

The Branch Christian Church Incorporated Constitution

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PART 1. PRELIMINARY

1 Name

The name of the Association shall be 'THE BRANCH CHRISTIAN CHURCH INCORPORATED' hereafter called 'the Association'.

2 Interpretation

- a) In these rules, unless the contrary intention appears:
 - i. 'The Session' means the governing body of the Association as specified in Rule 7
 - ii. 'General Meeting' means a general meeting of Members convened in accordance with Rule 25
 - iii. 'Objects and Purposes of the Association' refers to Rule 4
 - iv. 'Statement of Beliefs' refers to the contents of Rule 5
 - v. 'Pastor' refers to a person to whom Rule 10 relates
 - vi. 'Elder' refers to a person to whom Rule 11 relates
 - vii. 'Member' refers to a person to whom Rule 6 relates
- b) Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printed matters, photocopies and electronic messaging, and other modes of representing or reproducing words in visible form.
- c) Words or expressions shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which these rules are adopted by the Association.

3 Association Office

The registered office of the Association shall be at the Church Office of The Branch Christian Church, 20/2 Innocent Street, Kings Meadows 7249, Australia or such other place as the Session may determine.

4 Objects and Purposes of the Association

The Objects and Purposes of the Association shall be:

- 1) To establish and maintain in Launceston a church or churches which:
 - a. carry out God's purposes for the Church as explained in the Bible, which can be summarised by the command "to love God above everything else and our neighbour as ourselves," and includes:
 - i. preaching and explaining the gospel of Jesus Christ to church members and the community;

- ii. nurturing and equipping all church members so that they may mature in their Christian life and ministry;
 - iii. fostering the worship of God by meeting together.
- b. teach in accordance with the Statement of Beliefs and the four Reformational standards, being the Belgic Confession, the Heidelberg Catechism, the Canons of Dort and the Westminster Confession (as accepted by the Synod 1957, Art. 41 of the Reformed Churches of Australia); and
- c. shall also:
 - i. care for and provide assistance for church members or members of the community who are in need of spiritual, physical, financial or material help.
 - ii. strive for a Christian influence in all areas of life including politics education, welfare and business;
 - iii. provide programs for the care, education and spiritual nurturing of children and young people
 - iv. provide counselling support, referrals and care of people in need.
 - v. Work to improve the quality of life for disadvantaged people within the church membership and the community.
 - vi. support Christian organisations and ministries to bring relief to those in need and to promote the gospel of Jesus Christ both locally and abroad by way of evangelisation and mission.
 - vii. do all other lawful things that are incidental or conducive to the attainment of the Objects and Purposes of the Association.

5 Statement of Beliefs

The fundamental beliefs of the Association are:

1) God

There is only one God, who exists eternally in three persons: Father, Son and Spirit, in perfect unity. He is the almighty and loving Creator, Saviour and Judge who sustains and governs all things according to his sovereign will for his own glory.

2) The Bible

The Bible, as originally given, is the God-breathed and infallible word of God. This precious, life-giving word is sufficient for our knowledge of God and the supreme authority in all matters of faith and conduct.

3) Humanity

All people, men and women, are created in God's image and are called to love God with all their being. However, since the fall, all people are guilty of rebellion against

God and human nature is thoroughly corrupted by sin. This makes everyone subject to God's righteous anger and condemnation.

4) Jesus Christ

God demonstrated his love toward us by sending his Son, the Lord Jesus Christ, who is both fully God and fully man. He was conceived by the Holy Spirit, born of a virgin, and lived a sinless life in obedience to the Father. He died on the cross, rose from the dead, and in his resurrected body ascended into heaven where he is exalted as ruler over all.

5) Salvation

Salvation is entirely the gracious gift of God and cannot be earned or deserved. It is accomplished through the atoning death, once and for all time, of our representative and substitute, Jesus Christ, the only mediator between God and sinners. By Christ's death God's anger is turned aside, we are redeemed from sin and death, and we are declared to be righteous in God's sight. This salvation is offered in the gospel and received by turning to God from sin and trusting in Jesus Christ.

6) The Holy Spirit

The Holy Spirit has been sent from heaven by the Father and the Son. He enables people to turn to God, the Father, and to trust in Jesus Christ, the Lord. He makes the death of Christ effective to individual sinners, imparting spiritual life. God's Spirit dwells in all those he has regenerated, producing in them likeness to Christ in attitudes, actions and speech.

7) The People of God

The Lord Jesus Christ builds the church, his people, through the proclamation and teaching of his word. All who have been saved through the work of Christ are members of his church and united with one another. God has equipped his people with gifts to be used for mutual edification in the church and for the proclamation of the gospel to the world.

8) The Future

The Lord Jesus Christ will return from heaven. He will welcome his people into a life of eternal joy in fellowship with God, and he will execute God's condemnation on all who have not received him. On that day all sin, suffering and death will be completely destroyed and God will be glorified forever.

9) Manner of Life

God has redeemed his people from sin in order to live for him. There should not be in the life of a believer significant unrepentant failures in living according to biblical principles, including drunkenness, sexual immorality, homosexual practices, idolatry, dishonesty, greed, or violence.

PART 2. MEMBERSHIP

6 Membership of Association

- 1) Membership of the Association shall be achieved by those persons, not less than 18 years of age, who:
 - a. have confessed the Christian faith, and
 - b. agreed in writing with the Statement of Beliefs, and
 - c. agreed to promote the Objects and Purposes of the Association, and
 - d. have been approved for membership by the Session, and
 - e. whose names have been entered onto the roll of membership of the Association.
- 2) A right, privilege or obligation that a person has by reason of being a Member of the Association:
 - a. is not capable of being transferred or transmitted to another person, and
 - b. terminates on cessation of the person's membership.
- 3) A person ceases to be a Member of the Association if the person:
 - a. dies;
 - b. resigns from membership of the Association; or
 - c. is removed from membership of the Association by the Session.
- 4) A Member may resign from membership of the Association by giving notice in writing to the Session of the member's intention to resign and, on the expiration of the period of notice, the Member ceases to be a Member.
- 5) The Session may remove a person from membership of the Association if a person ceases to be in regular attendance at meetings of the church for a period of not less than six (6) months, unless the Session determines that extenuating circumstances apply.
- 6) The Session shall remove a person from membership if the person:
 - a. professes that he or she no longer has faith in, or submission toward, Jesus Christ as Lord, Saviour and God, or
 - b. professes that he or she no longer agrees to promote the Objects and Purposes of the Association; or
 - c. if, in the opinion of the Session, the Member has made him or herself unworthy of belonging to the church of Jesus Christ.
- 7) No entrance fee or annual membership fee is payable to the Association.
- 8) In the event of the Association being wound up:

- a. every Member of the Association; and
- b. every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a Members of the Association is liable to contribute to the assets of the Association for payment of debts or liabilities of the Association and for the costs charges and expenses of the winding up. Such sum will not exceed \$2.00 per Member.

PART 3. THE SESSION AND OTHER OFFICERS

7 Responsibilities of the Session

- 1) The affairs of the Association shall be managed by the Session constituted as provided in Rule 8.
- 2) The Session:
 - a. shall control and manage the business and affairs of the Association;
 - b. may, subject to these rules, exercise all such powers and functions as may be exercised by the Association, other than those powers that according to these rules are to be controlled by the Session and the General Meetings of the Association.
 - c. subject to the Act and these rules, has the power to perform all such acts and things as appear to the Session to be essential for the proper management of the business and affairs of the Association.

8 Session Members

- 1) The Session shall consist of:
 - a. the ordained Pastors; and
 - b. the Elders elected by the Members.

9 Officers of the Association

- 1) The officers of the Association are:
 - a. The Chairman;
 - b. The Vice-chairman;
 - c. The Secretary;
 - d. The Treasurer;
 - e. Public Officer
- 2) The Chairman, Vice-chairman and Secretary shall be appointed by the Session from among its members.

- 3) The Treasurer and Public Officer shall be appointed by the Session either from among its members or from among the Members of the Association.

10 Pastors

- 1) A Pastor must:
 - a. be a man who qualifies as an overseer according to 1 Timothy 3:1–7 and be known for his maturity of faith and Christian character;
 - b. have demonstrated by his life and teaching that he is well qualified to lead and teach the church in accordance with the Objects and Purposes of the Association and Statement of Beliefs;
 - c. agree in writing to uphold the Statement of Beliefs; and
 - d. agree in writing to promote the Objects and Purposes of the Association.
- 2) The terms of remuneration for Pastors shall be set by the Session.
- 3) The appointment of Pastors shall be by the Session and shall be conducted in accordance with such policies as they may determine from time to time.
- 4) As soon as practicable after his appointment, the Pastor is to be ordained as a Pastor at a gathering of the church.

11 Elders

- 1) Elders must:
 - a. be men who qualify as overseers according to 1 Timothy 3:1–7 and be known for their maturity of faith and Christian character; and
 - b. be Members of the Association; and
 - c. agree in writing to uphold the Statement of Beliefs; and
 - d. agree in writing to promote the Objects and Purposes of the Association.
- 2) Nominations for the position of Elder shall be made by the Session.
- 3) The election of the Elders shall be by the Members at the Annual General Meeting and shall be conducted in accordance with such policies and procedures as the Session may determine from time to time.
- 4) Elders shall ordinarily, subject to these rules, hold office for three (3) years after the date of their appointment.
- 5) In the event of a casual vacancy occurring in the office of Elder, a Member of the Association may be appointed by the Session to fill the vacancy. An elder appointed under this rule holds office until the conclusion of the next Annual General Meeting of the Association but is eligible for election at that meeting.
- 6) The number of Elders shall be determined from time to time by the Session, but such that the number of Pastors does not exceed the number of Elders.

12 Deacons

- 1) Deacons are appointed by the Session to oversee and promote within the church ministries of mercy.
- 2) Deacons must:
 - a. be men or women who qualify as deacons according to 1 Timothy 3:8–13 and be known for their maturity of faith and Christian character; and
 - b. be Members of the Association; and
 - c. agree in writing to uphold the Statement of Beliefs; and
 - d. agree in writing to promote the Objects and Purposes of the Association.
- 3) All Deacons are to work under the direction of the Session in accordance with the Objects and Purposes of the Association and Statement of Beliefs.
- 4) The term of office for Deacons shall be determined from time to time by the Session.
- 5) The number of Deacons shall be determined from time to time by the Session.

13 Vacation of Office

- 1) For the purposes of these rules, the office of an Elder, Pastor, Deacon or other officer becomes vacant if that person:
 - a. dies;
 - b. becomes of unsound mind;
 - c. resigns his office by writing under his hand addressed to the Session;
 - d. ceases to be a Member of the Association;
 - e. is removed from office under subrule (2).
- 2) An Elder, Pastor, Deacon or other officer may be removed by the Session in the case of:
 - a. gross misconduct that brings the Christian faith and the Association into disrepute, or
 - b. persistent and wilful teaching of that which is contrary to the Statement of Beliefs, or
 - c. persistent unwillingness to promote the Objects and Purposes of the Association, or
 - d. loss of confidence in that person by the Session for any other reason.

14 Meetings of the Session

- 1) The Session shall meet at least four times a year at such place and at such times as they may decide.

- 2) Meetings of the Session may be convened at any time by the Chairman or any three (3) of its members.
- 3) Oral or written notice shall be given to Session members of the date, time and place of any meeting and the general nature of the business to be transacted.
- 4) Fifty percent (50%) of the members personally present constitute a quorum for the transaction of the business of a meeting of the Session.
- 5) At meetings of the Session the Chairman, or in his absence the Vice-Chairman, or such one of the remaining members of the Session as may be chosen by the members present shall preside.
- 6) Decisions shall be made preferably by agreement of all members of Session. If no unanimous decision can be achieved, a decision shall be made by a poll taken in such manner as the person presiding at the meeting may determine.

15 Subcommittees

- 1) The Session may at any time appoint a sub-committee from the Session as it may think fit and shall prescribe the powers and functions thereof.
- 2) The Session may co-opt as members of a sub-committee such persons as it thinks fit, whether or not those persons are Members of the Association, but a non-member so co-opted is not entitled to vote.
- 3) Fifty-percent (50%) of the appointed voting members of a sub-committee constitute a quorum as a meeting of a sub-committee.
- 4) An appointed member of a sub-committee shall be made responsible to convene a meeting of the sub-committee.
- 5) Notice of each sub-committee meeting shall be served on each member of the sub-committee by delivering it to him or her at a reasonable time before the meeting.
- 6) Decisions shall be made preferably by agreement of all members of the sub-committee. If no unanimous decision can be achieved, a decision shall be made by a poll taken in such manner as the person presiding at the meeting may determine.

16 Executive

- 1) The Executive consists of the Chairman, Vice-chairman and Secretary of the Session and the Pastors.
- 2) Three members shall constitute a quorum.
- 3) The Executive may issue instructions in matters of urgency connected with the management of the affairs of the Association during intervals between meetings of the Session.
- 4) Where any such instructions are issued under subrule (3) they shall report thereon to the next meeting of the Session.

17 Disclosure of Interest

- 1) A member of the Session who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his interest at the first meeting of the Session at which the contract or arrangement is first taken into consideration, if his interest then exists, or, in any other case, at the first meeting of the Session after the acquisition of his interest.
- 2) If a member of the Session becomes interested in a contract or arrangement after it is made or entered into he shall disclose his interest at the first meeting of the Session after he becomes so interested.
- 3) No member of the Session shall vote as a member of the Session in respect of any contract or arrangement in which he is interested and if he does vote his vote shall not be counted.

PART 4. FINANCES

18 Income and property of the Association

- 1) The income and property of the Association however derived, shall be applied solely towards the promotion of the Objects and Purposes of the Association and no portion thereof shall be paid by way of dividend or bonus or otherwise to any Member of the Association.
- 2) The Association shall not pay to any Member any remuneration or other benefit in money or money's worth (other than out-of-pocket expenses).
- 3) Nothing in the foregoing provisions of this rule prevent payment in good faith to a servant or Member of the Association of:
 - a. Remuneration for services actually rendered to the Association by the servant or Member or for goods supplied to the Association by the servant or Member in the ordinary course of business;
 - b. Interest at a rate determined by the Session or the current rate payable by the Association's bank or financial institution, and
 - c. A reasonable and proper sum by way of rent for premises let to the Association by the servant or Member.
- 4) In the event of the Association being wound up, all monies held in the Association's name shall be donated to a charitable organisation (or organisations) with similar Objects and Purposes as the Association. Such organisations shall be determined by the Members of the Association at the time of dissolution.

19 Accounts and Receipts of Expenditure

- 1) True Accounts and proper books of account shall be kept:

- a. of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
 - b. of the property, assets and liabilities of the Association.
- 2) The Treasurer of the Association shall faithfully keep all general records, accounting books, and records of income and expenditure connected with the transactions of the Association in such form and manner as the Session may direct.
- 3) The accounts, books and records referred to in sub-clause (1) and (2) of this clause shall be kept at the Association's Office or at such other place as the Session may decide and shall be open to the inspection of the Members of the Association at any time subject to such reasonable restriction as to time and manner of his inspecting them as the Session shall from time to time decide.

20 Auditor

- 1) At each Annual General Meeting of the Association the Members present shall appoint a person as the Auditor of the Association accounts.
- 2) A person so appointed shall hold office until the next Annual General Meeting, and is eligible for re-appointment.
- 3) If an appointment is not made at an Annual General Meeting the Session shall appoint the Auditor for the then current financial year of the Association.
- 4) If a casual vacancy occurs in the office of Auditor during the course of a financial year, the Board may appoint an auditor who shall hold office until the first Annual General Meeting after his appointment.

21 Audit

- 1) Once at least in each financial year of the Association the accounts of the Association shall be examined by the Auditor.
- 2) The auditor shall certify the correctness of the accounts of the Association and shall report thereon to the Annual General Meeting.
- 3) In his report and in certifying the accounts the Auditor shall state:
 - a. whether he has obtained the information required by him;
 - b. whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at his disposal and the explanation given to him and as shown by the books of the Association;
 - c. whether the rules relating to the administration of the funds of the Association have been observed.
- 4) The Treasurer of the Association shall cause to be delivered to the Auditor a list of all the accounts, and the complete financial administration of the Association.

- 5) The Auditor:
 - a. has a right of access to the accounts, financial records and documents of the Association;
 - b. may require from any servant of the Association such information and explanations as may be necessary for the performance of his duties as Auditor;
 - c. may employ persons to assist him in investigating the accounts of the Association;
 - d. and may in relation to the accounts of the Association examine any member of the Session and any servant of the Association.

22 Financial Year

- 1) The financial year of the Association is the period beginning on the first day of July in every year ending the last day of June of the following calendar year.

PART 5. GENERAL MEETINGS

23 Annual General Meeting

- 1) The Association shall in each year hold an Annual General Meeting.
- 2) The Annual General Meeting shall be held on such day (being no later than six months after the close of the financial year of the church) as the Session may determine.
- 3) The Annual General Meeting shall be in addition to any other general meetings that may be held in the same year.
- 4) The Annual General Meeting shall be specified as such in the notice convening it.
- 5) The ordinary business of the Annual General Meeting shall be:
 - a. to confirm the minutes of the last preceding Annual General Meeting and of any general meeting held since that meeting;
 - b. to receive from the Session, the Auditor and servants of the Association reports upon the transactions of the Association during the last preceding financial year;
 - c. to appoint the Auditor;
 - d. to elect Elders to the Session;
 - e. to give an update on the membership list of the Association;
 - f. to consider any changes to this Constitution.
- 6) The Annual General Meeting may transact special business of which notice is given in accordance with this rule.

24 Special General Meetings

- 1) The Session may, whenever it thinks fit, convene a special general meeting of the Association.
- 2) The Session shall, on the requisition in writing of not less than ten Members of the Association, convene a special general meeting of the Association.
- 3) A requisition for a special general meeting shall:
 - a. state the objects of the meeting; and
 - b. be signed by the requisitionists; and
 - c. be deposited at the office of the Association; and
 - d. may consist of several documents each signed by one or more of the requisitionists.
- 4) If the Session does not cause a special general meeting to be held within twenty-one (21) days from the date on which a requisition therefore is deposited at the office of the Association, the requisitionists, or any of them, may convene the meeting, but any meeting so convened shall not be held after three (3) months from the date of the deposit of the requisition.
- 5) A special general meeting convened by requisitionists in pursuance of these rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Session.
- 6) All reasonable expenses incurred in convening the meeting shall be refunded by the Church to persons incurring them.

25 Notice of General Meetings

- 1) The Session shall announce the place, day and time of the meeting and the nature of the business to be transacted thereat, at least 14 days before the date set for holding a general meeting.

26 Business and Quorum at General Meetings

- 1) All business that is transacted at special general meetings and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in these rules as being ordinary business of the Annual General Meeting, shall be deemed to be special business.
- 2) No item of business shall be transacted at a general meeting unless a quorum of Members entitled under these rules to vote is present during the time when the meeting is considering that item.
- 3) A quorum for the transaction of business of a general meeting is twenty-percent (20%) of the Members of the Association entitled to vote.

- 4) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, 50% of the current Members of the Association, present in person, constitute a quorum.
- 5) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting,
 - a. if convened upon the requisition of Members, shall be dissolved; or
 - b. in any other case it shall stand adjourned to the same day in the next week, at the same time and
 - i. at the same place; or
 - ii. at any other place specified by the chairman
 - a. at the time of the adjournment; or
 - b. by notice in a manner determined by the chairman
- 6) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the business to be dealt with at the meeting, except business requiring a special resolution, will be dealt with by those present.

27 Chairman to Preside at General Meetings

- 1) The Chairman of the Session shall ordinarily preside as chairman at every general meeting of the Association;
- 2) If absent, the Vice-chairman shall preside the meeting;
- 3) If both the Chairman and the Vice-chairman are absent the Members present shall elect one of their number to preside at the meeting.

28 Adjournment of General Meetings

- 1) The chairman of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- 2) Where a meeting is adjourned for fourteen (14) days or more, the like notice of the adjourned meeting shall be given as in the case of the original meeting.
- 3) Except as provided in the foregoing provisions of this rule, it is not necessary to give any notice of adjournment or of the business to be transacted at an adjourned meeting.

29 Determination of Questions Arising at General Meetings

- 1) If at a meeting a poll on any question is demanded it shall be taken at that meeting in such manner as the chairman may direct, and the result of the poll shall be deemed to be the resolution of the meeting on that question.

- 2) A question arising at a general meeting of the Association shall be determined on a show of hands and unless before or on the declaration of the result of the show of hands a poll is demanded, a declaration by the chairman that a resolution has, on a show of hands, been carried, or carried unanimously, or carried by a particular majority, or lost, and an entry to that effect in the minute book of the Association is evidence of the fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
- 3) A poll that is demanded on the election of a chairman, or a question of adjournment, shall be taken forthwith.
- 4) A poll that is demanded on any other question shall be taken at such time before the close of the meeting as the chairman may direct.

30 Votes

- 1) Upon any question arising at a general meeting:
 - a. A Member has one vote only; and
 - b. All votes shall be given personally
- 2) In the case of an equality of votes, the chairman is entitled to exercise a second or casting vote.

PART 6. MISCELLANEOUS

31 Seal of Association

- 1) The seal of the Association shall be in the form of a rubber stamp, inscribed with the name: 'The Branch Christian Church Inc.' encircling the word "SEAL".
- 2) The seal of the Association shall not be affixed to any instrument except by the authority of the Session, and the affixing thereof shall be attested by the signatures of two members of the Session or of one member of the Session and the Public Officer of the Association or such other person as the Session may appoint for that purpose, and that attestation is sufficient for all purposes that the seal was affixed by authority of the Session.
- 3) The seal shall remain in the custody of the Public Officer.