

# SUBIACO CHURCH OF CHRIST INC.

ABN: 71 883 665 940

## CONSTITUTION

21 July 2019

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### PART 1 – PRELIMINARY

**1. NAME**

Subiaco Church of Christ Inc.

**2. TERMS**

In this Constitution, unless the contrary intention appears:

**the Act** means the *Associations Incorporations Act of 2015 (WA)* as amended or substituted.

**Affirmation** means nominated by the Elders Board and affirmed by vote of the Members.

**Association** means the Churches of Christ in Western Australia Inc.

**Church** means Subiaco Church of Christ Inc.

**Church of Christ** means a church affiliated with the Churches of Christ in Western Australia Inc.

**Elders Board** means the governing body of the Church.

**General Meeting** means a General Meeting of Members of the Church convened in accordance with this Constitution.

**Member** means a member of the Church.

**Elder** means a member the Board of Elders, the governing body of the Church, whether elected or appointed under this Constitution.

**Minister** means a Pastor or Minister of the Church.

**Ministry Team** means Ministers of Religion and Church staff.

**Ordinary Resolution** is a resolution of the Church which is not a Special Resolution.

**Senior Pastor** means the Minister of Religion who oversees the day-to-day running of the Church ministry.

### 3. FINANCIAL YEAR

The financial year of the Church is to be the period of 12 months commencing on 1 July and ending on 30 June, or such other date as may be determined by the Elders Board.

### 4. OBJECTS

The objects of the Church are to glorify God and promote the Christian faith and practice, in accordance with the teachings of the Holy Scriptures, both Old and New Testaments, on the authority of Jesus Christ as head of the Church, and to undertake related evangelistic, charitable, social and educational activities among its member churches, auxiliary groups and agencies including but not limited to:

- providing corporate worship according to the Holy Scriptures;
- administering the Lord's Supper and baptism in accordance with New Testament instructions.
- equipping and encouraging the Members for Christian service;
- providing practical ministries to meet the needs of the community;
- providing Christian fellowship, service, pastoral care and prayer support;
- setting up of and organising distinct entities for Christian and community education;
- pursuing the Great Commission as given in Matthew 28:19-20;
- developing a warm and caring Christian fellowship that will embrace all within the Church and be a witness to the community; and
- developing true discipleship by maintaining an effective Christian education program for all ages.

### 5. STATEMENT OF FAITH

**GOD** We believe in one God in three persons: the Father, Son and Holy Spirit (Deuteronomy 6:4, Matthew 28:19, 1 Peter 1:2). He is the Sovereign Lord, Creator and Sustainer of the universe (Genesis 1:1, Romans 11:36), who Himself is without beginning or end (Colossians 1:16, Revelation 1:8).

**CHRIST** We believe that Jesus Christ is the unique Son of God (Matthew 3:17, John 3:16). He is fully God and took on human flesh. He is the suffering servant who gave Himself as a sacrifice for our sins (Philippians 2:6-8, Isaiah 53:4-6). He was crucified under Pontius Pilate and raised to life the third day (Matthew 27, 1 Corinthians 15:3). Jesus Christ alone is the living way of salvation and through Christ we have fellowship with God the Father (John 14:6, 2 Corinthians 5:20-21).

**HOLY SPIRIT** We believe that the Holy Spirit glorifies Jesus Christ in all that He does (John 15:26). He regenerates sinners and in Him they are united with Christ and adopted into the family of God as one body of Christ (John 3:5-8, Ephesians 1:5, 2:19-22). He indwells and empowers believers to grow in Christ-likeness and holiness (2 Thessalonians 2:13).

- THE BIBLE** We believe that the Bible is the inspired Word of God (2 Peter 1:19-21). God's Word is utterly authoritative and without error in the original writings. The Bible is the eternal and sufficient revelation of God and remains our sole authority for faith and practice and Christian living (2 Timothy 3:16-17).
- THE GOSPEL** We believe that the gospel is the good news of Jesus Christ. The message of the cross is foolishness to the world but for those who are saved, it is the power of God (1 Corinthians 1:18). The gospel is the power of God that brings salvation to everyone who believes (Romans 1:16). The loving plan of God is that people from every tribe, language, people and nation should be saved through the sacrifice of Jesus Christ on the cross (Revelations 5:9-10).
- SALVATION** We believe that all have sinned and are without hope except for God's saving mercy (Romans 3:23, Romans 6:23). Forgiveness of sins and eternal life is only through the saving work of Jesus Christ. Salvation can only be received by grace alone, through faith alone. It is therefore a gift of God apart from any human merit or works (Ephesians 2:8-9). Those who trust in Christ can never be separated from the love of Christ. Even death will not separate us from the love of God that is in Christ Jesus our Lord (Romans 8:35-39). Salvation is of the Lord; therefore, God alone receives all glory, honour and praise for our salvation.
- THE CHURCH** We believe that Jesus Christ is the head of the church (Ephesians 5:23, 1 Peter 5:4). We believe that the church comprises all who acknowledge Jesus Christ as their personal Lord and Saviour (Romans 12:3-5). We believe that Jesus Christ instituted two sacraments, baptism and the Lord's Supper, which visibly and tangibly express the gospel (1 Corinthians 11:23-26, Matthew 28:19). The celebration of these sacraments nourishes believers in their faith.
- HUMANITY** We believe that God created human beings, male and female, in His own image (Genesis 1:26-28). Men and women share equally in the image of God and are of equal value before their Creator. God's design is that men and women are distinct in gender and thereby made to complement each other (Genesis 2:18-24). God ordained marriage for the good of men and women. The one-flesh union of a man and a woman in marriage was instituted by God, so that the love between a husband and wife should reflect the love of Christ for his bride, the church (Ephesians 5:22-35).
- END TIMES** We believe in the bodily return of Christ to gather up all those who trust and hope in him (1 Thessalonians 4:15-18). Jesus Christ will come in glory and consummate his reign which will never end (Daniel 7:14). The old order of things will pass away and God will dwell with his people forever (Revelation 21:1-4).

## **PART 2 – CHURCH TO BE NOT FOR PROFIT BODY**

### **6. NOT FOR PROFIT**

1. 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.
2. A payment may be made to a Member out of the funds of the Church only if it is authorised under rule 6.3.
3. A payment to a member out of the funds of the Church is authorised if it is:
  - a. made in good faith to the Member as reasonable remuneration for any services provided to the Church, or for goods supplied to the Church, in the ordinary course of business; or
  - b. payment of interest on money borrowed by the Church from the Member, at a rate not greater than the cash rate published from time to time by the Reserve Bank of Australia; or
  - c. payment of reasonable rent to the Member for premises leased by the Member to the Church; or
  - d. reimbursement of reasonable expenses properly incurred by the Member or Ministry Team member on behalf of the Church.

### **7. POWERS**

The powers conferred on the Church are in addition to and not in derogation of those conferred by the Act, so that subject to the Act the Church may do all things necessary or convenient for carrying out its objects and purposes, and in particular may:

- a. acquire, hold, deal with and dispose of any real or personal property;
- b. open and operate bank accounts;
- c. invest its money:
  - i. in any security in which trust monies may lawfully be invested; or
  - ii. in any other manner authorised by the Constitution of the Church;
- d. borrow money upon such terms and conditions as the Church thinks fit;
- e. give such security for the discharge of liabilities incurred by the Church as the Church thinks fit;
- f. appoint agents to transact any business of the Church on its behalf;
- g. enter into any other contract it considers necessary or desirable; and
- h. delegate any of its powers to the Elders Board which shall continue to be accountable to the Church.

## **PART 3 – MEMBERS**

### **8. MEMBERSHIP**

Members shall be those who:

- a. declare their faith in Jesus Christ as Lord;
- b. have been baptised according to New Testament practice;
- c. accept the Statement of Faith and objects of the Church and seek identification with the Church;
- d. following their request for membership, have been interviewed and recommended by a Minister; and
- e. are accepted into membership by the Elders Board.

### **9. MEMBERSHIP FEES**

No entrance or membership fee is payable to the Church.

### **10. MEMBERSHIP REGISTER**

1. The Elders Board shall establish a Membership Register of all Members of the Church and shall keep such Register current by regular periodic review of the membership in accordance with policy to be determined by the Elders Board from time to time. At least once a year not later than three (3) months prior to the AGM, the Elders Board shall review the Membership Register of the Church to determine the currency of its membership and to remove the names of those who are deemed to be no longer Members of the Church.
2. A Member who is not in regular attendance at worship services and participating in Church activities shall be deemed to be no longer a Member of the Church and his/her name shall be removed from the Register of Members by the Elders Board.
3. A Member not in good standing within the Church may be suspended or removed from membership by declaration of the Elders Board in accordance with procedures and processes laid down by the Board.
4. Those Members eligible to vote will be those who are deemed current under rule 10.1 and 10.2 and have attained the age of 18 years.
5. Any decision made by the Elders Board under rules 8 and 10 shall be final after giving the person concerned an opportunity to be heard and present their view.

## **PART 4 – DISPUTES & MEDIATION**

### **11. MEMBERS DISPUTES AND MEDIATION**

1. All disputes that come to the Elders shall be resolved in accordance with the procedure set out in Scripture (Matthew 18:15-17).
2. For all disputes that come to the Elders not covered by Matthew 18:15-17, the grievance procedure set out herein shall apply to disputes between:
  - a. a Member and another Member; or
  - b. a Member and the Church.
3. The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.
4. 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 ten (10) days, hold a meeting in the presence of a mediator.
5. The mediator must be:
  - a. a person chosen by agreement between the parties; or
  - b. in the absence of agreement:
    - i. for a dispute between a Member and another Member, a person appointed by the Elders Board; or
    - ii. for a dispute between a Member and the Church, a person appointed by the chairperson of the Association.
6. The mediator cannot be a Member who is a party to the dispute.
7. The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
8. The mediator, in conducting the mediation, must:
  - a. give the parties to the mediation process every opportunity to be heard;
  - b. allow due consideration by all parties of any written statement submitted by any party; and
  - c. ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
9. The mediator must not determine the dispute.
10. The mediation must be confidential and without prejudice.
11. 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.
12. For the purposes of giving efficacy in the settlement of disputes, the Elders shall be authorised to make policy for fair and effective settlement of disputes.

## PART 5 – ELDERS

### 12. ELDERS BOARD

1. Biblical responsibilities of Elders of the Lord's Church include:
  - a. The primary biblical responsibility is to 'be shepherds of the church' (Acts 20:28; 1 Peter 5:2-3);
  - b. All Elders are charged to 'keep watch over yourselves' (Acts 20:28), and to be 'examples to the flock' in service and spiritual leadership (1 Peter 5:3); and
  - c. Elders are called to hold firmly to the gospel of Jesus Christ, 'encourage others by sound doctrine and refute those who oppose it' (Titus 1:9).
2. The Authority and Governance responsibilities of the Elders Board include:
  - a. overseeing the spiritual health and direction of the Church;
  - b. determining the mission, vision and core values of the Church jointly with the Senior Pastor;
  - c. engaging in strategic planning;
  - d. leading the process of selecting, calling and supporting the Senior Pastor and providing input and approval in the selection of all other Ministers and Ministry Leaders within the Church;
  - e. providing input and performance assessment to the Senior Pastor;
  - f. ensuring fiscal accountability;
  - g. upholding public image and relationships with related organisations;
  - h. determining written governance policies;
  - i. encouraging and developing potential Elders Board members;
  - j. appointing Deacons;
  - k. delegating implementation of goals;
  - l. communicating information to the Church on its activities and decisions;
  - m. providing guidance and interpretation of Constitution; and
  - n. overseeing any disputes and any disciplinary matters within the Church.
3. The Elders Board shall comprise of no more than nine (9) and no less than five (5) Members of the Church (whether affirmed or co-opted) including the Senior Pastor.
4. Every Elder of the Church must meet the qualifications for an Elder that are clearly defined in 1 Timothy 3:2-7 and Titus 1:6-9 by the Apostle Paul.

1 Timothy 3:2-7

*<sup>2</sup>Now the overseer is to be above reproach, faithful to his wife, temperate, self-controlled, respectable, hospitable, able to teach, <sup>3</sup>not given to drunkenness, not violent but gentle, not quarrelsome, not a lover of money. <sup>4</sup>He must manage his own family well and see that his children obey him, and he must do so in a manner worthy of full respect. <sup>5</sup>(If anyone does not know how to manage his own family, how can he take care of God's church?) <sup>6</sup>He must not be a recent convert, or he may become conceited and fall under the same judgment as the devil. <sup>7</sup>He must also have a good reputation with outsiders, so that he will not fall into disgrace and into the devil's trap.*

*Titus 1:6-9*

*<sup>6</sup>An elder must be blameless, faithful to his wife, a man whose children believe and are not open to the charge of being wild and disobedient. <sup>7</sup>Since an overseer manages God's household, he must be blameless—not overbearing, not quick-tempered, not given to drunkenness, not violent, not pursuing dishonest gain. <sup>8</sup>Rather, he must be hospitable, one who loves what is good, who is self-controlled, upright, holy and disciplined. <sup>9</sup>He must hold firmly to the trustworthy message as it has been taught, so that he can encourage others by sound doctrine and refute those who oppose it.*

5. A Member is qualified for election or appointment to the Elders Board only if the Member:
  - a. upholds the Statement of Faith;
  - b. promotes the objects of the Church;
  - c. has been actively involved in the Church for at least 24 months preceding the appointment; and
  - d. is a current Member at the time of election.

### **13. CHAIRMAN**

1. The Elders Board at its first meeting shall appoint a Chairman, Secretary and Treasurer for the ensuing year.
2. The Chairman, Secretary and Treasurer will act as directed by the Elders Board.
3. The Chairman's role is to run the meetings in an orderly fashion and to ensure appropriate records are kept of the meetings.

### **14. SECRETARY**

The Secretary has the following duties:

- a. dealing with the Church's correspondence relevant to the Elders Board;
- b. consulting with the Chairman regarding the business to be conducted at each Elders meeting and general meeting;
- c. preparing the notices required for meetings and for the business to be conducted at meetings;
- d. ensuring that the Register of Members is maintained as required under the Act;
- e. ensuring that an up-to-date copy of the rules, as required under section 35(1) of the Act, is maintained on behalf of the Church;
- f. ensuring that a record of Elders and other persons authorised to act on behalf of the Church is maintained as required under section 58(2) of the Act;
- g. ensuring the safe custody of the books of the Church, other than the financial records, financial statements and financial reports, as applicable to the Church;
- h. maintaining full and accurate minutes of Elders meetings and general meetings;
- i. carrying out any other duty given to the Secretary under these rules or by the Elders Board; and
- j. fulfilling the responsibilities of Public Officer of the Church, unless another Member is appointed by the Elders Board to do so.



## **15. TREASURER**

The Treasurer has the following duties:

- a. ensuring that any amounts payable to the Church are collected and receipts are issued for those amounts in the Church's name;
- b. ensuring that any amounts paid to the Church are credited to the appropriate account of the Church, as directed by the Elders Board;
- c. ensuring that any payments to be made by the Church have been authorised by the Elders Board or at a general meeting and are made on time;
- d. ensuring that the Church complies with the relevant requirements of Part 5 of the Act;
- e. ensuring the safe custody of the Church's financial records, financial statements and financial reports, as applicable to the Church;
- f. if the Church is a Tier 1 association, based on its annual revenue, coordinating the preparation of the Church's financial statements before their submission to the Church's Annual General Meeting;
- g. if the Church is a Tier 2 association or Tier 3 association, based on its annual revenue, coordinating the preparation of the Church's financial report before its submission to the Church's Annual General Meeting;
- h. providing any assistance required by an auditor or reviewer conducting an audit or review of the Church's financial statements or financial report under Part 5 Division 5 of the Act; and
- i. carrying out any other duty given to the Treasurer under these rules or by the Elders Board.

## **16. ELECTION TO ELDERS BOARD**

1. The Elders Board will nominate for affirmation by the Members a qualified Member of the Church (in accordance with rule 12) to fill a position on the Elders Board which may become vacant under this Constitution at the end of that AGM.
2. A nominee shall only be appointed if affirmed by at least seventy percent (75%) of the valid votes cast by Members at an Annual General Meeting by secret ballot.
3. Notice of the ballot must be given to Members at least fourteen (14) days before the Annual General Meeting.
4. Each Member is entitled to cast one vote.

## **17. TERM OF OFFICE**

1. Elected members of the Elders Board shall serve a term of two (2) years.
2. Any member of the Elders Board who has completed his term of office may be reaffirmed by the Church for a successive term provided that no Elder shall serve for more than three (3) consecutive terms.

3. Each year not more than three (3) Elders who have completed three (3) terms of office shall retire. Such retirement may be voluntary in the first instance or be determined by secret ballot by the Elders Board.
4. For Elders transitioning from the previous Constitution to this Constitution, the maximum term of office shall be two (2) terms of two (2) years each.

## **18. REMOVAL FROM OFFICE**

For the purposes of this Constitution, the Elders Board or the Church, (if brought to the Church), by simple majority resolution, shall remove an Elder from office if the Elder:

- a. ceases to be a Member of the Church;
- b. resigns from office by notice in writing given to the Chairman or Secretary;
- c. is found guilty of misconduct or experiences moral or ethical circumstances rendering the holding of the office incompatible with the mission, aims, objects or reputation of the Church;
- d. engages in teaching which is contrary to the Statement of Faith; or
- e. is affected by mental or physical incapacity leaving him incapable of fulfilling his responsibilities as a member of the Elders Board as certified by two (2) suitably qualified medical practitioners who are not Members of the Church.

## **19. FILLING CASUAL VACANCIES**

The Elders Board may appoint a qualified Member to fill any vacant position on the Elders Board and the appointed Member shall hold office until the conclusion of the AGM following the date of the appointment.

## **20. ELDERS MEETINGS**

1. The quorum for any Elders Board meeting shall not be less than fifty percent (50%) of the members of the Elders Board.
2. The members of the Elders Board including the Senior Pastor, co-opted members and members appointed to fill casual vacancies, shall each be entitled to one vote.
3. Meetings of the Elders Board will be held at such frequency as determined by the Board, but shall not be less than six (6) times per year.
4. A minimum of three (3) days' notice of meetings shall be given to Board members.
5. Such notice shall include an agenda of the matters for consideration.
6. All such correspondence, notices and meetings may be given or conducted using available technology.
7. Voting shall be by simple majority with the Chairman having a second or casting vote. If requested, voting can be by secret ballot and may be conducted using available technology.

## **21. SENIOR PASTOR & MINISTRY TEAM**

1. The calling and appointment of the Senior Pastor shall be by affirmation of the Church following a recommendation by the Elders Board. The affirmation of the Senior Pastor shall be by secret ballot and requires an approval of at least seventy-five percent (75%) of valid votes cast by the Members.
2. The Senior Pastor's authority and responsibility shall include:
  - a. shepherding, preaching, teaching and upholding the Statement of Faith; and
  - b. promoting the objects of the Church.
3. For the purposes of this Constitution, the Elders Board, or the Church by simple majority resolution (if brought to the Church), shall remove a Senior Pastor on the grounds of:
  - a. misconduct that brings the Christian faith or the Church into disrepute;
  - b. teaching which is contrary to the Statement of Faith;
  - c. mental or physical incapacity leaving him incapable of fulfilling his responsibilities, as certified by two (2) suitably qualified medical practitioners who are not Members of the Church; or
  - d. failure to fulfil the responsibilities of the Senior Pastor listed in rule 21.2, or in the Senior Pastor's contract of employment.
4. For the purposes in rule 21.1, the Elders Board shall establish a Search Committee with appropriate congregational representation on such terms of reference as may be determined by the Elders Board.
5. Once a qualified candidate is identified, the Search Committee shall then make a recommendation to the Elders Board.
6. The calling and appointment of other Ministers and Ministry Team members shall be made by the Senior Pastor subject to the approval of the Elders Board.
7. The term of employment for hiring of all staff members shall not exceed a contract period of five (5) years per term.
8. The Ministry Team and all those serving in the Church shall uphold the Statement of Faith of the Church.
9. The Ministry Team shall report to and also be accountable to the Senior Pastor.
10. The Senior Pastor and Ministry Team shall be ultimately accountable to the Elders Board.

## **PART 6 – GENERAL MEETINGS OF THE CHURCH**

### **22. ANNUAL GENERAL MEETING (AGM)**

1. The Church shall in each calendar year convene an Annual General Meeting of its Members.
2. The AGM shall be held on a date to be determined by the Elders Board, provided that the AGM is held within six (6) months of the end of the Financial Year.

### **23. EXTRAORDINARY GENERAL MEETING**

1. All General Meetings other than the AGM shall be called an Extraordinary General Meeting.
2. Extraordinary General Meetings of the Church may be held:
  - a. as determined by the Elders Board; or
  - b. upon written application to the Elders Board and signed by at least ten percent (10%) of the total number of Members. This application must state the nature of the business to be discussed. All notices of motion and accompanying documentation must be supplied to the membership fourteen (14) days prior to the meeting and the meeting must be confined to business of which sufficient notice has been given. Should the Elders Board not schedule the meeting within four (4) weeks, the applicants may convene such a meeting within a further fourteen (14) days and appoint a Chairman of their own choice, if the Chairman of the Elders Board is not present.

### **24. NOTICE OF GENERAL MEETINGS**

1. Notice of a General Meeting shall be given to the membership at least fourteen (14) days immediately preceding the meeting, stating the time, place and the nature of the business to be transacted. At the discretion of the Elders Board, notice may be given by using available technology.
2. Notice of a Special Resolution shall be given to the membership at least twenty-one (21) days immediately preceding the meeting, stating the time, place and the nature of the business to be transacted. At the discretion of the Elders Board, notice may be given by using available technology.
3. A Member requesting to bring any appropriate business matter before a General Meeting must give at least seven (7) days' notice of that business in writing to the Elders Board who shall after due consideration, decide on the inclusion of the Member's request for the General Meeting.

## **25. PROXY**

1. No proxy voting is permitted, unless otherwise determined by the Elders Board.
2. If proxy voting is permitted by the Elders Board, each Member is entitled to appoint another Member as proxy by written notice received by the Secretary no later than twenty-four (24) hours before the time of the meeting in respect of which the proxy is appointed.
3. The notice appointing the proxy is to be in the form set out in the Appendix. A Member who has appointed another Member as proxy may not attend the meeting in respect of which the proxy is appointed.

## **26. QUORUM**

1. The quorum for a General Meeting shall be at least ten percent (10%) of the total number of Members.
2. No business shall be transacted unless a quorum is present. If after half an hour from the time appointed for the commencement of the meeting a quorum is not present, the meeting shall be reconvened at the same place and at the same hour of the same day in the following week and at such a reconvened meeting, a quorum of not less than five (5) Members shall be deemed to be sufficient.
3. If the meeting is convened upon requisition of Members and a quorum is not present within half an hour from the time appointed, the meeting shall be cancelled and the requisition dissolved.

## **27. VOTING AT GENERAL MEETINGS**

Upon any question being put to a vote at a General Meeting of the Church, each Member has one vote which may be given personally or by ballot, if a vote by ballot has been called for. The Chairman of the meeting shall have a second or casting vote.

## **28. ORDINARY RESOLUTIONS**

1. All resolutions of the Church other than Special Resolutions shall be Ordinary Resolutions.
2. An Ordinary Resolution is passed if:
  - a. it is passed at an AGM or Extraordinary General Meeting which has been called and conducted in accordance with this Constitution; and
  - b. It is passed by at least fifty percent (50%) of all valid votes cast by Members.
3. The Elders Board may give notice to Members of its intention to pass an Ordinary Resolution by ballot.
4. Notice of the ballot must be given to Members at least seven (7) days before the deadline for voting, which must include details of the proposed Ordinary Resolution,

any associated documentation, the form and procedure for voting and the deadline for voting.

5. Each Member is entitled to cast one vote.

## **29. SPECIAL RESOLUTIONS**

1. A Special Resolution is passed if:
  - a. it is passed at an AGM or Extraordinary General Meeting which has been called and conducted in accordance with this Constitution; and
  - b. It is passed by at least seventy-five percent (75%) of Members present and entitled to vote at a General Meeting of which prior written notice of the Special Resolution has been given.
2. Each Member is entitled to cast one vote.
3. A Special Resolution is required if it is proposed at a General Meeting:
  - a. to alter the Constitution of the Church, including changing the name of the Church;
  - b. to approve the terms of an amalgamation with another Church;
  - c. to wing up the Church voluntarily;
  - d. to cancel the Church's incorporation; or
  - e. to call and appoint a Senior Pastor.

## **30. MINUTES OF MEETINGS**

1. The Secretary shall ensure proper minutes of all General Meetings and Elders Board meetings are taken and entered within thirty (30) days of approval of the minutes in a minute book kept for that purpose.
2. The Chairman shall ensure that the minutes taken of a meeting are checked and signed as a correct record by the person chairing the meeting to which those minutes relate, or by the person chairing the next meeting as the case requires.
3. When minutes have been entered and signed as correct under this rule, they are, until the contrary is proved, evidence that:
  - a. the General Meeting or the Elders Board meeting to which they relate (in this sub-rule called "the meeting") was duly convened and held;
  - b. all proceedings recorded as having taken place at the meeting did in fact take place at the meeting; and
  - c. all appointments or elections purporting to have been made at the meeting have been validly made.

## **PART 7 – FINANCIAL MATTERS**

### **31. CONTROL OF FUNDS**

1. The funds of the Church shall be derived from offerings, gifts, grants, interest, loans and other sources as the Elders Board determines.
2. The control of the Church funds shall be vested in the Elders Board.
3. The signatories for the Church bank accounts shall be Elders and/or members appointed from the Ministry Team for that purpose.
4. Two (2) signatories of approved persons shall be required to validate each payment.

### **32. FINANCIAL REPORTING**

1. For each financial year, the Elders Board must ensure that the requirements imposed on the Church under Part 5 of the Act relating to the financial statements or financial report of the Church are met.
2. Without limiting rule 32.1, those requirements include:
  - a. if the Church is a Tier 1 Church as defined in the Act, the preparation of the financial statements;
  - b. if the Church is a Tier 2 Church or Tier 3 Church as defined in the Act, the preparation of the financial report;
  - c. if required, the review or auditing of the financial statements or financial report, as applicable;
  - d. the presentation to the Annual General Meeting of the financial statements or financial report, as applicable; and
  - e. if required, the presentation to the Annual General Meeting of the copy of the report of the review or auditor's report, as applicable, on the financial statements or financial report.

### **33. LOANS AND PROPERTY**

1. Save with the approval of a resolution of the Members, the aggregate of total borrowings, and property, plant or equipment purchases in any Financial Year shall not exceed twenty-five percent (25%) of the budgeted income of the Church for that year.
2. All real property as far as possible shall be held in the name of Subiaco Church of Christ Inc.

## **PART 8 – GENERAL MATTERS**

### **34. COMMON SEAL**

1. The Secretary shall have custody of the Common Seal of the Church, unless another Member is appointed by the Elders Board to do so.
2. The Common Seal shall not be affixed to any instrument except by authority of the Elders Board and such affixing shall be attested by the signatures of two (2) Elders.

### **35. INSPECTION OF RECORDS**

1. The Treasurer shall have custody of all financial books and records, documents and securities of the Church, unless another Member is appointed by the Elders Board to do so.
2. A Member may at any reasonable time inspect without charge the Constitution, the minutes of any General Meeting, the audited financial reports and any report presented at any General Meeting of the Church.

### **36. WINDING UP OF THE CHURCH**

1. An Extraordinary General Meeting called for the specific purpose of which no less than thirty (30) days' notice has been given may, by a Special Resolution, resolve that the Church be wound up or dissolved and its assets distributed.
2. If upon winding up or dissolution of the Church there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the Members of the Church but shall be transferred or distributed to entities including the Association in compliance with the law.
3. The Elders Board shall continue in office subsequent to the decision to wind up for the purpose of giving effect to the efficient realisation and distribution of assets and the winding up of the affairs of the Church in accordance with the provisions of the Act.



## APPENDIX

### Appointment of Proxy Form

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

being a Member of Subiaco Church of Christ Inc., hereby appoint

\_\_\_\_\_  
(name)

of \_\_\_\_\_  
(address)

being a Member of Subiaco Church of Christ Inc., as my proxy to vote for me on my behalf at the General Meeting of the association (Annual General Meeting or Extraordinary General Meeting, as the case may be) to be held on the

\_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_,  
(day) (month) (year)

and at any adjournment of that meeting.

Signature of Member appointing proxy:

\_\_\_\_\_

Date: \_\_\_\_\_

#### NOTE:

A proxy vote cannot be given to a person who is not a Member of Subiaco Church of Christ Inc.