EXAMPLE SIMPLE CONSTITUTION

1. **Name**
The name of the church shall be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter “**the church**”). It shall have all the powers conferred by Section 25 of the Associations Incorporation Act 1985 (“**the Act**”).
2. **Convictions**
We believe in God the Father, Creator and Sustainer; in Jesus Christ as Lord, Saviour and Judge; and in the Holy Spirit as Comforter and Empowerer; as revealed in the Bible, which we believe and follow. We believe we are called to serve God together and to represent his kingdom in our locality and beyond.
3. **Objects**
The objects of the church are to worship God, reach out with his love, invite and welcome newcomers, proclaim the gospel, make disciples of Jesus and prepare and send mature disciples to do the same elsewhere.
4. **Membership**
The Members shall have power to decide all matters relating to the conduct of the church and its affairs. Members Meetings will be conducted for these purposes in accordance with this constitution. The Members will appoint a group of elders to manage the daily business of the church.

All baptised (or confirmed in a previous church) followers of Jesus, who are regular participants in the life of the church, support the Convictions and Objects of the church, and whose application has been approved by the current Members, shall be Members for life unless they either resign or are removed by the elders.

There are no fees, subscriptions or costs to become a Member of the church.

All Members will be voting members.

A Member may resign from membership of the church by giving written notice to the elders. The resignation will be effective immediately.

The elders may remove a Member on the basis of no longer meeting the above criteria, or of misconduct detrimental to the interests of the church. A removed Member may appeal their removal within 14 days of being informed, in which case s/he shall remain a Member until the matter is resolved at the next Members Meeting.

The elders shall ensure that a register of Members is properly kept.

1. **Members Meetings**
There shall be at least three Members Meetings (including an Annual General Meeting) in each calendar year, with Members given at least 14 days notice in advance of each.

The elders will appoint in advance a chairperson for each Members Meeting, who will ensure that the meeting proceeds in a fair, loving and orderly manner. The quorum at each Members Meeting will be one quarter of the Members of the church. The chairperson will have discretion as to whether votes are conducted by show-of-hands or ballot, and whether participation in the meeting via telecommunications technology will be allowed (and if allowed, will form part of the quorum). Unless specified elsewhere in this constitutions, motions will require only a simple majority to pass. There will be no voting by proxy.

The elders will appoint a minute-taker for each Members Meeting, and ensure that minutes are made readily available to all Members within 7 days following each meeting.

A Special Members Meeting must be called by the eldership within 21 days of receipt of a petition of a fifth of the membership to request such a meeting.

In all decisions the will of the Members Meeting shall be binding and conclusive.

1. **Elders**
The church will be overseen by a group of 3-5 elders. For the purposes of the Act, the elders are identified as “**the Committee**”.

Elders may be appointed (or removed) with 2 weeks’ notice of motion at any members meeting. An elder may be appointed for terms of up to 2 years. An elder may serve for a maximum of 3 continuous terms after which a 1 year break must occur before being eligible for re-appointment. Motions for the appointment, reappointment or removal of elders will be via ballot.

In the event of a casual vacancy, the elders may appoint a suitable person who shall hold the position until the next members meeting where their appointment will be voted on.

The elders shall meet every month and a quorum shall require at least half the elders. Formal decisions will require a simple majority of those present and be duly minuted.

The elders will be authorised to appoint and remove other types of leaders and employees, with the exception of pastors whose appointments (and removals) may only be made by members meetings. All leaders will be subject to the oversight of the elders, and be given clear descriptions of their role and the extent of their delegated authority (including to appoint and remove others from ministry roles).

All policies and leadership appointments made by the elders will take effect immediately, but require ratification at the next members meeting or otherwise lapse.

A member of the elders will be removed from their role by resolution of the members or if they: are disqualified from eligibility under the Act, or; are disqualified from being a member under section 4 of this constitution, or; become unable to uphold the standards to be expected of the elders, or; become chronically incapacitated by ill health, or; resign as a church member.

1. **Pastors**
The Members recognise that ministry is entrusted to the whole church. At the same time, the Members may appoint one (1) or more Pastors to help oversee and guide the Church and its ministries. To be eligible for appointment, Pastors must be Accredited or Recognised with BCSA, or working with BCSA towards such endorsement

Appointment of a Pastor will require a resolution passed by not less than three-quarters (3/4) of the Members present at a Members Meeting especially convened for the purpose. Motions for the appointment, reappointment or removal of pastors will be via ballot. An appointed pastor shall automatically become a Member.

As a Member, a Pastor will have the right of attendance, participation and voting at all Members Meetings. However, a Pastor (and spouse, if applicable) will not be entitled to vote on any resolution concerning their appointment or review, and will leave the Meeting for the discussion and vote

1. **Finance, Property and Officers**The elders shall ensure the proper management and control of the funds and property of the church. They shall ensure, if applicable, to comply with the recommended practices and requirements of a charity registered with the ACNC and/or as a Prescribed Association under the Act.

The elders shall ensure that statements of income and expenditure, and assets and liabilities are clearly presented to all regular members meetings, and independently reviewed statements to each Annual General Meeting. No profits may be secured for members.

The financial year of the church shall commence on 1 July each year.

The elders shall be the holders of the common seal. The seal shall be affixed by resolution of members at a properly constituted members’ meeting and its use shall be recorded in the seal register.

The elders shall appoint a Public Officer, Baptist Churches of South Australia Inc. (BCSA) delegates and other representative roles as required by government or BCSA.

1. **Dispute Resolution**Matters of conflict, complaint or dispute will be handled in a timely manner and in accordance with biblical principle such as expressed in Matthew 18:15-20 and Ephesians 4:2-3, and in line with the church’s conflict resolution policy & procedure.
2. **Amendment of Constitution**
Amendments to the constitution may only be made by a three-quarters majority at an Annual General Meeting or a special members meeting called for this purpose. Notice of the proposed amendments shall be circulated to all members at least 30 days in advance.
3. **Winding Up**The church may only be wound up by an extraordinary members meeting called specifically for that purpose, preceded by at least 30 days’ notice. The motion will require a three-quarters majority to pass. The church will be wound up in accordance to the Act. The assets remaining after the satisfaction of any debts and liabilities, shall be transferred by the liquidator (if required) of the church to Baptist Churches of South Australia Inc.
4. **Definitions**
**“Accredited”** means the ministry recognition process undertaken by the Assembly pursuant to the Constitution of BCSA.

**“ACNC”** means the Australian Charities and Not-for profits Commission

**“Annual General Meeting”** means the annual general Members Meeting of the Church required to be held pursuant to Clause 5.

**“ATO”** means the Australian Tax Office.

**“BCSA”** means the Baptist Churches of South Australia Incorporated.

**“Letter of Appointment”** means a template document that is available from the BCSA Office for the use of churches appointing new staff.

**“Prescribed Church”** means a church that had gross receipts, excluding membership subscription, in excess of $500,000 in the previous financial year.

**“Recognised”** means those persons who have been approved by the BCSA Assembly Board for inclusion in the category of ‘Recognised Pastor’.