

## **CONSTITUTION**

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### **NAME**

1. The name of this Church is Bentley Baptist Church Incorporated, hereinafter referred to as the Church.

### **OBJECTS**

2. The objects of the Church are:
  - (a) to provide opportunity for those seeking to serve God to gather together to worship and serve him; and
  - (b) to present the good news of God's love for all people by:
    - i. declaring that all people need to recognise God's requirement for them to seek forgiveness, through Jesus' death and resurrection, for their sin against him, to enable them to have an eternal, fulfilling relationship with him;
    - ii. providing opportunity for fellowship, nurture and support for all associated with the Church;
    - iii. working for equality and justice for all people; and
    - iv. providing support, relief and comfort for those in need.

### **STATEMENT OF PRINCIPLES AND FAITH**

#### **Principles**

3. The Church shall consist of members who have personally and knowingly accepted Jesus Christ as Saviour and Lord and have pledged themselves to discipleship and service in his church.
4. Jesus Christ alone is the head of the church, without the intervention of any person or ritualistic ceremony. Therefore, he is the sole authority in all matters of faith and conduct in the life of both the church and the individual. This involves liberty of thought and conscience, and the right of the believer and the church, freed from any other ecclesiastical or other authority, to interpret his mind.

#### **Doctrinal Basis**

5. We believe in:
  - (a) the existence of one God in three persons, the Father, the Son and the Holy Spirit;
  - (b) the Divine inspiration and authority of the Scriptures of the Old and New Testaments;
  - (c) the Deity and Incarnation of the Lord Jesus Christ, the Son of God;
  - (d) the personality and malignancy of the devil, and the fallen, sinful and lost estate of all people;
  - (e) the Salvation of all who trust in Christ from the penalty and power of sin through the virgin birth of the Lord Jesus Christ, his perfect obedience, his shed blood, his atoning death, his bodily resurrection from the dead, his ascension to the right hand of the Father, and his unchanging Priesthood;

- (f) the deity of the Holy Spirit and his work in the regeneration and sanctification of all who trust in Christ;
- (g) the necessity of repentance towards God and of faith in the Lord Jesus Christ for salvation;
- (h) the resurrection of the dead and final judgement of all people by the Lord Jesus Christ;
- (i) the visible bodily return of the Lord Jesus Christ, the eternal punishment of the unrepentant and the eternal blessedness of the redeemed; and
- (j) the ordinances of baptism and the Lord's Supper; baptism being the immersion of believers upon their profession of faith in the Lord Jesus Christ and a symbol of their fellowship 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 our Lord Jesus Christ.

## **POWERS**

6. The Church shall have the following powers:
- a) to purchase, sell, hold, lease, rent or otherwise acquire or dispose of real or personal property;
  - b) to borrow or secure the payment of money for the repayment of any debt, or the servicing of any liability, contract or guarantee incurred or to be entered into by the Church or to mortgage or otherwise change the assets of the Church;
  - c) to enter into any arrangements with any government or local government authority or instrumentality or any other organisation;
  - d) to employ, hire, engage or dismiss employees as required;
  - e) to invest the monies of the Church in such manner as is authorised by the Church meeting from time to time;
  - f) to make gifts;
  - g) to associate with any organisations with similar objectives. In particular, the Church shall be affiliated with the Baptist Union of Western Australia Inc.; and
  - h) to do all such things as are conducive to the objects of the Church.
7. The property and the 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 of the Church, except in good faith in the promotion of those objects or purposes.

## **MEMBERSHIP**

8. Membership of the Church shall be open to all who profess repentance towards God and faith in our Lord Jesus Christ, whose lives bear evidence of their profession of Christian faith, who accept the "Statement of Principles and Faith", who are willing to commit themselves to the support of the Church and who have received believers baptism, unless they have genuine reasons for not doing so, which are accepted by the Church.
9. The responsibilities of members are:
- a) to participate in the worship of the Church;
  - b) to participate in the fellowship of the Church by meeting with others for prayer, bible study and mutual support;
  - c) to participate in the ministry of the Church;
  - d) to attend members meetings; and

- e) to contribute financially to the ongoing life of the Church through offerings or other means appropriate to the member.

**Acceptance into Membership:**

- 10. People shall be accepted into membership of the Church in accordance with guidelines established by the Council. Acceptance into membership shall require the agreement of not less than two thirds of the members present and voting at a members meeting.

**Membership Register:**

- 11. A Membership Register shall be kept of the name, address and status of each member. Members shall be recorded as Active or Associate Members. A change to a member's status on the register shall require the agreement of not less than half of the members present and voting at a members meeting.
- 12. The Council may develop guidelines to ensure an annual review of the Membership Register.
- 13. An active member is one who participates regularly in the life and work of the Church. An associate member is one who is unable to participate directly in the life and work of the Church due to health, distance or other circumstances.

**Termination of Membership:**

- 14. Membership of the Church may be terminated in accordance with guidelines established by the Council. These guidelines shall provide for:
  - a) a request from a member that his or her membership be terminated;
  - b) death of a member;
  - c) circumstances where a member willfully dishonours the Church; and
  - d) removal of an Associate member who ceases to have contact with the Church from the register.

In cases c) and d) above, termination of membership will be subject to a motion removing the name of the person from the register being passed by not less than two thirds of the members present and voting at a members meeting.

**MEMBERS MEETINGS**

- 15. Members shall meet to consider the ministry and business of the Church at an Annual General Meeting or other members meeting called in accordance with this section. The purpose of a members meeting shall be to seek to determine and confirm the mind of God on matters affecting the life and work of the Church and its mission.
- 16. A members meeting may be called by the Council on its own motion or must be called by the Council if a request of not less than 20% of current active members is made in writing to the Council.
- 17. The Council may establish guidelines for the conduct of members meetings subject to the following:
  - a) a quorum for a members meeting shall be 25% of current active members;
  - b) notice of meetings shall be publicly announced in Church services on the two Sundays preceding the meeting;

- c) a member of the Council shall chair each members meeting;
- d) unless otherwise required by this constitution, decision making at members meetings shall be on the basis of a majority vote of those current active members present and voting at the meeting;
- e) there shall be no proxy or absentee votes at any members meeting;
- f) upon a motion being moved and seconded, if requested by any member present, and agreed to by the meeting by a majority, voting on that motion shall be by secret ballot; and
- g) upon a motion being moved and seconded, if requested by any member present, and agreed to by a majority vote, that motion shall be passed only with the agreement of not less than two thirds of the members present and voting. This sub-clause does not apply where a greater majority is required by this constitution.

### **Annual General Meeting**

18. An Annual General Meeting (“AGM”) shall be held within four months of the financial year ending 30 June. Among the matters to be considered at this meeting shall be:

- a) an annual report by the Council and Lead Pastor;
- b) adoption of audited financial accounts of the Church and its ministry groups for the financial year ending 30 June;
- c) adoption of an annual plan submitted by the Council;
- d) adoption of the budget for the financial year commencing 1 July;
- e) the election of members of the Council (if necessary);
- f) changes to the Membership Register; and
- g) a change to any part of this constitution.

## **CHURCH COUNCIL**

### **Role and Responsibilities**

19. The role of the Council is to provide, in consultation with the Lead Pastor, policies and guidelines within which the Church will function. The role of the Council is to:

- a) provide spiritual oversight;
- b) ensure the Church has a vision and clear direction;
- c) establish guidelines for the effective and efficient operation of the Church;
- d) undertake the governance of the Church including financial and administrative oversight;
- e) provide accountability for the Lead Pastor; and
- f) approve and monitor the implementation of ministry plans and budgets.

20. The Council is accountable to the members and shall report to members at the Annual General Meeting.

### **Council Members**

21. The Council shall consist of at least three members. The Council will initially consist of a maximum of 5 members and thereafter the maximum is to be determined by the Council.

22. Council members are to be members of the Church and have the qualifications outlined in 1 Timothy 3:1-7 and in Titus 1:6-9. They are to be godly people whose worth and value has been proven over time and who have a good working knowledge of local conditions.
23. The Lead Pastor is to be an ex-officio [non-voting] of the Council. Other team leaders or employees are not members of the Council.
24. Immediate family members (siblings living in the same household, spouse, parents or children) of the Lead Pastor or of other Council members are not eligible to be elected to the Council.

### **Appointment**

25. The Council shall be elected by the members of the Church.
26. The Council may establish guidelines for the process of nomination and election of Council members subject to:
  - a) council members shall be members of the Church;
  - b) candidates for the Council may be nominated by any member;
  - c) council members shall be elected by at least two-thirds of the members present and voting by secret ballot at a members meeting;
  - d) council members shall be appointed for a maximum term of 3 years; and
  - e) council members shall be eligible for re-election for a maximum of two consecutive terms.

### **Termination of Appointment**

27. A Council member will cease to be a member of the Council in the following circumstances:
  - a) the Council member tenders a written resignation to the Council;
  - b) their term of office expires and they do not seek re-election or are not re-elected;
  - c) the Council member ceases to be a member of the Church; and
  - d) a motion is passed by not less than two-thirds of members present and voting at a members meeting terminating the Council member's appointment for conduct inconsistent with the ongoing performance of the role.

### **Meetings**

28. The Council may determine guidelines for the conduct of the Council, including the appointment of a chairperson. The Council shall ensure that records of its decisions are kept and, subject to ensuring the privacy of individuals, are available for inspection by members.
29. The Council will meet at least quarterly and as deemed necessary by the Council. Decisions of the Council shall be by simple majority of all Council members.

## **LEAD PASTOR**

### **Role and Responsibilities**

30. The Lead Pastor is a person called by God and appointed by the members to lead and guide the Church. The Lead Pastor is responsible for the day to day leadership and oversight of the Church.
31. The role of the Lead Pastor includes ensuring, whether directly or indirectly, that the key ministries of the Church are undertaken including:
  - a) worship;
  - b) fellowship and pastoral care;
  - c) discipleship;
  - d) evangelism;
  - e) ministry co-ordination; and
  - f) day to day administration.
32. The Lead Pastor shall be accountable to the members through the Council in accordance with a job description statement established by the Council and an annual plan developed by the Lead Pastor.

### **Qualities of a Lead Pastor**

33. The Lead Pastor is to be eligible to be a member of the Church and have the qualifications outlined in 1 Timothy 3:1-7 and in Titus 1:6-9. The Lead Pastor is to be a godly person whose worth and value has been proven over time.

### **Appointment of the Lead Pastor**

34. The Lead Pastor shall be appointed by the members of the Church in accordance with guidelines developed by the Council.
35. The Council shall, prior to seeking candidates for the Lead Pastor, obtain the approval of members for a job description statement and selection criteria for the position of Lead Pastor.
36. The Council shall conduct the selection process and present to a members meeting a recommendation for the appointment of a Lead Pastor.
37. Appointment of a Lead Pastor shall require the support of not less than two-thirds of the members present and voting by secret ballot at a members meeting.
38. The Lead Pastor is to be offered a maximum term contract with the Church the terms of which are to be negotiated between the candidate and the Council. The contract of employment shall include the term of appointment and processes for the termination of the contract.

## **FINANCE**

39. The Council shall establish guidelines for the financial administration of the Church under the direction of the Lead Pastor subject to the following:

- a) an annual budget shall be approved by members on the recommendation of the Council;
- b) the Lead Pastor and Ministry Leaders have the authority to incur expenses that are consistent with the approved budget;
- c) expenditure outside the approved budget requires the approval of the Council;
- d) any expenditure greater than 15% of the total annual approved budget shall require the approval of members;
- e) accurate and annually audited records are to be maintained of all income and expenditure of all ministry areas and accounts within the Church;
- f) financial donations given to the Church may not be put to any use other than that specified, without the approval of the donor; in the event that a donor's approval cannot be reasonably obtained, the use of such funds may be redirected by the Council; and
- g) each ministry group which receives or expends money shall, in consultation with the Lead Pastor, set up appropriate ways of exercising proper management of, and accounting for, all money under its control.

## **PASTORS, MINISTRY LEADERS AND SUPPORT STAFF**

40. The Lead Pastor may appoint or dismiss paid or unpaid pastors, ministry leaders and support staff in accordance with guidelines issued by the Council. Unless approved by the Council, pastors, ministry leaders and administrative support staff shall be members of the Church.
41. All pastors, ministry leaders and administrative support staff shall be answerable and accountable to the Lead Pastor. The Council shall ensure job description statements are developed outlining the authority and responsibilities of each pastor, ministry leader and support staff member.

## **MINISTRY GROUPS**

### **Establishment and Termination**

42. A ministry group is any function of the Church established by the Lead Pastor. Ministry groups shall be established to carry out particular parts of the Church's overall mission.

### **Leadership**

43. The Lead Pastor shall appoint a pastor or ministry leader to be responsible for each ministry group.
44. The pastor or ministry leader responsible for a ministry group shall prepare an annual plan, including goals, expected outcomes and resources required. This plan requires the endorsement of the Lead Pastor and shall be incorporated into the annual plan for the Church agreed to by the Council.
45. Pastors or ministry leaders responsible for a ministry group have authority to lead and develop the relevant ministry group and may appoint a team of people to assist them on a voluntary basis. Ministry teams are accountable to the pastor or ministry leader responsible for the ministry group appointed by the Lead Pastor.
46. Pastors or ministry leaders responsible for a ministry group will be required to work according to the values and guidelines of the Church and within the parameters of the budget allocated to the relevant ministry group.

## **COMMON SEAL**

47. The common seal of the Church shall be kept in the custody of a Council member and shall only be affixed to a deed or other instrument by resolution of the Council and shall be affixed by a member of the Council. Every deed or other instrument to which the seal is affixed shall be signed by two members of the Council authorised to do so. A true and correct record shall be kept, in the form of a seal register, of each instrument, deed agreement, contract or other document to which the common seal of the Church is affixed.

## **GUIDELINES**

48. The Council may establish guidelines to facilitate the orderly operation of the Church and the implementation of this constitution. Such guidelines shall come into operation as determined by the Council but shall be subject to ratification at the next members meeting.

49. In the absence of a specific motion approved by members present and voting at a members meeting, any guideline adopted by the Council shall expire two years after the date on which it came into operation.

## **RECORD KEEPING**

50. All records, books, documents and securities shall be kept in the Church's principal office or at whatever other place the Council may determine.

51. Any member may upon request in writing to the Council, giving three days' notice, inspect the records, books and documents of the Church at the principal office of the Church; provided the Council ensures there is no contravention of privacy laws.

## **DISSOLUTION**

52. The Church may at any time, with the agreement of not less than 75% of the members present and voting at a members meeting called for that purpose, be dissolved.

53. If upon the dissolution of the Church there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members of the Church.

54. Upon dissolution the Church's assets shall be distributed either:

- a) to one or more incorporated associations having similar objects, wholly or in part, to the objects of the Church; or
- b) for charitable purposes by decision of a members meeting with the agreement of not less than two thirds of members present and voting.

## **ALTERATIONS TO THE CONSTITUTION**

55. No alteration of, addition to, or deletion from this constitution shall be made except at a members meeting and with the agreement of not less than three fourths of the members present at the meeting. Not less than one month's written notice of such alteration, addition or deletion shall be given to the members.

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## VERSION TRACKING

Version	Effective date	Author Comment
1.0	Oct 2006	Constitution accepted by AGM 2006
2.0	Aug 2009	Amendments to Clause 14 Accepted by AGM 2009