general meetings within the time limits provided for the holding of such meetings by section 23 of the Act, that is, in every calendar year within 4 months after the end of the Church's financial year or such longer period as may in a particular case be allowed by the Commissioner, except for the first annual general meeting which may be held at any time within 18 months after incorporation; and
  - (3) must, within 30 days of-
    - (a) receiving a request in writing to do so from not less than two-thirds majority of the total membership, convene a special general meeting for the purpose specified in that request; or
    - (b) the Secretary receiving a notice under Article IX, convene a general meeting to deal with the appeal to which that notice relates.
  - (4) must, after receiving a notice under Article V, convene a general meeting, no later than the next annual general meeting, at which the appeal referred to in the notice will be dealt with. Failing that, the applicant is entitled to address the Church at that next annual general meeting in relation to the Committee's rejection of his or her application and the Church at that meeting must confirm or set aside the decision of the Committee.
- B. The members making a request referred to in Article XVI, Section 1A(3)(a) must-
  - (1) state in that request the purpose for which the special general meeting concerned is required; and
  - (2) sign that request.
- C. If a special general meeting is not convened within the relevant period of 30 days referred to-
  - (1) in Article XVI, Section 1A(3)(a), the members who made the request concerned may themselves convene a special general meeting as if they were the Committee; or



- (2) in Article XVI, Section 1A(3)(b), the member who gave the notice concerned may him or herself convene a special general meeting as if he or she were the Committee.
- D. When a special general meeting is convened under Article XVI, Section 1C(1) or (2) the Church must pay the reasonable expenses of convening and holding the special general meeting.
- E. Subject to Article XVI, Section 1G, the Secretary must give to all members not less than 14 days notice of a special general meeting and that notice must specify-
- (1) when and where the general meeting concerned is to be held; and
  - (2) particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted.
- F. Subject to Article XVI, Section 1G, the Secretary must give to all members not less than 21 days notice of an annual general meeting and that notice must specify-
- (1) when and where the annual general meeting is to be held;
  - (2) the particulars and order in which business is to be transacted, as follows-
    - (a) first, the consideration of the accounts and reports of the Committee;
    - (b) second, the election of Committee members to replace outgoing Committee members; and
    - (c) third, any other business requiring consideration by the Church at the general meeting.
- G. A special resolution may be moved either at a special general meeting or at an annual general meeting, however the Secretary must give to all members not less than 21 days notice of the meeting at which a special resolution is to be proposed. In addition to those matters specified in Article XVI, Section 1E or 1F, as relevant, the notice must also include the resolution to be proposed and the intention to propose the resolution as a special resolution.
- H. The Secretary must give a notice under Article XVI, Section 1E, 1F, or 1G by-
- (1) serving it on a member personally; or
  - (2) sending it by post to a member at the address of the member appearing in the register of members kept and maintained under Article VI.
- I. When a notice is sent by post under Article XVI, Section 1H(2), sending of the notice will be deemed to be properly effected if the notice is sufficiently addressed and posted to the member concerned by ordinary prepaid mail.

## **SECTION 2 – BUSINESS MEETINGS AND QUORUM**

- A. Business Meetings shall be conducted only when necessary and called for by the Pastor. Their purpose shall be to conduct business involving large sums of money, extraordinary situations, or decisions unrelated to known Church policy after notice has been given in writing with the purpose of the meeting and time for members to pray.
- B. In the absence of the Pastor, there will be no Business Meeting of any kind, the only exception being in accordance with Section 3, Article XVI of this Constitution.
- C. All Business Meetings called for by the Pastor shall have the date, time, and general purpose of such meetings announced in three consecutive public Sunday Church Services of the Church in accordance to Section 2A, Article XVI of this Constitution.
- D. Business Meetings shall enjoy the leadership of the Pastor who shall guide the Church by his recommendations and ensure adequate understanding, consideration, and prayerful deliberation by the Membership in seeking the resolution of the matters at hand.
- E. During any of these Meetings, regular business, such as the receiving and dismissing of Members, and general business of the Church, shall be conducted in accordance with the Constitution of the Church. Such meetings shall not be held unless announced at the pulpit on the Lord's Day, and shall allow sufficient time for deliberation and prayer prior to dates of such meetings.
- F. All Business Meetings shall be opened and closed with prayer for divine guidance and blessing, and shall observe the following order:
  - (1) Opening Prayer
  - (2) Devotional Service
  - (3) Reading of the Minutes
  - (4) Reading of Reports
  - (5) Unfinished Business
  - (6) New Business
  - (7) Closing Prayer
- G. All questions of order shall be settled by the "customary rules governing deliberative bodies" as given in the book *"PRINCIPLES AND PRACTICES OF BAPTIST CHURCHES"* by E.T. Hiscox.

### SECTION 3 – EXTRAORDINARY BUSINESS MEETINGS.

- A. Extraordinary Business Meetings may be called when:
- (1) A petition signed by **two-thirds** of the total eligible active Church Membership is presented to the Pastor calling for such meeting.
  - (2) The Pastor is indisposed for a considerable time, or the Church is without a Pastor, and the business at hand is pressing. Where such a Meeting cannot enjoy the presence and leadership of the Pastor, a Moderator shall be elected by the Church from the Diaconate any bonafide male Member of the Church in order to proceed with the business at hand.
  - (3) In cases of the absence of pastoral leadership, such Meetings shall always proceed in accordance with the ARTICLES of this CONSTITUTION.

## ARTICLE XVII – QUORUM AND PROCEEDINGS AT GENERAL MEETINGS

### SECTION 1 – REGULAR BUSINESS MEETINGS

- A. To constitute a **quorum** in any Business Meeting there must be **two-thirds** of the eligible Membership present. No quorum shall be necessary at any subsequent Business Meeting arising out of the lack of a quorum at any adjourned Business Meeting called to consider the same agenda.
- B. All motions must be moved and seconded by a male member of the Church at least 18 years of age. The names of all who make motions and second motions shall be recorded in the Minutes of the Meeting. Any member who make the motions shall stand and address the Moderator with respect and dignity.
- C. All eligible Members shall have the right to speak on a motion in accordance with the Robert's Rules of Order.
- D. A Member facing disciplinary action shall have the right to answer any accusation, and may call upon another eligible Member to aid such defence. The Member concerned may not accuse others, unless the steps outlined in Article V, Section 2 of the CHURCH CONSTITUTION have been complied with.
- E. The unanimous affirmative vote of all eligible Members present is required for the reception and restoration of Members. All other items of business require a **two-thirds** majority affirmative vote of eligible Members present for the carrying of a motion.
- F. If deemed desirable by the Moderator, a second vote shall be conducted, giving dissenting Members the opportunity of exercising graciousness to record a unanimous decision.

- G. All decisions made by the Church in a Business Meeting shall be read from the pulpit during the next LORD's Day service.
- H. In addition to this, a Member excluded from Membership by the action of the Church shall be sent by registered mail a statement of the exclusion, including reasons and admonitions.

## **ARTICLE XVIII – MINUTES OF MEETINGS OF ASSOCIATION**

### **SECTION 1 – NORMAL MEETINGS**

- A. The Secretary must cause proper minutes of all proceedings of all general meetings and Committee meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Committee meeting, as the case requires, in a minute book kept for that purpose.
- B. The Pastor must ensure that the minutes taken of a general meeting or Committee meeting under sub-rule (1) are checked and signed as correct by the Pastor of the general meeting or Committee meeting to which those minutes relate or by the Chairperson of the next succeeding general meeting or Committee meeting, as the case requires.
- C. When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that –
  - (1) the general meeting or Committee meeting to which they relate (in this sub-rule called "the meeting") was duly convened and held;
  - (2) all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
  - (3) all appointments or elections purporting to have been made at the meeting have been validly made.

## **ARTICLE XIX – VOTING RIGHTS OF MEMBERS OF ASSOCIATION**

### **SECTION 1 – VOTING RIGHTS**

- A. Each Active Member of the Church at the age 18 or over shall be entitled to vote, and may cast **one** vote in all matters brought before the Church.
- B. All voting shall be registered by audible response unless otherwise agreed to by the Church. In certain exceptional circumstances secret ballot may be conducted.

## **ARTICLE XX – PROXIES OF MEMBERS OF ASSOCIATION**

### **SECTION 1 – NO VOTING RIGHTS BY PROXY**

- A. Any member may not appoint another member who is a natural person to be the proxy of the appointing member and to attend, and vote on behalf of the appointing member at, any general meeting.

## **ARTICLE XXI – RULES OF ASSOCIATION**

### **SECTION 1 – AMENDMENT OF THE CONSTITUTION**

- A. The Church may alter or rescind this Constitution, or make rules or by-laws additional to this Constituon, in accordance with the procedure set out in sections 17, 18 and 19 of the Act, which is as follows –
  - (1) Subject to sub-rule (1) (d) and (1) (e), the Church may alter its rules by special resolution but not otherwise;
  - (2) Within one month of the passing of a special resolution altering its rules, or such further time as the Commissioner may in a particular case allow (on written application by the Church), the Church must lodge with the Commissioner notice of the special resolution setting out particulars of the alteration together with a certificate given by a member of the Committee certifying that the resolution was duly passed as a special resolution and that the rules of the Church as so altered conform to the requirements of this Act;
  - (3) An alteration of the rules of the Church does not take effect until sub-rule (1) (b) is complied with;
  - (4) An alteration of the rules of the Church having effect to change the name of the church does not take effect until sub-rules (1) (a) to (1) (c) are complied with and the approval of the Commissioner is given to the change of name;
  - (5) An alteration of the rules of the Church having effect to alter the objects or purposes of the Church does not take effect until sub-rules (1) (a) to (1) (c) are complied with and the approval of the Commissioner is given to the alteration of the objects or purposes.
- B. These rules bind every member and the Church to the same extent as if every member and the Church had signed and sealed these rules and agreed to be bound by all their provisions.

## **ARTICLE XXII – COMMON SEAL OF ASSOCIATION**

### **SECTION 1 – CHURCH SEAL**

- A. The Church must have a common seal on which its corporate name appears in legible characters.

- B. The common seal of the Church must not be used without the express authority of the Committee and every use of that common seal must be recorded in the minute book referred to in Article XVIII.
- C. The affixing of the common seal of the Church must be witnessed by any two of the Pastor, the Deacon, the Secretary and the Treasurer.
- D. The common seal of the Church must be kept in the custody of the Secretary or of such other person as the Committee from time to time decides.

## **ARTICLE XXIII – INSPECTION OF RECORDS, ETC. OF ASSOCIATION**

### **SECTION 1 – INSPECTION OF RECORDS, ETC.**

- A. A member may at any reasonable time inspect without charge the books, documents, records and securities of the Church.

## **ARTICLE XXIV – DISPUTES AND MEDIATION OF ASSOCIATION**

### **SECTION 1 – DISPUTES AND MEDIATION**

- A. The grievance procedure set out in this rule applies to disputes under these rules between -
  - (1) a member and another member; or
  - (2) a member and the Church; or
  - (3) if the Church provides services to non-members, those non-members who receive services from the Church, and the Church.
- B. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- C. If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- D. The mediator must be -
  - (1) a person chosen by agreement between the parties; or
  - (2) in the absence of agreement -
    - (a) in the case of a dispute between a member and another member, a person appointed by the Committee of the Church;
    - (b) in the case of a dispute between a member or relevant non-member (as defined by Article XXIV, Section 1, A(3) and the Church, a person who is a mediator appointed to, or employed with, a not for profit organisation.
- E. A member of the Church can be a mediator.

- F. The mediator cannot be a member who is a party to the dispute.
- G. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- H. The mediator, in conducting the mediation, must -
  - (1) give the parties to the mediation process every opportunity to be heard;
  - (2) allow due consideration by all parties of any written statement submitted by any party; and
  - (3) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- I. The mediator must not determine the dispute.
- J. The mediation must be confidential and without prejudice.
- K. If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## **ARTICLE XXV – DISTRIBUTION OF SURPLUS PROPERTY ON WINDING UP OF ASSOCIATION**

### **SECTION 1 – CHURCH DISSOLUTION**

- A. If upon the winding up or dissolution of the Church there remains after satisfaction of all its debts and liabilities any property whatsoever, the same must not be paid to or distributed among the members, or former members. The surplus property shall be distributed to missionary projects and or organisations of like faith and practice incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members, and which church shall be determined by resolution of the members.