

CONSTITUTION

of

TEMPLESTOWE BAPTIST CHURCH INCORPORATED

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PART 1

PRELIMINARY

1.0 NAME

- 1.1 The name of the Association is "Templestowe Baptist Church Incorporated".
- 1.2 The Association is a properly recognised constituent church of The Baptist Union of Victoria (incorporated under *The Baptist Union Incorporation Act 1930*, approved by the Parliament of Victoria on 24 December 1930 (No. 3903)) and which is a perpetual incorporation unless revoked by Parliament.
- 1.3 The members of the Association intend and declare that this document constitutes the Rules of the Association and is to be used to assist members of the Association manage the affairs of the Association efficiently.

2.0 PURPOSES AND BASIS OF CHURCH FELLOWSHIP

- 2.1 The Association is established for the purpose of affirming and practicing Baptist understandings of the Gospel through accepting as expressions of the Christian Faith the Doctrinal Basis and the Principles and Ideals of the Baptist Faith contained in the Constitution of The Baptist Union of Victoria and annexed to these Rules in Annexures 1 and 2.
- 2.2 To that end, the Association recognises:
 - 2.2.1 The church is a body of Christian people who have responded to the Word of God and the call of the Holy Spirit and have been united to Jesus Christ and to his people in their own confession of faith and in their baptism;
 - 2.2.2 The church baptises professing believers, in the name of the Father, the Son and the Holy Spirit, as a sign of their salvation and their initiation into the membership of the Body of Christ. Wherever practicable, baptism is practised by immersion into water as the form of baptism normative in the New Testament because it portrays 'going down' into death with Christ and 'coming up' into resurrection with Christ; and
 - 2.2.3 In common with the whole Church, the association accepts its commission to participate in Christ's ministry to all creation, to proclaim and live out the gospel message of reconciliation to God and to one another. All members have been gifted by the Holy Spirit for their part in this ministry and are called to fulfil the meaning of their baptism by exercising their gifts together in nurturing the growth of Christian faith, peace and love.

3.0 FINANCIAL YEAR

- 3.1 The financial year of the Association is each period of 12 months ending on 30 June.

4.0 DEFINITIONS

- 4.1 In these Rules—

absolute majority, of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);

associate member means a member referred to in rule 14(1);

Chairperson, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 46;

church means the church conducted by the Association

Church Council means the Committee having management of the business of the Association;

Church Council meeting means a meeting of the Church Council held in accordance with these Rules;

Church Council member means a member of the Church Council elected or appointed under Division 3 of Part 5;

disciplinary appeal meeting means a meeting of the members of the Association convened under rule 23(3);

disciplinary meeting means a meeting of the Church Council convened for the purposes of rule 22;

disciplinary subcommittee means the subcommittee appointed under rule 20;

financial year means the 12 month period specified in rule 3;

general meeting means a general meeting of the members of the Association convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;

member means a member of the Association;

member entitled to vote means a member who under rule 13(2) is entitled to vote at a general meeting;

special resolution means a resolution that requires not less than two-thirds of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;

the Act means the *Associations Incorporation Reform Act 2012* and includes any regulations made under that Act;

the Registrar means the Registrar of Incorporated Associations.

PART 2

POWERS OF ASSOCIATION

5.0 POWERS OF ASSOCIATION

5.1 Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.

5.2 Without limiting subrule 5.1, the Association may:

5.2.1 acquire, hold and dispose of real or personal property;

5.2.2 open and operate accounts with financial institutions;

5.2.3 invest its money in any security in which trust monies may lawfully be invested;

5.2.4 raise and borrow money on any terms and in any manner as it thinks fit;

5.2.5 secure the repayment of money raised or borrowed, or the payment of a debt or liability;

5.2.6 appoint agents to transact business on its behalf;

5.2.7 enter into any other contract it considers necessary or desirable.

5.3 The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6.0 NOT FOR PROFIT ORGANISATION

6.1 The Association must not distribute any surplus, income or assets directly or indirectly to its members.

6.2 Subrule 6.1 does not prevent the Association from paying a member:

6.2.1 reimbursement for expenses properly incurred by the member; or

6.2.2 for goods or services provided by the member

if this is done in good faith on terms no more favourable than if the member was not a member.

PART 3

MEMBERS, DISCIPLINARY PROCEDURES AND GRIEVANCES

Division 1—Membership

7.0 MINIMUM NUMBER OF MEMBERS

7.1 The Association must have at least five (5) members.

8.0 WHO IS ELIGIBLE TO BE A MEMBER

8.1 The membership of the Association consists of people who are personally committed to Jesus Christ as Lord and Saviour and to the mission of the church. To that end, any person who supports the purposes of the Association is eligible for membership.

9.0 APPLICATION FOR MEMBERSHIP

9.1 A person is received into the membership of the Association by:

9.1.1 baptism or by the Association's recognition of their prior baptism; and

9.1.2 approval of a church meeting.

9.2 Prior to such church meeting, the person must submit a written application to the Membership Committee (comprising the Administration Deacon and the Elders) stating that the person:

9.2.1 has made their own free decision to commit themselves to Christ and to the church;

9.2.2 has participated in appropriate membership preparation, as determined by the Membership Committee;

9.2.3 has been baptised as a testimony of their own faith in, and commitment to, Jesus Christ as Lord and Saviour, or has been baptised according to the rites of another Christian church and is about to make public profession of their faith in, and commitment to, Jesus Christ as Lord and Saviour, as an affirmation of their baptism, and is able to affirm the normative nature of believer's baptism but is unable in good conscience to be so baptised;

9.2.4 wishes to become a member of the Association;

9.2.5 supports the purposes of the Association;

9.2.6 agrees to comply with these Rules.

9.3 The application:

9.3.1 must be signed by the applicant;
and

9.3.2 must, if the person seeks to become a member of the Association having been a member of another Baptist church, or church practising believer's baptism, be accompanied by a letter of commendation from that other church.

10.0 CONSIDERATION OF APPLICATION

10.1 As soon as practicable after an application for membership is received, the Church Council must decide by resolution whether to accept or reject the application. If the Church Council accepts the application, the application will be considered for approval by the members at the next Church Meeting.

10.2 The Church Council must notify the applicant in writing of its decision as soon as practicable after the decision is made and the expected date for the next Church Meeting when the application will be due to be considered by the members.

10.3 No reason need be given for the rejection of an application by the Church Council.

11.0 NEW MEMBERSHIP

11.1 If an application for membership is approved by the members at a Church Meeting:

11.1.1 the resolution to accept the membership must be recorded in the minutes of the Church Meeting; and

11.1.2 the Administration Deacon must, as soon as practicable, enter the name and address of the new member, and the date of becoming a member, in the register of members.

11.2 A person becomes a member of the Association and, subject to rule 13.2, is entitled to exercise his or her rights of membership from the date the Church Meeting approves the person's membership.

11.3 Any member of the Association must promptly notify the Administration Deacon of any change of address.

12.0 ANNUAL SUBSCRIPTION AND FEE ON JOINING

12.1 No joining fees or annual subscription fees are payable by the members.

13.0 GENERAL RIGHTS OF MEMBERS

13.1 A member of the Association who is entitled to vote has the right:

13.1.1 to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules;

13.1.2 to submit items of business for consideration at a general meeting;

13.1.3 to attend and be heard at general meetings;

13.1.4 to vote at a general meeting;

13.1.5 to have access to the minutes of general meetings and other documents of the Association as provided under rule 75;

13.1.6 to inspect the register of members.

13.2 A member is entitled to vote if:

13.2.1 the member is a member other than an associate member; and

13.2.2 the member's membership rights are not suspended for any reason.

14.0 ASSOCIATE MEMBERS

14.1 Associate members of the Association include:

14.1.1 any members under the age of eighteen (18) years; and

14.1.2 any other category of member as determined by special resolution at a general meeting.

14.2 An associate member must not vote but may have other rights as determined by the Church Council or by resolution at a general meeting.

15.0 RIGHTS NOT TRANSFERABLE.

15.1 The rights of a member are not transferable and end when membership ceases.

16.0 CEASING MEMBERSHIP

16.1 The membership of a person ceases on resignation, expulsion or death.

16.2 If a person ceases to be a member of the Association, the Administration Deacon must, as soon as practicable, enter the date the person ceased to be a member in the register of members.

17.0 RESIGNING AS A MEMBER

17.1 A member may resign by notice in writing given to the Association.

17.2 A member is taken to have resigned if:

(i) the Administration Deacon has made a written request to the member to confirm that he or she wishes to remain a member; and

(ii) the member has not, within 3 months after receiving that request, confirmed in writing that he or she wishes to remain a member.

18.0 MEMBERSHIP ROLL

18.1 The Administration Deacon must keep and maintain a register of members ("Membership Roll") that includes:

18.1.1 for each current member:

(i) the member's name;

(ii) the address for notice last given by the member;

(iii) the date of becoming a member;

(iv) if the member is an associate member, a note to that effect;

(v) any other information determined by the Church Council; and

18.1.2 for each former member, the date of ceasing to be a member.

18.2 Any member may, at a reasonable time and free of charge, inspect the Membership Roll.

Division 2—Disciplinary action

19.0 GROUNDS FOR TAKING DISCIPLINARY ACTION

- 19.1 The Association may take disciplinary action against a member in accordance with this Division if it is determined that the member:
- 19.1.1 has failed to comply with these Rules; or
 - 19.1.2 refuses to support the purposes of the Association; or
 - 19.1.3 has engaged in conduct prejudicial to the Association.

20.0 DISCIPLINARY SUBCOMMITTEE

- 20.1 If the Church Council is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Church Council must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.
- 20.2 The members of the disciplinary subcommittee:
- 20.2.1 may be Church Council members, members of the Association or anyone else; but
 - 20.2.2 must not be biased against, or in favour of, the member concerned.

21.0 NOTICE TO MEMBER

- 21.1 Before disciplinary action is taken against a member, the Administration Deacon must give written notice to the member:
- 21.1.1 stating that the Association proposes to take disciplinary action against the member;
 - 21.1.2 stating the grounds for the proposed disciplinary action;
 - 21.1.3 specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the “disciplinary meeting”);
 - 21.1.4 advising the member that he or she may do one or both of the following:
 - (i) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
 - (ii) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
 - 21.1.5 setting out the member's appeal rights under rule 23.
- 21.2 The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

22.0 DECISION OF SUBCOMMITTEE

- 22.1 At the disciplinary meeting, the disciplinary subcommittee must:
- 22.1.1 give the member an opportunity to be heard; and
 - 22.1.2 consider any written statement submitted by the member.
- 22.2 After complying with subrule 22.1, the disciplinary subcommittee may:
- 22.2.1 take no further action against the member; or
 - 22.2.2 subject to subrule 22.3:

- (i) reprimand the member; or
- (ii) suspend the membership rights of the member for a specified period; or
- (iii) expel the member from the Association.

22.3 The disciplinary subcommittee may not fine the member.

22.4 The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

23.0 APPEAL RIGHTS

23.1 A person whose membership rights have been suspended or who has been expelled from the Association under rule 22 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.

23.2 The notice must be in writing and given:

23.2.1 to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or

23.2.2 to the Administration Deacon not later than 48 hours after the vote.

23.3 If a person has given notice under subrule 23.2, a disciplinary appeal meeting must be convened by the Church Council as soon as practicable, but in any event not later than 21 days, after the notice is received.

23.4 Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must:

23.4.1 specify the date, time and place of the meeting; and

23.4.2 state:

- (i) the name of the person against whom the disciplinary action has been taken; and
- (ii) the grounds for taking that action; and
- (iii) that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

24.0 CONDUCT OF DISCIPLINARY APPEAL MEETING

24.1 At a disciplinary appeal meeting:

24.1.1 no business other than the question of the appeal may be conducted;

24.1.2 the Church Council must state the grounds for suspending or expelling the member and the reasons for taking that action; and

24.1.3 the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

24.2 After complying with subrule 24.1, the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.

24.3 A member may not vote by proxy at the meeting.

24.4 The decision is upheld if not less than two-thirds of the members voting at the meeting vote in favour of the decision.

Division 3—Grievance procedure

25.0 APPLICATION

- 25.1 The grievance procedure set out in this Division applies to disputes under these Rules between
- 25.1.1 a member and another member;
 - 25.1.2 a member and the Church Council;
 - 25.1.3 a member and the Association.
- 25.2 A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

26.0 PARTIES MUST ATTEMPT TO RESOLVE THE DISPUTE

- 26.1 The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

27.0 APPOINTMENT OF MEDIATOR

- 27.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 26, the parties must within 10 days:
- 27.1.1 notify the Church Council of the dispute;
 - 27.1.2 agree to or request the appointment of a mediator; and
 - 27.1.3 attempt in good faith to settle the dispute by mediation.
- 27.2 The mediator must be:
- 27.2.1 a person chosen by agreement between the parties; or
 - 27.2.2 in the absence of agreement:
 - (i) if the dispute is between a member and another member—a person appointed by the Church Council; or
 - (ii) if the dispute is between a member and the Church Council or the Association—a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 27.3 A mediator appointed by the Church Council may be a member or former member of the Association but in any case must not be a person who:
- 27.3.1 has a personal interest in the dispute; or
 - 27.3.2 is biased in favour of or against any party.

28.0 MEDIATION PROCESS

- 28.1 The mediator to the dispute, in conducting the mediation, must:
- 28.1.1 give each party every opportunity to be heard; and
 - 28.1.2 allow due consideration by all parties of any written statement submitted by any party; and
 - 28.1.3 ensure that natural justice is accorded to the parties throughout the mediation process.
- 28.2 The mediator must not determine the dispute.

29.0 FAILURE TO RESOLVE DISPUTE BY MEDIATION

- 29.1 If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

PART 4

MEETINGS OF THE ASSOCIATION

The Association acknowledges that Baptist churches acknowledge Jesus Christ as Lord of the Church and as ultimate authority in its life. As a local Baptist church, the church meeting is responsible for discerning Christ's leading and therefore has final decision-making power. This is usually referred to as congregational government. The pastor(s) and the Church Council exist to serve and resource the church members. The church, through the church meeting, has final authority in deciding every matter which affects the church's life.

30.0 ANNUAL CHURCH MEETINGS

- 30.1 The Church Council must convene an annual church meeting of the Association to be held within 5 months after the end of each financial year. The annual church meeting will be the annual general meeting for the purposes of the Act.
- 30.2 Despite subrule 30.1, the Association may hold its first annual church meeting at any time within 18 months after its incorporation.
- 30.3 The Church Council may determine the date, time and place of the annual church meeting.
- 30.4 The ordinary business of the annual church meeting is as follows:
- 30.4.1 to confirm the minutes of the previous annual general meeting and of any special church meeting held since then;
 - 30.4.2 to hear a report/presentation from the Senior Pastor;
 - 30.4.3 to hear a report from the Church Council;
 - 30.4.4 to receive and consider:
 - (i) the annual report of the Church Council on the activities of the Association during the preceding financial year; and
 - (ii) the financial statements of the Association for the preceding financial year submitted by the Church Council in accordance with Part 7 of the Act;
 - 30.4.5 to elect the members of the Church Council; and
 - 30.4.6 to review the Membership Roll.
- 30.5 The annual church meeting may also conduct any other business of which notice has been given in accordance with these Rules.
- 30.6 The church meeting (whether at an annual church meeting or a special church meeting), by majority vote of the members present, may adopt new policies or alter existing policies on various matters for the purpose of governing aspects of the church's life and mission, or for the purpose of expressing a collective opinion about something that is happening in the wider church or society. Copies of any proposed new policy or alteration of an existing policy must be made available to members at least two weeks prior to the relevant church meeting.

31.0 SPECIAL CHURCH MEETINGS

- 31.1 Any church meeting of the Association, other than an annual church meeting or a disciplinary appeal meeting, is a special church meeting. A special church meeting is a special general

meeting for the purposes of the Act. A special church meeting may be convened for the purpose of:

- 31.1.1 dealing with general business of the church (which shall be called a "General Meeting"; and/or
- 31.1.2 dealing with specific issues needing the consideration and approval of the members (whether such approval is required by the Act or in the discretion of the Church Council) (which shall be called a "Special Meeting").

- 31.2 The Church Council may convene a special church meeting whenever it thinks fit but must convene at least three (3) General Meetings each year. Preferably, each General Meeting shall be called by a resolution of the previous General Meeting.
- 31.3 Special church meetings may also be called by the Church Council if requested by the Senior Pastor or otherwise approved by the Church Council.
- 31.4 No business other than that set out in the notice under rule 33 may be conducted at the meeting.

32.0 SPECIAL CHURCH MEETING HELD AT REQUEST OF MEMBERS

- 32.1 The Church Council must convene a special church meeting if a request to do so is made in accordance with subrule 32.2 by at least 20% of the total number of members.
- 32.2 A request for a special church meeting must:
 - 32.2.1 be in writing;
 - 32.2.2 state the business to be considered at the meeting and any resolutions to be proposed;
 - 32.2.3 include the names and signatures of the members requesting the meeting; and
 - 32.2.4 be given to the Administration Deacon.
- 32.3 If the Church Council does not convene a special church meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special church meeting.
- 32.4 A special church meeting convened by members under subrule 32.3:
 - 32.4.1 must be held within 3 months after the date on which the original request was made; and
 - 32.4.2 may only consider the business stated in that request.
- 32.5 The Association must reimburse all reasonable expenses incurred by the members convening a special church meeting under subrule 32.3.

33.0 NOTICE OF MEETINGS

- 33.1 The Administration Deacon (or, in the case of a special church meeting convened under rule 32.3, the members convening the meeting) must give to each member of the Association:
 - 33.1.1 at least three (3) consecutive Sundays prior notice of a church meeting if a special resolution is to be proposed at the meeting; or
 - 33.1.2 at least two (2) consecutive Sundays prior notice of a church meeting in any other case.
- 33.2 The notice must:
 - 33.2.1 specify the date, time and place of the meeting; and

33.2.2 indicate the general nature of each item of business to be considered at the meeting; and

33.2.3 if a special resolution is to be proposed:

(i) state in full the proposed resolution; and

(ii) state the intention to propose the resolution as a special resolution; and

33.2.4 comply with rule 34.5.

33.3 This rule does not apply to a disciplinary appeal meeting.

34.0 NO PROXIES

34.1 A member may not appoint another member as his or her proxy to vote or speak on his or her behalf at any church meeting.

35.0 USE OF TECHNOLOGY

35.1 If permitted by the Church Council in a notice of church meeting, a member not physically present at a church meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.

35.2 For the purposes of this Part, a member participating in a church meeting as permitted under subrule 35.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

36.0 QUORUM AT CHURCH MEETINGS

36.1 No business may be conducted at a church meeting unless a quorum of members is present.

36.2 The quorum for a church meeting is the presence (physically or as allowed under rule 35) of 20% of the members entitled to vote.

36.3 If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:

36.3.1 in the case of a meeting convened by, or at the request of, members under rule 32 — the meeting must be dissolved; or

36.3.2 in any other case —

(i) the meeting must be adjourned to a date not more than 21 days after the adjournment; and

(ii) notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.

36.4 If a quorum is not present within 30 minutes after the time to which a general meeting has been adjourned under subrule 36.3.2, the members present at the meeting (if not fewer than 3) may proceed with the business of the meeting as if a quorum were present.

37.0 ADJOURNMENT OF CHURCH MEETING

37.1 The Chairperson of a church meeting at which a quorum is present may, with the consent of a majority of members present at the meeting, adjourn the meeting to another time at the same place or at another place.

37.2 Without limiting subrule 37.1, a meeting may be adjourned:

37.2.1 if there is insufficient time to deal with the business at hand; or

37.2.2 to give the members more time to consider an item of business.

37.3 No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.

37.4 Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 33.

38.0 VOTING AT CHURCH MEETING

38.1 On any question arising at a church meeting:

38.1.1 subject to subrule 38.3, each member who is entitled to vote has one vote;

38.1.2 members may only vote personally; and

38.1.3 except in the case of a special resolution, the question must be decided on a majority of votes.

38.2 If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.

38.3 If the question is whether or not to confirm the minutes of a previous meeting, only members who were present at that meeting may vote.

38.4 Notwithstanding any other provisions in these Rules, and to the extent permitted under the Act, special church meetings are also to be governed in accordance with Schedule B to *The Baptist Union Incorporation Act 1930* which is summarised in Annexure 3 to these Rules.

38.5 This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 24.

39.0 SPECIAL RESOLUTIONS

39.1 A special resolution is passed if not less than two-thirds of the members voting at a church meeting vote in favour of the resolution.

39.2 In addition to certain matters specified in the Act, a special resolution is required:

39.2.1 to appoint a pastor;

39.2.2 to remove a Church Council member from office; and

39.2.3 to alter these Rules, including changing the name or any of the purposes of the Association.

40.0 DETERMINING WHETHER RESOLUTION CARRIED

40.1 Subject to subrule 40.2, the Chairperson of a church meeting may, on the basis of a show of hands, declare that a resolution has been:

40.1.1 carried;

40.1.2 carried unanimously; or

40.1.3 carried by a particular majority; or

40.1.4 lost

and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

- 40.2 If a poll (where votes are cast in writing) is demanded by three or more members on any question:
- 40.2.1 the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and
 - 40.2.2 the Chairperson must declare the result of the resolution on the basis of the poll.
- 40.3 A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- 40.4 A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

41.0 MINUTES OF CHURCH MEETING

- 41.1 The Committee must ensure that minutes are taken and kept of each church meeting.
- 41.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 41.3 The minutes must be made available to church members for at least two consecutive Sundays prior to the next special church meeting.
- 41.4 In addition, the minutes of each annual church meeting must include:
- 41.4.1 the names of the members attending the meeting;
 - 41.4.2 the financial statements submitted to the members in accordance with rule 30.4.2(ii); and
 - 41.4.3 the certificate signed by two Church Council members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
 - 41.4.4 any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5

CHURCH COUNCIL

Division 1—Powers of Church Council

42.0 ROLE AND POWERS

- 42.1 The business of the Association must be managed by or under the direction of a Committee, which for the purposes of these Rules and the day-to-day conduct of the Association shall be called the 'Church Council'.
- 42.2 The Church Council may exercise all the powers of the Association except those powers that these Rules or the Act require to be exercised by general meetings of the members of the Association.

- 42.3 The Church Council:
- 42.3.1 may make recommendations to the Church Meeting to appoint and remove staff of the church; and
 - 42.3.2 may establish subcommittees consisting of members with terms of reference it considers appropriate.
- 42.4 Unless otherwise approved by the members at a church meeting, the activities of any church group or external group that is using the church's name, property, buildings or equipment must be subject to the supervision of the Church Council.
- 42.5 With respect to any land or buildings owned by the Association which are eligible for an exemption from rates and/or similar outgoings, no lease or other right of occupancy shall be granted without prior approval of the Church Council and the members at a special church meeting.

43.0 DELEGATION

- 43.1 The Church Council may delegate to a member of the Church Council, a subcommittee or staff, any of its powers and functions other than:
- 43.1.1 this power of delegation; or
 - 43.1.2 a duty imposed on the Church Council by the Act or any other law.
- 43.2 The delegation must be in writing and may be subject to the conditions and limitations the Committee considers appropriate.
- 43.3 The Church Council may, in writing, revoke a delegation wholly or in part.

Division 2—Composition of Church Council and duties of members

44.0 COMPOSITION OF CHURCH COUNCIL

- 44.1 The Church Council consists of:
- 44.1.1 the Senior Pastor of the church;
 - 44.1.2 Elders (up to 4 in number);
 - 44.1.3 Chairman (also called Deacon);
 - 44.1.4 Secretary (also called Administration Deacon);
 - 44.1.5 Treasurer (also called Finance Deacon);
 - 44.1.6 Property Deacon; and
 - 44.1.7 ordinary members (if any) elected under rule 53.
- 44.2 The primary role of the Elders is to support the Senior Pastor in managing the ministries.
- 44.3 The primary role of the Deacons is to manage the resources of the church in support of the ministries.

45.0 GENERAL DUTIES

- 45.1 As soon as practicable after being elected or appointed to the Church Council, each committee member must become familiar with these Rules and the Act.
- 45.2 The Church Council is collectively responsible for ensuring that the Association complies with the Act and that individual members of the Church Council comply with these Rules. The

Church Council shall exercise oversight of those areas of the church's life and ministry delegated to it by the church meeting and is always accountable to the church meeting.

- 45.3 Church Council members must exercise their powers and discharge their duties with reasonable care and diligence.
- 45.4 Church Council members must exercise their powers and discharge their duties:
- 45.4.1 in good faith in the best interests of the Association; and
 - 45.4.2 for a proper purpose.
- 45.5 Church Council members and former Church Council members must not make improper use of:
- 45.5.1 their position; or
 - 45.5.2 information acquired by virtue of holding their position
- so as to gain an advantage for themselves or any other person or to cause detriment to the Association.
- 45.6 In addition to any duties imposed by these Rules, a Church Council member must perform any other duties imposed from time to time by resolution at a general meeting.

46.0 CHAIRMAN

- 46.1 Subject to subrule 46.2, the Chairman or, in the Chairman's absence, the Administration Deacon is the Chairperson for any general meetings and for any Church Council meetings.
- 46.2 If the Chairman and the Administration Deacon are both absent, or are unable to preside, the Chairperson of the meeting must be:
- 46.2.1 in the case of a general meeting—a member elected by the other members present; or
 - 46.2.2 in the case of a committee meeting—a committee member elected by the other committee members present.

47.0 ADMINISTRATION DEACON

- 47.1 The Administration Deacon must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- 47.2 The Administration Deacon must:
- 47.2.1 maintain the Membership Roll in accordance with rule 18;
 - 47.2.2 keep custody of the common seal (if any) of the Association and, except for the financial records referred to in rule 70.3, all books, documents (including digital copies) and securities of the Association in accordance with rules 72 and 75;
 - 47.2.3 subject to the Act and these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents; and
 - 47.2.4 perform any other duty or function imposed on the Administration Deacon by these Rules.
- 47.3 The Administration Deacon must give to the Registrar notice of his or her appointment within 14 days after the appointment.

48.0 FINANCE DEACON

- 48.1 The Finance Deacon must:
- 48.1.1 receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and

- 48.1.2 ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
 - 48.1.3 make any payments authorised by the Church Council or by a general meeting of the Association from the Association's funds; and
 - 48.1.4 ensure cheques are signed by at least 2 Church Council members.
- 48.2 The Finance Deacon must:
- 48.2.1 ensure that the financial records of the Association are kept in accordance with the Act; and
 - 48.2.2 coordinate the preparation of the financial statements of the Association and their certification by the Church Council prior to their submission to the annual general meeting of the Association.
- 48.3 The Finance Deacon must ensure that at least one other Church Council member has access to the accounts and financial records of the Association.

Division 3—Election of Church Council members and tenure of office

49.0 WHO IS ELIGIBLE TO BE A CHURCH COUNCIL MEMBER AND/OR PASTOR

- 49.1 Other than the Senior Pastor, a member is eligible to be elected or appointed as a Church Council member if the member:
- 49.1.1 is 18 years or over; and
 - 49.1.2 is entitled to vote at a general meeting.
- 49.2 The Senior Pastor will be a permanent member of the Church Council for such time as he or she carries the appointment of Senior Pastor.
- 49.3 Associate Pastors may also be appointed to provide pastoral leadership in specific areas but shall not automatically be entitled to be appointed to the Church Council (but shall be eligible to be appointed by election of the members pursuant to these Rules).
- 49.4 Pastors:
- 49.4.1 shall be appointed to provide pastoral leadership of the church as a whole;
 - 49.4.2 must be a person whom the church believes to have been called and gifted by the Lord of the Church to fulfil a ministry of pastoral leadership within the church; and
 - 49.4.3 must be eligible for membership of the Association.
- 49.5 The following decisions regarding pastors of the church shall each require a two-thirds majority of the members who are present and who vote at a Special General Meeting (also called Special Church Meeting) in accordance with the requirements of Schedule B of *The Baptist Union Incorporation Act 1930*, a plain English summary of which has been prepared by the Baptist Union of Victoria and contained in Annexure 3 to these Rules:
- 49.5.1 the calling of a pastor;
 - 49.5.2 the approval of any extension of term if a pastor has been called for a specific term; and
 - 49.5.3 the removal of a pastor (Note: a proposal to remove a pastor must not be put to a church meeting before the church has consulted with the Director of Ministries of the Baptist Union (or any equivalent role) regarding the proposed removal).

50.0 POSITIONS TO BE DECLARED VACANT

- 50.1 This rule applies to:
- 50.1.1 the first annual general meeting of the Association after its incorporation; or
 - 50.1.2 any subsequent annual general meeting of the Association, after the annual report and financial statements of the Association have been received.
- 50.2 Subject to the tenures set out in rule 55, the Chairperson of the meeting must declare vacant those positions on the Church Council (other than the position held by the Senior Pastor) which have become vacant and hold elections for those positions, subject to rules 51 to 54.

51.0 NOMINATIONS

- 51.1 Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.
- 51.2 An eligible member of the Association may with the member's consent, be nominated by another member. Any nomination must be seconded by another member.
- 51.2.3.
- 51.3 Nominations for a Deacon position must be in writing signed by two church members and the person nominated. Nominations must be received by the Administration Deacon at least 14 days before the annual church meeting.
- 51.4 Nominations for an Elder position must be received by the Administration Deacon at least 21 days before the annual church meeting for review and approval by a Nominating Committee appointed by the Church Council.
- 51.5 A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

52.0 ELECTION OF CHAIRMAN ETC.

- 52.1 At the annual general meeting, separate elections must be held for each of the following positions:
- 52.1.1 Chairman;
 - 52.1.2 Administration Deacon;
 - 52.1.3 Finance Deacon.
- 52.2 If only one member is nominated for the position, the appointment of the member to the position must still be approved by a two-thirds majority of the members present at the meeting.
- 52.3 If more than one member is nominated, a ballot must be held in accordance with rule 54.
- 52.4 On his or her election, the new Chairman may take over as Chairperson of the meeting.

53.0 ELECTION OF ORDINARY MEMBERS

- 53.1 The annual general meeting must by resolution decide the number of ordinary members of the Church Council (if any) it wishes to hold office for the next year.
- 53.2 A single election may be held to fill all of those positions.
- 53.3 If the number of members nominated for the position of ordinary committee member is less than or equal to the number to be elected, the appointment of the members to the positions must still be approved by a two-thirds majority of the members present at the meeting.
- 53.4 If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 54.

54.0 BALLOT

- 54.1 If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
- 54.2 The returning officer must not be a member nominated for the position.
- 54.3 Before the ballot is taken, each candidate may make a short speech in support of his or her election.
- 54.4 The election must be by secret ballot.
- 54.5 The returning officer must give a blank piece of paper or pre-prepared ballot paper to each member present in person.
- 54.6 If the ballot is for a single position, the voter must write or indicate on the ballot paper the name of the candidate for whom they wish to vote.
- 54.7 If the ballot is for more than one position:
 - 54.7.1 the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
 - 54.7.2 the voter must not write the names of more candidates than the number to be elected.
- 54.8 Ballot papers that do not comply with subrule 54.7.2 or are illegible are not to be counted.
- 54.9 Each ballot paper on which the name of a candidate has been written counts as one vote for that candidate.
- 54.10 The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes. The election of Elders and Deacons requires a two-thirds majority vote of the members who are present at the church meeting.
- 54.11 If the returning officer is unable to declare the result of an election under subrule 54.10 because 2 or more candidates received the same number of votes, the returning officer must:
 - 54.11.1 conduct a further election for the position in accordance with subrules 54.4 to 54.10 to decide which of those candidates is to be elected; or
 - 54.11.2 with the agreement of those candidates, decide by lot which of them is to be elected.

55.0 TERM OF OFFICE

- 55.1 A Church Council member holds office for the tenure set out in subrule 55.3, subject to subrule 55.4 and rule 56..
- 55.2 A Church Council member may be re-elected.
- 55.3 Tenure of Church Council officebearers shall be as follows:
 - 55.3.1 Elders shall be appointed for a term of three (3) years;
 - 55.3.2 Deacons shall be appointed for a term of two (2) years; and
 - 55.3.3 Other appointment shall be made for a term of one (1) year.
- 55.4 A general meeting of the Association may:
 - 55.4.1 by special resolution remove a Church Council member from office; and
 - 55.4.2 elect an eligible member of the Association to fill the vacant position in accordance with this Division.

55.5 A member who is the subject of a proposed special resolution under subrule 55.4.1 may make representations in writing to the Chairman or Administration Deacon of the Association (not exceeding a reasonable length) and may request that the representations be provided to the members of the Association.

55.6 The Chairman or the Administration Deacon may give a copy of the representations to each member of the Association or, if they are not so given, the member may require that they be read out at the meeting at which the special resolution is to be proposed.

56.0 VACATION OF OFFICE

56.1 A Church Council member may resign from the Church Council by written notice addressed to the Church Council.

56.2 A person ceases to be a Church Council member if he or she:

56.2.1 ceases to be a member of the Association; or

56.2.2 fails to attend 3 consecutive Church Council meetings (other than special or urgent Church Council meetings) without leave of absence under rule 67; or

56.2.3 otherwise ceases to be a Church Council member by operation of section 78 of the Act; or

56.2.4 in the case of the Senior Pastor, ceases to be the Senior Pastor of the church.

57.0 FILLING CASUAL VACANCIES

57.1 The Church Council may appoint an eligible member of the Association to fill a position on the Church Council that:

57.1.1 has become vacant under rule 56; or

57.1.2 was not filled by election at the last annual church meeting.

57.2 If the position of Administration Deacon becomes vacant, the Church Council must appoint a member to the position within 14 days after the vacancy arises.

57.3 Rule 55 applies to any Church Council member appointed by the Church Council under subrule 57.1 or 57.2, save that the tenure of such member shall expire at the next annual church meeting.

57.4 The Church Council may continue to act despite any vacancy in its membership.

Division 4—Meetings of Church Council

58.0 MEETINGS OF CHURCH COUNCIL

58.1 The Church Council must meet at least monthly at the dates, times and places determined by the Church Council.

58.2 The date, time and place of the first Church Council meeting must be determined by the members of the Church Council as soon as practicable after the annual general meeting of the Association at which the members of the Church Council were elected.

58.3 Special Church Council meetings may be convened by the Chairman or by any 4 members of the Church Council.

59.0 NOTICE OF MEETINGS

- 59.1 Notice of each Church Council meeting must be given to each Church Council member no later than 7 days before the date of the meeting.
- 59.2 Notice may be given of more than one Church Council meeting at the same time.
- 59.3 The notice must state the date, time and place of the meeting.
- 59.4 If a special Church Council meeting is convened, the notice must include the general nature of the business to be conducted.
- 59.5 The only business that may be conducted at a special Church Council meeting is the business for which the meeting is convened.

60.0 URGENT MATTERS

- 60.1 In cases of urgency, a meeting can be held without notice being given in accordance with rule 59 provided that as much notice as practicable is given to each committee member by the quickest means practicable.
- 60.2 Any resolution made at the meeting must be passed by an absolute majority of the Church Council.
- 60.3 The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.
- 60.4 The Church Council Executive, comprising the Senior Pastor, Chairman and Administration Deacon, shall have the power to deal with urgent and routine business between Church Council meetings provided that any such business must be reported to the next Church Council meeting.

61.0 PROCEDURE AND ORDER OF BUSINESS

- 61.1 The procedure to be followed at a meeting of a Church Council must be determined from time to time by the Church Council.
- 61.2 The order of business may be determined by the members present at the meeting.

62.0 USE OF TECHNOLOGY

- 62.1 A Church Council member who is not physically present at a Church Council meeting may participate in the meeting by the use of technology that allows that Church Council member and the Church Council members present at the meeting to clearly and simultaneously communicate with each other.
- 62.2 For the purposes of this Part, a committee member participating in a committee meeting as permitted under subrule 62.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

63.0 QUORUM

- 63.1 No business may be conducted at a Church Council meeting unless a quorum is present.
- 63.2 The quorum for a Church Council meeting is the presence (in person or as allowed under rule 62) of at least half of the Church Council members holding office.
- 63.3 If a quorum is not present within 30 minutes after the notified commencement time of a committee meeting:
 - 63.3.1 in the case of a special meeting—the meeting lapses;
 - 63.3.2 in any other case—the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 59.

64.0 VOTING

- 64.1 On any question arising at a Church Council meeting, each Church Council member present at the meeting has one vote.
- 64.2 A motion is carried if a majority of Church Council members present at the meeting vote in favour of the motion.
- 64.3 Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Church Council.
- 64.4 If votes are divided equally on a question, the Chairperson of the meeting has a second or casting vote.
- 64.5 Voting by proxy is not permitted.

65.0 CONFLICT OF INTEREST

- 65.1 A Church Council member who has a material personal interest in a matter being considered at a committee meeting must disclose the nature and extent of that interest to the Church Council.
- 65.2 The member:
 - 65.2.1 must not be present while the matter is being considered at the meeting; and
 - 65.2.2 must not vote on the matter.
- 65.3 This rule does not apply to a material personal interest:
 - 65.3.1 that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
 - 65.3.2 that the member has in common with all, or a substantial proportion of, the members of the Association.

66.0 MINUTES OF MEETING

- 66.1 The Church Council must ensure that minutes are taken and kept of each Church Council meeting.
- 66.2 The minutes must record the following:
 - 66.2.1 the names of the members in attendance at the meeting;
 - 66.2.2 the business considered at the meeting;
 - 66.2.3 any resolution on which a vote is taken and the result of the vote;
 - 66.2.4 any material personal interest disclosed under rule 65.

67.0 LEAVE OF ABSENCE

- 67.1 The Church Council may grant a Church Council member leave of absence from Church Council meetings for a period not exceeding 3 months.
- 67.2 The Church Council must not grant leave of absence retrospectively unless it is satisfied that it was not feasible for the committee member to seek the leave in advance.

PART 6

FINANCIAL MATTERS

68.0 SOURCE OF FUNDS

68.1 The funds of the Association may be derived from tithes, offerings, donations, fund-raising activities, grants, interest and any other sources approved by the Church Council.

69.0 MANAGEMENT OF FUNDS

69.1 The Association must open an account (or accounts) with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.

69.2 Subject to any restrictions imposed by a general meeting of the Association, the Church Council may approve expenditure on behalf of the Association.

69.3 The Church Council may authorise the Finance Deacon to expend funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Church Council for each item on which the funds are expended.

69.4 All payments (whether made by EFT or otherwise), drafts, bills of exchange, promissory notes and other negotiable instruments must be signed or approved (as the case may be) by 2 Church Council members.

69.5 All funds of the Association must be deposited into the financial account of the Association no later than 5 working days after receipt.

69.6 With the approval of the Church Council, the Finance Deacon may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

70.0 FINANCIAL RECORDS

70.1 The Association must keep financial records that:

70.1.1 correctly record and explain its transactions, financial position and performance; and

70.1.2 enable financial statements to be prepared as required by the Act.

70.2 The Association must retain the financial records for 7 years after the transactions covered by the records are completed.

70.3 The Finance Deacon must keep in his or her custody, or under his or her control:

70.3.1 the financial records for the current financial year; and

70.3.2 any other financial records as authorised by the Church Council.

71.0 FINANCIAL STATEMENTS

71.1 For each financial year, the Church Council must ensure that the requirements under the Act relating to the financial statements of the Association are met.

71.2 Without limiting subrule 71.1, those requirements include:

71.2.1 the preparation of the financial statements;

71.2.2 if required, the review or auditing of the financial statements;

71.2.3 the certification of the financial statements by the Church Council;

71.2.4 the submission of the financial statements to the annual general meeting of the Association;

- 71.2.5 the lodgement with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

PART 7

GENERAL MATTERS

72.0 COMMON SEAL

- 72.1 The Association may have a common seal.
- 72.2 If the Association has a common seal:
- 72.1.1 the name of the Association must appear in legible characters on the common seal;
 - 72.1.2 a document may only be sealed with the common seal by the authority of the Church Council and the sealing must be witnessed by the signatures of two Church Council members; and
 - 72.1.3 the common seal must be kept in the custody of the Administration Deacon.

73.0 REGISTERED ADDRESS

- 73.1 The registered address of the Association is:
- 73.1.1 the address determined from time to time by resolution of the Church Council; or
 - 73.1.2 if the Church Council has not determined an address to be the registered address—the postal address of the Administration Deacon.

74.0 NOTICE REQUIREMENTS

- 74.1 Any notice required to be given to a member or a committee member under these Rules may be given:
- 74.1.1 by handing the notice to the member personally; or
 - 74.1.2 by sending it by post to the member at the address recorded for the member on the register of members; or
 - 74.1.3 by email or facsimile transmission.
- 74.2 Subrule 74.1 does not apply to notice given under rule 60.
- 74.3 Any notice required to be given to the Association or the Church Council may be given:
- 74.3.1 by handing the notice to a member of the Church Council; or
 - 74.3.2 by sending the notice by post to the registered address; or
 - 74.3.3 by leaving the notice at the registered address; or
 - 74.3.4 if the Church Council determines that it is appropriate in the circumstances:
 - (i) by email to the email address of the Association or the Administration Deacon; or
 - (ii) by facsimile transmission to the facsimile number of the Association.

75.0 CUSTODY AND INSPECTION OF BOOKS AND RECORDS

- 75.1 Members may on request inspect free of charge:

- 75.1.1 the register of members;
 - 75.1.2 the minutes of general meetings;
 - 75.1.3 subject to subrule 75.2, the financial records, books, securities and any other relevant document of the Association, including minutes of Church Council meetings.
- 75.2 The Church Council may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 75.3 The Church Council must on request make copies of these rules available to members and applicants for membership free of charge.
- 75.4 Subject to subrule 75.2, a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- 75.5 For purposes of this rule:
- relevant documents** means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—
 - (a) its membership records;
 - (b) its financial statements;
 - (c) its financial records;
 - (d) records and documents relating to transactions, dealings, business or property of the Association (whether in hard copy or digital form).

76.0 WINDING UP AND CANCELLATION

- 76.1 The Association may be wound up voluntarily by special resolution.
- 76.2 In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any members or former members of the Association.
- 76.3 Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to the Baptist Union of Victoria, provided that at the time of such transfer the Baptist Union of Victoria is endorsed as an income tax-exempt entity.
- 76.4 In the event the Baptist Union of Victoria is no longer incorporated or is not an income tax-exempt entity, the surplus assets must be given to another body that has similar purposes to the Association, which has income tax-exempt status and which is not carried on for the profit or gain of its individual members.
- 76.5 The body to which the surplus assets are to be given must be decided by special resolution.

77.0 ALTERATION OF RULES

- 77.1 These Rules may only be altered by special resolution of a general meeting of the Association.

ANNEXURE 1:

The Doctrinal Basis from the Constitution of the Baptist Union of Victoria

1. The divine inspiration and supreme authority of the Scriptures of the Old and New Testaments.
2. The existence of one God in three persons - the Father, the Son, and the Holy Spirit.
3. The deity and incarnation of the Lord Jesus Christ, who is the Son of God, the second person of the Holy Trinity.
4. The fallen, sinful and lost estate of all people.
5. The salvation of men and women from the penal consequences and power of sin through the perfect obedience of the Lord Jesus Christ, His atoning death, His resurrection from the dead, His ascension to the right hand of the Father, and His unchanging priesthood.
6. The immediate work of the Holy Spirit in the regeneration of men and women, in their sanctification, and in their preservation to the heavenly Kingdom of the Lord Jesus Christ.
7. The necessity, in order to know salvation, of repentance towards God and of faith in the Lord Jesus Christ.
8. The resurrection of the dead, and the final judgment of all people by the Lord Jesus Christ.
9. The two ordinances of the Lord Jesus Christ, namely Baptism and the Lord's Supper, which are of perpetual obligation: Baptism being the immersion of believers upon the profession of their faith in the Lord Jesus Christ, and a symbol of the fellowship of the regenerate in His death, burial and resurrection; the Lord's Supper being a memorial, until He comes, of the sacrifice of the body and blood of the Lord Jesus Christ.

ANNEXURE 2:

THE PRINCIPALS AND IDEALS OF THE BAPTIST FAITH from the Constitution of the Baptist Union of Victoria

Whilst holding many aspects of Christian Truth in common with other denominations, Baptists place a distinctive emphasis upon the following fundamental principles of the Christian Faith, as revealed in the New Testament:-

1. **The Child in the Kingdom.**

- (a) Baptists believe that infants are God's little ones, whether children of Christian or non-Christian parents, and accept without modification the word of the Lord, "Of such is the Kingdom of Heaven". This Christian view of the child makes the external act of "Infant Baptism" unnecessary.
- (b) Baptists approve of the presentation of children to God by parents, if thereby they solemnly undertake to train them in the nurture and admonition of the Lord, in the home and in the Church.

2. **The Significance of Conversion.**

- (a) To all who at the stage of personal responsibility, ignore God's law, and wander as prodigals from the Father's Home, Baptists preach the gospel of the Father's love, and the message of the Cross, as the Way of Life. Conversion is acceptance of Jesus Christ as Saviour and Lord.
- (b) This acceptance of Christ is a personal and deliberate act, involving the assent of the mind, the decisions of the will, and the love of the heart.
- (c) This avowal of allegiance to Christ implies a constant endeavour to live a life worthy of, and well-pleasing to Him in all things.

3. **The Church - a Spiritual Community.**

Baptists hold that the Church, as established by the Lord Jesus Christ should consist of persons who have personally and intelligently accepted Him as Saviour and Lord, and pledged themselves to discipleship and service in the Kingdom of God.

4. **The Lordship of Christ in the Church.**

- (a) Baptists hold and teach that Jesus Christ alone is the Head of the Church, and that without any human intervention or ritualistic ceremony.
- (b) Therefore, He is the sole authority in all matters of faith and conduct, in the life both of the Church and of the individual.
- (c) This involves liberty of thought and conscience, and the right of the Believer and the Church, freed from any ecclesiastical or other external authority, to interpret His mind.

5. **The Standard of Belief.**

- (a) Believing that the voice of the Church is subordinate to the voice of Christ, and that the mind of the Master is the Standard of Christian beliefs, Baptists do not subscribe to any formal Church Creed, lest it hamper the development of Christian thought.
- (b) Further, in their interpretation of the Lord's farewell declaration, "When He, the Spirit of Truth, is come, He will guide you in all truth", Baptists accept the principle that God has yet "more light and truth to break forth from His Word".
- (c) Therefore, Baptists claim the personal privilege, and accept the Christian responsibility of courageously thinking God's thoughts after Him, under the guidance and inspiration of the Spirit of Truth.

6. The Ministry of Leadership.

- (a) In adopting the Congregational Principles of Church government, with no formal creed, with no external authority, and no defined ecclesiastical policy, and each member having equal rights and responsibilities, the Baptist Church is largely dependent on the reality and vigour of the spiritual life of its individual members.
- (b) This spiritual life is generated by the understanding and inspiration of Christ's ideals, and by the creation and maintenance of a spiritual atmosphere, in which all that is unworthy dies, and in which Christian life becomes healthy and productive.
- (c) Baptist ministers accept their office from the Lord of the Church, and while they are "servants of the Church" the Church is not master over them. They are the spiritual leaders in the life and ministry of the church.
- (d) Associated with the ministers in the spiritual oversight of the Church are men and women chosen for their Christian gifts and graces, who are called to be examples to the members of the Church, in conduct, zeal, self-denial and generosity.
- (e) Church officers are appointed as spiritual leaders to work in sympathetic cooperation with the minister and Church members.
- (f) The periodic Church Meeting is the centre of the Church's Christian activities, and is the seat of authority in the management of Church business.

7. The Christian significance of Baptism.

- (a) Christian Baptism, by which is meant the immersion of believers as instituted by our Lord, is a personal, public confession of the believer's identification with Christ, and also a means of grace to the Christian.
- (b) Baptism is an outward act which symbolises, but does not effect regeneration, and salvation is not dependent on it.
- (c) Baptism is a glorious privilege and a personal responsibility, and is a help to all believers in reminding them of their spiritual union with Christ in his death, burial and resurrection.

8. The Fellowship of the Lord's Supper.

- (a) To Baptists the Church is not so much an organisation as a fellowship, effective only as there is spiritual association with the Head of the Church
- (b) The Lord's Supper is a service of spiritual fellowship whereby, in partaking of the elements of bread and wine, we share in the remembrance of His life and death.
- (c) It is an opportunity of entering into close fellowship with the Lord, where there is a rekindling of love and a reconsecration of life to His service.

9. The Church and the Kingdom.

Baptists recognise their responsibility to strive for the establishment of the Kingdom of God in the world and teach that membership in the Church implies service and sacrifice. This involves a stewardship of time, talents and money, in keeping with the example of the Son of God who loved and served humankind, even unto death.

ANNEXURE 3:

Plain English Summary of SCHEDULE B TO THE BAPTIST UNION INCORPORATION ACT 1930

This summary has been prepared by the Union office as a guide to the operation of Schedule B to the Baptist Union of Victoria Incorporation Act 1930. It is a guide only. We recommend that Schedule B in its original form be read when specific questions arise. If you are in doubt about the meaning of a particular provision, please contact the Union office.

The Baptist Union of Victoria ("Union") holds property on trust for its member churches for the following purposes and subject to the following conditions:

- 1.0** To allow the member church concerned ("Church") to build/alter a sanctuary, manse or other buildings/structures as desired by the Church. These buildings are to be used as directed by the Church.
- 2.0** Based firmly on the principles of congregational government, the Church has complete discretion to manage its affairs, subject to clause 10 below.
- 3.0** The Church is entitled to direct the use of money received by it.
- 4.0** A pastor called (including for a new term) to the Church:
 - 4.1 must be Baptist;
 - 4.2 must be called (including for a new term) by a Special Church Meeting complying with clause 10 below;
 - 4.3 must subscribe to the Doctrinal Basis (reproduced as Appendix I).
and
a pastor removed from the Church must be dismissed by a Special Church Meeting complying with clause 10 below.
- 5.0** The Church is entitled to use its property as security to borrow money. The decision to mortgage or otherwise charge the Church property must be made at a special Church meeting complying with clause 10 below.
- 6.0** The Church is entitled to:
 - 6.1 create easements over;
 - 6.2 construct roads over;
 - 6.3 sell;its property. Without the consent of the Executive Council of the Union ("Executive Council"), the Church may *not* sell its property at substantially less than current market value.
- 7.0** Money received by the Church:
 - 7.1 raised by way of mortgage of Church property;
 - 7.2 derived by sale of Church property;
 - 7.3 received as an insurance payout in relation to Church property;must be used for further property purchase or building improvements. Moneys so derived are deposited with the Union in the normal course until the Church directs the use of the money.
- 8.0** The Church is entitled to rent Church property on terms decided by a special Church meeting complying with clause 10 below.
- 9.0** Where the Union receives money on behalf of the Church, the payee has no further responsibility to follow up the payment.

- 10.0** The Special Church Meetings referred to above:
- 10.1 may generally be called at any time;
 - 10.2 may be called by the Church leadership;
 - 10.3 must be called upon the written request of at least one-sixth of the members of the Church;
 - 10.4 must be convened by 14 days' clear notice specifying the time, place and purpose of the meeting

At a Special Church Meeting:

- 10.5 persons voting must be over 18 years, must have been members of the Church for at least 6 months, and must have been present at Church for communion at least once in the preceding 6 months; and
- 10.6 a two-thirds majority vote is required.

(the two-thirds rule relates to two-thirds of all those members present and voting. If the vote is by ballot and invalid votes are cast, the number of invalid votes must still be included in the total number of votes against which the two-thirds requirement is measured.)

- 11.0** A minute signed by the chairperson of a Church meeting is sufficient evidence that the minute is an accurate record of a Church decision.

12.0(Transitional provision)

- 13.0** In special circumstances of the Church owing money that the Union is liable to pay, the Union may, having given 6 months written notice to the Church, mortgage or sell Church property so as to cover the debt.

- 14.0** The beneficial ownership and control of Church property by the Church is not affected per se if the Church moves to another locality.

- 14A.** In relation to the powers vested in the Church by clauses 4,5,7,8 and 13 above, the Church may, at any time, ask Executive Council to stand in the shoes of the Church and be able to exercise those powers in the Church's stead. Executive Council and the Church may later both determine that those powers will revert back to the Church.

15.0 If:

- 15.1 the Church is dissolved;
- 15.2 the Church is dispersed;
- 15.3 the membership of the Church is reduced below 6; or
- 15.4 public worship in the Church sanctuary property stops for six months (not being for building alterations);

the Union automatically assumes full control of the Church property. (At this stage any proceeds of sale of Church property by the Union would be deposited in the Union's Advancement Fund.)

- 15A.** If the resident membership of the Church is reduced to less than 29 but more than 5, Executive Council may exercise the powers vested in the Church by clauses 4,5,7,8 and 13 above. Executive Council may only exercise this discretion to stand in the shoes of the Church if it has given three months written notice of its intention to the Church and to Assembly. The Executive Council action must also have the endorsement of Assembly. Executive Council and the Church may later agree and both determine that the powers vested in Executive Council will revert back to the Church.

- 16.0** If the Church moves to another locality and leases the original Church property, then, until the end of the lease, the clause 15 "trigger" above, relating to the absence of public worship for at least six months, does not apply.

ANNEXURE 4:

**Details of Schedule B Trust Deeds entered into by the church and The Baptist Union of Victoria
under Schedule B of *The Baptist Union Incorporation Act 1930***

There are currently no Trust Deeds applicable to the Association