

**BATHURST EVANGELICAL CHURCH Inc.**

**CONSTITUTION**

**25<sup>th</sup> March, 2001**

***Statement of compliance Clause:***

“The rules of Bathurst Evangelical Church incorporated herein are in accordance with Section 11 and provide for those matters specified in Schedule 1 of the Associations Incorporation Act 1984.”

\_\_\_\_\_  
Signature of applicant

***Annexure Clause:***

This is the annexure of 28 pages marked “BEC Constitution – 25<sup>th</sup> March 2001” referred to in Form 1, signed by me and dated\_\_\_\_\_

\_\_\_\_\_  
Signature of applicant

## Contents

### PART I – PRELIMINARY

1. Interpretation
2. Statement of purpose
3. Statement of beliefs
4. Statement of mission

### PART II – MEMBERSHIP

5. Membership qualifications
6. Register of members
7. Application for membership
8. Membership entitlements not transferable
9. Cessation of membership
10. Resignation from membership
11. Removal from membership
12. Fees and liabilities
13. Distribution of profits

### PART III – THE COUNCIL

14. Constitution and membership of the council
15. Responsibilities of the council
16. Council meetings
17. Delegation by the council to sub-committee
18. Voting and making decisions
19. The senior pastor
20. Vacancy and appointment of the senior pastor
21. Resignation, removal or retirement of the senior pastor
22. Approval of overseers
23. Resignation or removal of overseers
24. Vacancies among overseers

### PART IV – THE ADMINISTRATION COMMITTEE

25. Constitution and membership of the Committee
26. Responsibilities of the Committee
27. Meetings of the Committee
28. Voting and making decisions
29. The secretary
30. The treasurer
31. Vacancy among the secretary or treasurer

32. Resignation or removal of the secretary or treasurer.

### PART V – GENERAL MEETINGS

33. Annual general meetings – holding of
34. Annual general meetings – calling of and business at
35. General meetings – calling of
36. General meetings -- notice of
37. General meetings – procedure and quorum
38. General meetings – resolutions
39. Presiding member
40. Adjournment
41. Voting and making decisions
42. Proxies
43. Postal ballots

### PART VI – MISCELLANEOUS

44. Associate pastors
45. Other staff members
46. Funds
47. Auditor
48. Resolution of Internal Disputes
49. Common seal
50. Custody of books
51. Inspection of books
52. Service of notices
53. Public officer
54. Surplus property

### PART VII – BOARD OF REFERENCE

55. Board of reference
56. Membership of the board
57. Vacancies
58. Notification of membership
59. Matters on which the board must be consulted
60. Consultation by the board
61. Meetings of the board

### APPENDICES

- Appendix 1 - Appointment of proxy
- Appendix 2 - Postal ballot

## **PART I - PRELIMINARY**

### **1. Interpretation**

1.1 In these rules, unless a contrary intention appears:

- “**associate pastor**” means a pastor appointed under rule 44,
- “**Director-General**” means the Director-General of the Department of Fair Trading,
- “**financial year**” means the year ending 31 December,
- “**general meeting**” means a general meeting of the association,
- “**member**” means a member, however described, of the association,
- “**mission**” means the mission of the association set out in rule 4,
- “**overseer**” means a member of the council who is not a pastor of the association,
- “**pastor**” means the senior pastor or an associate pastor of the Church,
- “**secretary**” means the secretary of the association, except in rule 16,
- “**senior pastor**” means the pastor described in rule 19,
- “**statement of beliefs**” means the beliefs set out in rule 3,
- “**the Act**” means the *Associations Incorporation Act 1984*.
- “**the association**” means Bathurst Evangelical Church Incorporated,
- “**the board**” means the Board of Reference explained in rule 55,
- “**the Church**” means Bathurst Evangelical Church, except in the statement of beliefs,
- “**the Committee**” means the Administration Committee of the association,
- “**the council**” means the council of the association,
- “**the Regulation**” means the Associations Incorporation Regulation 1999.

1.2 In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, where the function is a power, authority or duty, a reference to the exercise of the power or authority or the performance of the duty.

1.3 The provisions of the *Interpretation Act 1987* apply to and in respect of these rules.

### **2. Statement of purpose**

2.1 The association is established for the principal purpose of conducting the affairs of the Church.

### **3. Statement of beliefs:**

#### **(a) God**

There is only one God, who as Father, Son and Holy Spirit exists eternally as three persons in perfect unity. He is the almighty and loving Creator of all things, the Sustainer and Redeemer who governs according to His sovereign will for His own glory.

#### **(b) The Bible**

The Bible, as originally given, is the God-breathed and therefore is His completely true and trustworthy word. This precious, life-giving word is sufficient for our knowledge of God and the supreme authority in all matters of faith and conduct. The teaching of the Bible shapes all aspects of Church life.

#### **(c) Humanity**

All people, male and female, are created in God's image and are called by God to love Him with all their being. However, ever since the first man and woman rebelled in the Fall, all humanity is guilty of rebellion against God. Human nature is so thoroughly corrupted by sin that no one is capable of turning to God on their own initiative, and everyone is subject to God's righteous anger and condemnation.

#### **(d) 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 bodily from the grave, and ascended into heaven where He is exalted as ruler over all. In Christ, God is revealed in all His fullness.

#### **(e) Salvation**

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

#### **(f) The Holy Spirit**

The Holy Spirit has been sent from heaven by the Father and the Son to make the work of Christ effective in the lives of sinners. He gives people new birth, enabling them to turn to God, the Father, and to trust in Jesus Christ, the Lord. God's Spirit continues to dwell in all those He has regenerated, creating in them the likeness of Christ in holiness of thought, action and speech.

#### **(g) 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 united as members of His Church and

united in the task of taking the gospel to the world. God has equipped all His people with gifts to be used for building Christ's Church.

**(h) The Future**

The Lord Jesus Christ will return. He will execute God's judgement on all who have not turned to God through Jesus Christ, consigning them to hell, and He will welcome his people into a life of eternal joy in fellowship with God in heaven. On that day all sin, suffering and death amongst Christ's people will be completely destroyed, creation will be renewed, and God will be glorified forever.

**4. Statement of mission**

The mission of the association is:

- (a) to present Christ to everyone, and
- (b) to present everyone mature in Christ.

**PART II - MEMBERSHIP**

**5. Membership qualifications**

A person is qualified to be a member if:

- (a) the person:
  - (i) has applied for membership in accordance with subrule 7.1, and
  - (ii) is at least eighteen (18) years old, and
  - (iii) acknowledges in writing his or her faith in and submission toward Jesus Christ as Lord, Saviour and God, and
  - (iv) agrees in writing to promote the mission of the association, and
  - (v) has been in attendance at public assemblies of the Church for a period of not less than three (3) months, and
  - (vi) is not a member of another church, except where the council determines that extenuating circumstances apply, and
  - (vii) has been approved for membership of the association by the council, or
- (b) the person is a pastor of the Church.

**6. Register of members**

A register of members of the association shall be established and maintained specifying the name and address of each person who is a member, together with the date on which the person became a member and, where determined under rule 9, ceased to be a member.

## **7. Application for membership**

7.1 An application for membership of the association must be made to the council.

7.2 As soon as is practicable the council shall determine whether to approve or to reject the application. The person becomes a member from the time of the council's approval.

7.3 When the council has approved or rejected an application the secretary shall notify the applicant of the council's determination as soon as practicable and, in the case of approval, shall enter the applicant's name in the register of members within seven (7) days.

## **8. Membership entitlements not transferable**

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) can not be transferred or transmitted to another person, and
- (b) terminates upon cessation of the person's membership.

## **9. Cessation of membership**

A person ceases to be a member of the association if the person:

- (a) dies, or
- (b) resigns from membership of the association, or
- (c) is removed from the membership of the association by the council.

## **10. Resignation from membership**

10.1 The council will not accept a resignation from membership of the association except in accordance with this rule.

10.2 A member may resign from membership of the association by giving notice in writing to the council of their intention to resign and, upon the expiration of the period of notice, the member ceases to be a member. The secretary shall make an appropriate entry in the register of members within seven (7) days of the expiry of the notice.

## **11. Removal from membership**

11.1 The council shall remove a person from membership of the association where that person:

- (a) ceases to be in regular attendance at meetings of the Church for a period of not less than six (6) months, except where the council determines that extenuating circumstances apply, or
- (b) professes that he or she no longer has faith in, or submission toward, Jesus Christ as Lord, Saviour and God, or

- (c) professes that he or she no longer agrees to promote the mission of the association, or
- (d) becomes a member of another Church, except where the council determines that extenuating circumstances apply, or
- (e) brings the association into disrepute by persistently and wilfully conducting himself or herself in a manner inconsistent with the statement of beliefs or the mission of the association.

11.2 Where the council resolves to remove a person from membership of the association, the person shall cease to be a member from the time of that resolution.

11.3 Where a person has been removed from membership of the association by the council, the secretary shall:

- (a) as soon as practicable after they have been removed from membership, notify the person of the action taken in accordance with rule 52, and
- (b) make an appropriate entry in the register of members within seven (7) days of the resolution.

11.4 Where a person's name has been removed from membership of the association according to subrule 11.1 the member has no right of appeal. The person may seek renewed membership in accordance with rules 5 and 7.

## **12. Fees and liabilities**

12.1 No entrance fee or annual membership fee is payable to the association.

12.2 Upon incorporation of the association the liability of a member to contribute towards the payment of debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount of one dollar (\$1.00).

## **13. Distribution of profits**

No moneys shall be distributed to members as profits.

# **PART III - THE COUNCIL**

## **14. Constitution and membership of the council**

14.1 The composition of the council shall be:

- (a) the senior pastor, and
- (b) all overseers approved pursuant to rule 22 or appointed in accordance with subrule 14.5, and
- (c) associate pastors, as may be selected from time to time by the senior pastor to serve on the council, providing that the total number of associate pastors remains less than the number of overseers.

14.2 There shall be at least one (1) overseer appointed to the council.

14.3 The maximum number of overseers for the following year is to be determined by the senior pastor, with the agreement of the council, before the annual general meeting.

14.4 Each overseer shall, subject to these rules, hold office until the conclusion of the second annual general meeting following the date of the overseer's appointment, but is eligible to hold office for subsequent terms.

14.5 In the event of a vacancy in the number of overseers, the council may appoint a member of the association to fill the vacancy according to subrule 22.1 and the member so appointed shall hold office, subject to these rules, until the conclusion of the next general meeting following the date of the appointment.

14.6 When a vacancy on the council reduces the number of overseers below the minimum number of subrule 14.2 the remaining member or members of the council may exercise all the powers of the council until the vacancy is filled, or for a period of not more than three (3) months after the vacancy occurs, whichever is the lesser.

## **15. Responsibilities of the council**

The council, subject to the Act, the Regulation and these rules:

- (a) is to uphold the statement of beliefs and promote the mission of the association, and
- (b) shall confer with and assist the senior pastor in managing the affairs of the association, including all matters vital to the spiritual welfare of the Church, and
- (c) may exercise all such functions as may be exercised by the association other than those functions that are required by rule 34 to be exercised by the association in general meeting, and
- (d) has the power to perform all such acts and do all such things not elsewhere regulated by these rules as appear to the council to be necessary or desirable for the proper management of the affairs of the association.

## **16. Council meetings**

16.1 The meetings of the council shall be chaired by the senior pastor or, in his absence, an existing member of the council appointed by the senior pastor.

16.2 Where the senior pastor has not appointed a chairman, the council shall appoint a chairman from among its number.

16.3 The council shall appoint a secretary from its number for the purposes of its meetings and, in this rule, "the secretary" means the secretary of the council.

16.4 The secretary shall:

- (a) minute the names of the members present at the council meeting, and
- (b) minute the decisions of the council, and
- (c) convey the minutes to the secretary of the association after they are duly confirmed at that meeting or the next succeeding meeting, and signed by the chairman of the meeting at which they are confirmed.

16.5 The council shall meet at least six (6) times in each calendar year at such place and time as the council may determine.

16.6 Oral or written notice of a meeting of the council shall be given by the secretary to each member of the council at least seven (7) days, or such other period as may be unanimously agreed upon by the members of the council, before the time appointed for the meeting.

16.7 Notice of a meeting given under subrule 16.6 must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business to which a majority of the council members present at the meeting agree.

16.8 The senior pastor or his appointed representative and at least fifty percent (50%) of the remainder of the council, shall constitute a quorum for the transaction of the business of a meeting of the council.

## **17. Delegation by the council to sub-committee**

The council may delegate the exercise of its functions to such person or persons as the council thinks fit, other than:

- (a) the power of this delegation, and
- (b) a function that is imposed on the committee of an association by any other law of New South Wales

## **18. Voting and making decisions**

18.1 Every effort should be made by the council to reach consensus when making decisions.

18.2 Where the council is satisfied that consensus can not be reached:

- (a) if the council consists of two (2) members, a question is to be resolved unanimously, or
- (b) if the council consists of three (3) or more members, a question is to be resolved on the vote of a majority of the members present and voting, except where otherwise provided in these rules.

18.3 Each member of the council present at the meeting, including the chairman, is entitled to one vote.

18.4 Despite subrule 18.3, a decision cannot be made by the council concerning such matters as are vital to the spiritual welfare of the church without the approval of the senior pastor or his appointed representative.

18.5 No pastor may vote on any question of remuneration of pastors, or chair the meeting during consideration of any such question.

18.6 The council may act despite any vacancy on the council.

18.7 Any act or thing done or suffered, or purported to have been done or suffered, by the council, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the council.

18.8 This rule applies to a sub-committee appointed by the council in the same way as it applies to the council.

## **19. The senior pastor**

19.1 The senior pastor must:

- (a) be a man who qualifies as an overseer according to 1 Timothy 3:1-7, Titus 1:7-9 and 1 Peter 5:1-4, and be known for his maturity of faith and Christian character, and
- (b) have demonstrated by his life and teaching that he is well qualified to lead and teach the Church in accordance with the statement of beliefs and the mission of the association, and
- (c) agree in writing, at each annual general meeting, to teach and uphold the statement of beliefs, and
- (d) agree in writing, at each annual general meeting, to promote the mission of the association, and
- (e) have attained the age of twenty five (25) years, and
- (f) not be, and not have been, declared an insolvent under administration within the meaning of the *Corporations Law*.

19.2 The senior pastor is to be responsible for

(a) leading and teaching the Church in accordance with the statement of beliefs and the mission of the association, and

(b) managing the affairs of the association, including all such matters as are vital to the spiritual welfare of the Church.

19.3 The senior pastor, by virtue of office, shall be chairman of:

(a) the council, and he may delegate the right to preside at meetings of the council to another pastor or overseer, and

(b) the Committee, and he may delegate the right to preside at the meetings of the Committee to another overseer or pastor, and

(c) any general meetings, and he may delegate the right to preside at general meetings to another overseer or member; and

(d) any sub-committee appointed by the council, and he may delegate the right to preside at meetings of the sub-committee to another pastor, overseer or member.

19.4 The senior pastor:

(a) may act to appoint or remove associate pastors consistent with rule 44, and

(b) is to be responsible for the appointment or removal of staff (other than associate pastors) with the approval of the council given by a simple majority.

19.5 In the case of temporary absence or incapacity of the senior pastor he shall appoint a suitable pastor or overseer, in accordance with subrule 19.1, to fill the role of acting senior pastor, and the acting senior pastor is to have all the powers provided by these rules to the senior pastor, excepting the powers described in subrule 19.4.

19.6 If the senior pastor has not made provision for an acting senior pastor in the case of his temporary absence or incapacity then a meeting of the remaining members of the council shall appoint a suitable pastor or overseer to fill the role of acting senior pastor, in accordance with subrule 19.5.

19.7 The senior pastor shall be appointed by the association without specifying any length of tenure.

## **20. Vacancy and appointment of the senior pastor**

20.1 For the purposes of these rules, a vacancy in the office of senior pastor occurs, if the senior pastor:

(a) dies, or

(b) resigns from office, or

(c) is removed pursuant to rule 21, or

(d) becomes an insolvent under administration within the meaning of the *Corporations Law*.

20.2 When the position of senior pastor is vacant, the council shall appoint a suitable person in accordance with subrule 19.1 to the role of acting senior pastor, with all the powers provided by these rules to the senior pastor, until the position is filled.

20.3 If the council is not satisfied that a suitable person can be found they may appoint a chairman from among themselves who shall act with all the powers provided by these rules to the senior pastor, until the position is filled.

20.4 When the position of senior pastor is vacant, or the existing senior pastor has given notice of his resignation, the council shall consult the board and then appoint a selection panel of five (5) members to seek a new senior pastor.

20.5 The council, in consultation with the board, shall provide the selection panel with guidelines to be followed in selecting a senior pastor.

20.6 The selection panel shall conduct whatever discussions, investigations and interviews are necessary until unanimous agreement is reached on one person to be approached.

20.7 The selection panel will communicate privately with the nominee to ascertain whether he would be willing for his name to be placed before the association.

20.8 Should the nominee be willing for his name to be placed before the association, the recommendation of the selection panel must then be brought to the council. The council shall consult the board in considering the nominee and then determine whether it approves of the nominee. Approval shall be by unanimous agreement.

20.9 When approval is given by the council, the council shall begin preliminary discussions with him regarding terms and conditions of the position, and the person's name shall be submitted to the association. The council shall arrange an opportunity for the members to meet the nominee, and to hear his preaching.

20.10 A general meeting shall then be arranged, and the nominee must be approved pursuant to rule 38.

20.11 Upon approval by the general meeting, the council shall finalise any negotiations with the successful nominee regarding terms and conditions. A formal invitation together with all terms and conditions of the position shall be conveyed to him in writing, and formal acceptance sought.

20.12 In the event of a nominee failing to be approved by the council or the association, or if the nominee declines the formal invitation, the procedure of this rule shall be repeated until successful.

20.13 The nominee shall be deemed appointed upon his written acceptance of the invitation together with the terms and conditions.

20.14 As soon as practicable after his appointment and removal to Bathurst, the senior pastor is to be commissioned by a member of the board at a meeting of the Church.

20.15 At his commissioning, the senior pastor is to publicly declare his agreement:

- (a) to teach and uphold the statement of beliefs, and
- (b) to promote the mission of the association.

## **21. Resignation, removal or retirement of the senior pastor**

21.1 The senior pastor may resign from office by giving two (2) months' notice in writing to the council of his intention to resign and, upon the expiration of the period of notice, he ceases to be the senior pastor.

21.2 The grounds for removal of a senior pastor shall be:

- (a) his gross misconduct which brings the Christian faith and the association into disrepute, or
- (b) his persistent and wilful teaching of that which is contrary to the statement of beliefs, or
- (c) his persistent unwillingness to promote the mission of the association, or
- (d) irreversible mental or physical incapacity leaving him incapable of fulfilling his pastoral responsibilities, as certified by two suitably qualified medical practitioners who are not members of the association.

21.3 The senior pastor cannot be removed under subrule 21.2 before:

- (a) the remainder of the council has first consulted with the board, and then
- (b) there has then been at least a seventy five percent (75%) majority vote by the remainder of council at a special council meeting, and then
- (c) there has been at least a seventy five percent (75%) majority vote of the members present and voting at a subsequent general meeting, chaired by a person appointed by the council.

21.4 Where the council decides there has been a loss of confidence in the pastor for reasons other than those of subrule 21.2, or where twenty five percent (25%) of the members of the association declare a loss of confidence in the senior pastor by means of a written petition to the council, the senior pastor can be removed, but not before:

- (a) the board has first been summoned to mediate as it sees fit, and concludes its work of mediation, and then where
- (b) there has been a seventy five percent (75%) majority vote of the members on the register of members to remove the senior pastor, taken by postal vote conducted by the secretary, in which the question under consideration shall be framed by agreement with the board.

21.5 Where the decision has been reached to remove the senior pastor under subrule 21.3 or 21.4:

- (a) the council must immediately declare the position of senior pastor vacant, and appoint an acting senior pastor in accordance with subrules 20.2 and 20.3, and
- (b) the council shall immediately notify the senior pastor, in writing, of the dismissal, and
- (c) the association must:
  - (i) provide payment of any outstanding annual leave, study leave and long service leave, and
  - (ii) honour any relevant conditions prescribed in the senior pastor's contract with the association.

21.6 If a decision has been reached to remove the senior pastor according to subrule 21.4 then, in addition to the provisions of subrule 21.5, the association must provide a minimum payment of twelve (12) weeks salary from the date the position is declared vacant, plus two (2) weeks current salary for each year of service, to a maximum of twelve (12) weeks.

21.7 Upon attaining the age of sixty five (65) years the senior pastor shall retire, except that he may, after that age, remain in office from year to year by a special resolution of the members present and voting at the annual general meeting of the association, commencing at the next annual general meeting after he attains the age of sixty four (64) years. The senior pastor must retire at the age of seventy (70) years.

## **22. Approval of overseers**

22.1 An overseer must:

- (a) be a man who qualifies as an overseer according to 1 Timothy 3:1-7, Titus 1:7-9 and 1 Peter 5:1-4, and is known for his maturity of faith and Christian character, and
- (b) agree in writing, at each annual general meeting, to uphold the statement of beliefs, and
- (c) agree in writing, at each annual general meeting, to promote the mission of the association, and
- (d) have attained the age of twenty five (25) years, and
- (e) not be, and not have been, an insolvent under administration within the meaning of the *Corporations Law*, and
- (f) have been a member of the association for at least twelve (12) months.

22.2 The council may ask the members to suggest the names of members suitable for consideration as overseers, and after giving due consideration to these names, and subject to the maximum number in subrule 14.3, determine, by a seventy five percent (75%) majority of all members of the council, which names to submit to the members as nominees for their approval.

22.3 The names of all nominees must be submitted to the members at least fourteen (14) days before a general meeting.

22.4 A nominee is approved by a special resolution of a general meeting of the members of the association.

22.5 If the minimum number of overseers according to subrule 14.2 is not approved, then the senior pastor may appoint the required minimum number of overseers in accordance with subrule 22.1.

22.6 Where the council submits more nominees than vacancies to the members, each member of the association, present and voting, is to be asked to vote, in a manner determined by the council, to determine which nominees are approved.

### **23. Resignation or removal of overseers**

23.1 An overseer may resign from office by giving one (1) month's notice in writing to the council of his intention to resign and, upon the expiration of the period of notice, he ceases to be an overseer.

23.2 The grounds for removal of an overseer shall be:

- (a) his gross misconduct which brings the Christian faith and the association into disrepute, or
- (b) his persistent and wilful teaching of that which is contrary to the statement of beliefs, or
- (c) his persistent unwillingness to promote the mission of the association, or
- (d) irreversible mental or physical incapacity leaving him incapable of fulfilling his pastoral responsibilities, as certified by two suitably qualified medical practitioners who are not members of the association.

23.3 An overseer cannot be removed before:

- (a) the remainder of the council agrees by a seventy five percent (75%) majority, at a council meeting convened for the purpose of considering such a removal , and
- (b) there has been a seventy five percent (75%) majority vote of the members present and voting at a general meeting.

23.4 If the remainder of the council or the association loses confidence in an overseer for reasons other than those described in subrule 23.2, the overseer can be removed, but not before there has been a seventy five percent (75%) majority vote of the members present and voting at a general meeting.

23.5 Where an overseer is removed according to this rule, the council shall immediately notify the overseer, in writing, of the dismissal.

### **24. Vacancies among overseers**

24.1 For the purposes of these rules a vacancy in the council occurs if the member:

- (a) dies, or
- (b) ceases to be a member of the association, or
- (c) resigns from office, or
- (d) is removed according to rule 23, or
- (e) becomes an insolvent under administration within the meaning of the *Corporations Law*.

24.2 Upon attaining the age of sixty five (65) years an overseer shall retire, except that he may, after that age, remain in office from year to year by a special resolution of the members present and voting at the annual general meeting of the association, commencing at the next annual general meeting after he attains the age of sixty four (64) years. An overseer must retire at the age of seventy (70) years.

## **PART IV - THE ADMINISTRATION COMMITTEE**

### **25. Constitution and membership of the Committee**

The Committee shall consist of:

- (a) the members of the council, and
- (b) the secretary of the association, and
- (c) the treasurer of the association.

### **26. Responsibilities of the Committee**

The Committee, subject to the Act, the Regulation, and these rules:

- (a) is to uphold the statement of beliefs and promote the mission of the association, and
- (b) is to supply a nomination, or nominations, for the position of auditor for the approval of the annual general meeting in accordance with rule 47.
- (c) shall administer the financial affairs of the association, except that the following matters are subject to the approval of the council:
  - (i) the terms of remuneration of staff, and
  - (ii) determinations regarding substantial fixed assets, and
  - (iii) lease contracts, hire purchase agreements or other long term financial commitments.

### **27. Meetings of the Committee**

27.1 The meetings of the Committee shall be chaired by the senior pastor or, in his absence, by his appointed representative.

27.2 Where the senior pastor has not appointed a chairman, the Committee shall appoint a chairman from among the overseers present at the meeting.

27.3 The Committee shall meet at least four (4) times in each calendar year at such place and time as the Committee may determine.

27.4 Oral or written notice of a meeting of the Committee shall be given by the secretary to each member of the council at least seven (7) days, or such other period as may be unanimously agreed upon by the members of the Committee, before the time appointed for the meeting.

27.5 The secretary shall circulate the agenda for the meeting at least seven (7) days before the meeting.

27.6 The chairman and at least fifty percent (50%) of the remainder of the Committee, shall constitute a quorum for the transaction of the business of a meeting of the Committee.

### **28. Voting and making decisions**

28.1 Every effort should be made by the Committee to reach consensus when making decisions.

28.2 Where the Committee is satisfied that consensus can not be reached:

- (a) if the Committee consists of two (2) members, a question is to be resolved unanimously, or
- (b) if the Committee consists of three (3) or more members, a question is to be resolved on the vote of a majority of the members present and voting except where otherwise provided in these rules.

28.3 Each member of the Committee present at the meeting, including the chairman, is entitled to one vote.

28.4 No pastor may vote on any question of remuneration of pastors, or chair the meeting during consideration of any such question. The remainder of the members of the meeting shall appoint an overseer as chairman for this purpose.

28.5 The Committee may act despite any vacancy on the Committee.

28.6 Any act or thing done or suffered, or purported to have been done or suffered, by the Committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Committee.

## **29. The secretary**

29.1 The secretary must:

- (a) be a man or woman who qualifies according to 1 Timothy 3:8-12, and
- (b) be approved by the council, and
- (c) agree in writing, at each annual general meeting, to uphold the statement of beliefs, and
- (d) agree in writing, at each annual general meeting, to promote the mission of the association, and
- (e) have attained the age of twenty five (25) years, and
- (f) not, at any time, have been declared an insolvent under administration within the meaning of the *Corporations Law*, and
- (g) have been a member of the association in good standing for twelve (12) months, and
- (h) may be an overseer.

29.2 The secretary shall be the secretary of the association.

29.3 The secretary shall be elected at the annual general meeting according to rule 34, unless appointed according to subrule 29.7.

29.4 The secretary shall:

- (a) keep minutes of all appointments and elections of overseers and pastors, and
- (b) keep minutes of the names of persons present at meetings of the Committee, and of persons present at a general meeting of the association, and
- (c) keep minutes of all proceedings of the Committee, and
- (d) hold the minutes of the council provided by the secretary of the council, and
- (e) establish and maintain the register of members according to rule 6, and
- (f) make books available for inspection pursuant to rule 51, and
- (g) serve notices pursuant to rule 52.

29.5 Minutes of proceedings at a meeting of the Committee must be approved at the next succeeding meeting and signed by the chairman of that next meeting.

29.6 The council may delegate the powers of the secretary to other members of the association:

- (a) who shall be accountable to the secretary for the discharge of the responsibilities in subrule 29.4, and
- (b) who may be invited to attend meetings of the Committee without the power to vote.

29.7 In the event of a vacancy in the office of secretary, the council shall appoint a member of the association to fill the vacancy according to subrule 29.1, and the member so appointed shall hold office, subject to these rules, until the conclusion of the next annual general meeting following the date of their appointment.

### **30. The treasurer**

30.1 The treasurer must:

- (a) be a man or woman who qualifies according to 1 Timothy 3:8-12, and
- (b) be approved by the council, and
- (c) agree in writing, at each annual general meeting, to uphold the statement of beliefs, and
- (d) agree in writing, at each annual general meeting, to promote the mission of the association, and
- (e) have attained the age of twenty five (25) years, and
- (f) not, at any time, have been declared an insolvent under administration within the meaning of the *Corporations Law*, and
- (g) have been a member of the association in good standing for twelve (12) months, and
- (h) may be an overseer.

30.2 The treasurer shall be the treasurer of the association.

30.3 The treasurer shall be elected at the annual general meeting according to rule 34, unless appointed according to subrule 30.6.

30.4 The treasurer shall:

- (a) subject to rule 46, ensure the collection and receipt of all moneys due to the association and make payments authorised by the association, and
- (b) keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected with the activities of the association, and
- (c) prepare and present a report of progress in the financial affairs of the association at each meeting of the Committee, and
- (d) prepare an annual budget for the association for the approval of the council and the Committee, and
- (e) prepare and present audited statements covering the financial affairs of the association for the previous financial year to the members at the annual general meeting, and
- (f) present the budget approved by the council and the Committee to the members at the annual general meeting.

30.5 The council may delegate responsibilities of the treasurer to other members of the association:

- (a) who are not, and who have not been, declared an insolvent under administration within the meaning of the *Corporations Law*, and
- (b) who shall be accountable to the treasurer for the discharge of the responsibilities in subrule 30.4, and
- (c) who may be invited to attend meetings of the Committee without the power to vote.

30.6 In the event of a vacancy in the office of treasurer, the council shall appoint a member of the association to fill the vacancy according to subrule 30.1, and the member so appointed shall hold office, subject to these rules, until the conclusion of the next annual general meeting following the date of their appointment.

### **31. Vacancy among the secretary or treasurer**

For the purposes of these rules, a vacancy in the offices of the secretary or treasurer occurs if the member:

- (a) dies, or
- (b) resigns from office, or
- (c) is removed from office pursuant to rule 32, or
- (d) ceases to be a member of the association, or
- (e) becomes an insolvent under administration within the meaning of the *Corporations Law*.

### **32. Resignation or removal of the secretary or treasurer**

32.1 The secretary or treasurer may resign from office by giving one (1) month's notice in writing to the council of his or her intention to resign and, upon the expiration of the period of notice, he or she ceases to hold office.

32.2 The grounds for removal of the secretary or treasurer shall be:

- (a) his or her gross misconduct which brings the Christian faith and the association into disrepute, or
- (b) his or her persistent and wilful teaching of that which is contrary to the statement of beliefs, or
- (c) his or her persistent unwillingness to promote the mission of the association, or
- (d) irreversible mental or physical incapacity leaving him or her incapable of fulfilling the responsibilities of his or her office, as certified by two suitably qualified medical practitioners who are not members of the association.

32.3 The secretary or treasurer cannot be removed before:

- (a) the remainder of the Committee agrees by a sixty six percent (66%) majority, and
- (b) the council agrees by a sixty six percent (66%) majority, and
- (c) there has been a sixty six percent (66%) majority vote of the members present and voting at a general meeting.

32.4 If the remainder of the Committee loses confidence in the secretary or treasurer, and the council agrees or, if the association loses confidence in the secretary or treasurer, for reasons other than those described in subrule 32.2, the person can be removed, but not before there has been a sixty six percent (66%) majority vote of the members present and voting at a general meeting.

32.5 Where the secretary or treasurer is removed according to this rule, the council shall take all reasonable steps to notify the person of the dismissal in writing within forty eight (48) hours in accordance with rule 52.

## **PART V - GENERAL MEETINGS**

### **33. Annual general meetings - holding of**

33.1 The association must, at least once in each calendar year and within the period of five (5) months after the expiration of each financial year of the association, convene an annual general meeting of its members.

33.2 Upon incorporation, this rule has effect subject to any extension or permission granted by the Director-General under section 26 (3) of the Act.

### **34. Annual general meetings calling of and business at**

34.1 The annual general meeting of the association shall, subject, upon incorporation, to the Act and to rule 33, be convened on such date and at such place and time as the council thinks fit.

34.2 In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting shall be:

- (a) to receive from the council reports on the activities of the association during the last preceding financial year, and
- (b) to receive and consider the audited financial statements, the budget and the reports that are required to be submitted to members under section 26 (6) of the Act, and
- (c) to receive written agreements from the pastors, overseers and any other persons required under these rules to submit such agreements, and
- (d) to elect the secretary and treasurer of the association, and
- (e) to approve the appointment of an auditor who is to conduct an audit of the association's financial affairs for the next annual general meeting, and
- (f) to receive notification of the membership of the board.

34.3 An annual general meeting must be specified as such in the notice convening it in accordance with rule 36.

34.4 An annual general meeting is to be conducted in accordance with the provisions of this Part.

34.5 The minutes of the annual general meeting shall be confirmed at a meeting of the Committee as soon as practicable after the annual general meeting and signed by the chairman of that Committee meeting.

### **35. General meetings calling of**

35.1 The council may, whenever it thinks fit, convene a general meeting of the association.

35.2 The council must, on the requisition in writing of not less than twenty percent (20%) of the total number of members, except as provided in subrule 21.4, convene a general meeting of the association within one (1) month.

35.3 A requisition of members for a general meeting:

- (a) must state the purpose or purposes of the meeting, and
- (b) must be signed by the members making the requisition, and
- (c) must be lodged with the secretary, and
- (d) may consist of several documents in a similar form, each signed by one (1) or more of the members making the requisition.

35.4 If the council fails to convene a general meeting within one (1) month after the date on which a requisition of members for the meeting is lodged with the secretary, any one (1) or more of the members who made the requisition may convene a meeting to be held not more than three (3) months after that date.

35.5 A general meeting convened by a member or members pursuant to subrule 35.4 must be convened as nearly as is practicable in the same manner as general meetings are convened by the council, and any member

who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

### **36. General meetings - notice of**

36.1 Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary shall, at least fourteen (14) days before the date fixed for the holding of the general meeting, notify the members of the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.

36.2 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least fourteen (14) days before the date fixed for the holding of the general meeting, notify the members of the matters required in subrule 36.1 specifying, in addition, the intention to propose the resolution as a special resolution.

36.3 No business, other than that specified in the notice convening a general meeting, is to be transacted at the meeting except, in the case of an annual general meeting, business that may be transacted pursuant to subrule 34.2.

36.4 A member who wishes to bring any business before a general meeting must give details in writing of that business to the council who may include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **37. General meetings procedure and quorum**

37.1 No item of business is to be transacted at a general meeting unless a quorum of members is present during the time the meeting is considering that item.

37.2 Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, twenty percent (20%) of the current members on the register, present in person, constitute a quorum for the transaction of the business of a general meeting.

37.3 If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, fifty percent (50%) of the current members on the register, present in person, constitute a quorum.

37.4 If, within half (1/2) an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting:

- (a) if convened on the requisition of members, shall be dissolved, or
- (b) in any other case, shall stand adjourned to the same day in one of the following two (2) weeks, at the same time and at the same place, unless another place is specified by the person presiding at the meeting, and notice is given to the members before the day to which the meeting is adjourned.

37.5 If, at the adjourned meeting, a quorum is not present within half (1/2) 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 the next council meeting.

### **38. General meetings resolutions**

38.1 The following business requires a special resolution of the association at a general meeting:

- (a) the appointment or removal of a senior pastor or associate pastors, and
- (b) the approval of appointment or removal of overseers, and
- (c) changes to these rules.

38.2 A special resolution of the association must receive a majority of at least seventy five percent (75%) of the votes cast by the members who are present and voting at a general meeting.

38.3 The following business is to be resolved at a general meeting without the requirements for a special resolution in subrule 38.1:

- (a) the receipt of the audited financial statements of the association, and
- (b) the receipt of the budget of the association, and
- (c) the appointment of an auditor, and
- (d) approval for the purchase or sale of land or buildings.

38.4 The council, or the person presiding at a general meeting, may determine other business requiring resolution by members at a general meeting if the business has been specified in the notice convening the general meeting.

### **39. Presiding member**

39.1 If the senior pastor or his appointed representative is absent from the general meeting, an overseer appointed by the council is to preside at the meeting.

39.2 If the conditions in subrule 39.1 cannot be met, the meeting is adjourned as described in subrule 37.4.

### **40. Adjournment**

The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

### **41. Voting and making decisions**

41.1 Subject to subrule 41.2 on any question arising at a general meeting of the association a member has one vote only.

41.2 In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.

41.3 A question requiring resolution at a general meeting of the association, according to rule 38, shall be determined on a show of hands and, unless a poll is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority, or lost, or 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.

41.4 At a general meeting of the association, a poll may be demanded by the person presiding or by not less than three (3) members present at the meeting.

41.5 Where a poll is demanded at a general meeting, the poll is to be taken in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

### **42. Proxies**

42.1 No proxy voting is permitted, unless otherwise determined by the council.

42.2 If proxy voting is permitted by the council, each member is entitled to appoint another member as proxy by notice given to the secretary no later than twenty four (24) hours before the time of the meeting in respect of which the proxy is appointed.

42.3 The notice appointing the proxy is to be in the form set out in Appendix 1.

### **43. Postal ballots**

43.1 Despite any other provision of these rules, the council may determine that any of the following matters may be decided by a postal ballot of the members of the association instead of by a vote of the members at a general meeting of the association:

- (a) approval of the appointment of an overseer, or
- (b) removal of an overseer, or
- (c) appointment of the senior pastor, or
- (d) removal of the senior pastor, or
- (e) a change to these rules.

43.2 If a postal ballot is held in respect of a resolution that, under these rules, is required to be passed by a majority of at least seventy five percent (75%) of the members who are present and voting at a general meeting, the resolution is taken to be passed if it receives at least seventy five percent (75%) of the votes cast in the postal ballot.

43.3 Voting by postal ballot is to be conducted in accordance with Appendix 2.

## **PART VI - MISCELLANEOUS**

### **44. Associate pastors**

44.1 In this rule, an associate pastor is a person who is appointed as a member of staff to assist the senior pastor in the pastoral ministry of the Church and who is paid remuneration by the association.

44.2 An associate pastor must be a person who satisfies the conditions of subrule 19.1.

44.3 Associate pastors are to work under the direction of the senior pastor in accordance with the statement of beliefs and the mission of the association.

44.4 An associate pastor is to be appointed with a specified tenure not exceeding five (5) years, but he may be re-appointed after that time, with each appointment of a specified tenure not exceeding five (5) years.

44.5 The associate pastor is subject to review as the senior pastor and council, in a meeting where that associate pastor is absent, determines.

44.6 The only grounds for removing an associate pastor before the end of his specified tenure shall be:

- (a) the same grounds for removing a senior pastor in subrule 21.2, or
- (b) where the senior pastor has lost confidence in the associate pastor.

44.7 Where an associate pastor is removed according to subrule 44.6(b), the association must provide a minimum payment of eight (8) weeks salary in addition to the obligations of outstanding leave in subrule 21.5.

44.8 Upon attaining the age of sixty five (65) years the associate pastor shall retire, except that he may remain in office from year to year, after that age, until the age of seventy (70) years, by annual appointment of the senior pastor.

44.9 An associate pastor may resign from office by giving two (2) months' notice in writing to the senior pastor of his intention to resign, and upon expiration of the period of notice, shall cease to be an associate pastor.

## **45. Other staff members**

45.1 In this rule, a staff member means a person who is appointed as a member of the staff of the association, not being the senior pastor or an associate pastor, and who is paid remuneration by the association.

45.2 Staff members shall be appointed or removed from office in accordance with subrule 19.4.

45.3 A staff member is to be employed by the association with a specified length of tenure.

45.4 A staff member is to participate in a process of on-going review, as determined by the council.

## **46. Funds**

46.1 The funds of the association shall be derived from donations and, subject to any resolution by the association in general meeting, such other sources as the council determines.

46.2 All money received at meetings of the Church must be counted and attested by the signature of two (2) members :

- (a) who are unrelated, and
- (b) who are not pastors, and
- (c) neither of whom is the treasurer or a person who is delegated the powers of the treasurer according to subrule 30.5, and
- (d) at least one of whom is authorised by the council to count and attest, and
- (e) who are not related to the treasurer.

46.3 All money received by the association must be deposited by a member authorised by the council as soon as practicable, and without deduction, to the association's bank account.

46.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two (2) members of the association or employees of the association, who are:

- (a) authorised to do so by the council, and
- (b) not related, and
- (c) not pastors, and
- (d) only one of whom may be the treasurer or a person who is delegated the powers of the treasurer according to subrule 30.5.

46.5 The funds of the association must be used in pursuance of the mission of the association in such a manner as the Committee determines.

## **47. Auditor**

47.1 The auditor shall:

- (a) have suitable work experience in audit, and
- (b) not be a member of the association, and
- (c) be unrelated to the treasurer or a person delegated any such powers of the treasurer.

47.2 The annual general meeting shall approve an auditor to conduct the audit of the association's financial affairs for the next annual general meeting.

47.3 In the event of a vacancy in the position of auditor following the annual general meeting at which the auditor was approved, the Committee, with the agreement of the council, shall appoint an auditor to serve until the conclusion of the next annual general meeting.

## **48. Resolution of Internal Disputes**

Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to the board of reference constituted under Part VII of these Rules for mediation.

## **49. Common seal**

49.1 The common seal of the association shall be kept in the custody of the secretary.

49.2 The common seal must not be affixed to any instrument except by the authority of the council.

49.3 The affixing of the common seal must be attested by the signatures of two (2) members of the council.

## **50. Custody of books**

Except as otherwise provided by these rules, the secretary shall keep in his or her custody, or under his or her control, all records, and other documents relating to the association.

## **51. Inspection of books**

The financial records, register of members, minutes of general meetings of the association, and minutes of meetings of the council and of the Committee shall be open to inspection by a member of the association at any reasonable hour and free of charge.

## **52. Service of notices**

52.1 For the purpose of these rules, a notice may be served by or on behalf of the association upon any member either personally or by post to the member at the member's address shown in the register of members.

52.2 Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

### **53. Public officer**

53.1 The council shall appoint a member as the public officer of the association, who shall usually be the secretary of the association.

53.2 Following incorporation of the association, the public officer, within fourteen (14) days of his or her appointment, shall lodge details of his or her full name, residential address and date of appointment with the Department of Fair Trading using the appropriate form provided by the Department of Fair Trading.

53.3 Following incorporation of the association, if the public officer changes his or her address, he or she shall notify the Department of Fair Trading using the appropriate form provided by the Department of Fair Trading.

### **54. Surplus property**

In the event of the dissolution or winding up of the association, subject to the Act, property or surplus funds shall only be distributed to other charitable, non-profit organisations as determined by special resolution of a general meeting of the association.

## **PART VII - BOARD OF REFERENCE**

### **55. Board of Reference**

There is to be a board of reference to support the association in pursuing the mission of the association.

### **56. Membership of the board**

56.1 The founding members of the board shall be appointed by unanimous decision of the council made as soon as practicable after the adoption of this constitution.

56.2 The members of the board for the time being may at any time appoint a duly qualified person who is approved by the senior pastor and the council to be a member of the board so that the membership of the board is not less than three (3) persons.

56.3 Each person on the board of reference must:

- (a) be known for his or her maturity of faith and Christian character, and have demonstrated, in his or her own context, a commitment to pursuing the mission of the association, and
- (b) agree in writing to uphold the statement of beliefs, of the association, and
- (c) agree in writing to support the association in pursuing the mission of the association, and
- (d) not be a member of the association.

### **57. Vacancies**

57.1 A vacancy in the office of a member of the board occurs if the member:

- (a) dies, or

- (b) resigns from office, or
- (c) is absent without the consent of the board from three (3) consecutive meetings of the board, or
- (d) attains the age of eighty (80) years, or
- (e) is removed from office by the council under subrule 57.2, or
- (f) suffers irreversible mental or physical incapacity leaving him incapable of fulfilling his responsibilities as certified by two (2) suitably qualified medical practitioners who are not members of the association.

57.2 The council has the power to remove persons from the board of reference if they no longer meet the requirements outlined in subrule 56.3, but only by a seventy five percent (75%) majority of all the members of the council.

## **58. Notification of membership**

The names of all persons on the board of reference are to be provided to the association at each annual general meeting.

## **59. Matters on which the board must be consulted**

59.1 The council must consult with the board of reference when:

- (a) the association is seeking a new senior pastor and selecting a new senior pastor, or
- (b) there is a loss of confidence in the senior pastor, in accordance with subrule 21.4, or
- (c) the council proposes to remove the senior pastor from office, or
- (d) the association is considering changes in the statement of beliefs or the mission of the association, or
- (e) the council promotes or is aware of any proposal to alter the rules of the association.

59.2 The council may consult with the board of reference on other matters as it sees fit.

## **60. Consultation by the board**

Any member of the board of reference may consult with the senior pastor or council, on matters relating to the association, as he or she sees fit.

## **61. Meetings of the board**

Meetings of the board:

- (a) are to be held at such times as are determined by the members of the board, and
- (b) are to be presided over by a member of the board chosen by the members, and
- (c) are to be conducted in accordance with such procedures as the members of the board determine.

**APPENDIX 1**

**APPOINTMENT OF PROXY**

(Rule 42)

I, \_\_\_\_\_

of \_\_\_\_\_

being a member of the Bathurst Evangelical Church, hereby appoint

\_\_\_\_\_

of \_\_\_\_\_

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

and at any adjournment of that meeting

*(Add, if desired)*

My proxy is authorised to vote in favour of/against *(delete as appropriate)* the motion *(insert details)*

Signature of member appointing proxy \_\_\_\_\_

Date \_\_\_\_\_

NOTE: A proxy vote cannot be given to a person who is not a member of the Bathurst Evangelical Church.

**APPENDIX 2**

**POSTAL BALLOT**

(Rule 43)

1. The council is to determine:
  - (a) the form of a ballot paper, and
  - (b) the form of any question to be determined by a postal ballot, except where provided in subrule 21.3(b), and
  - (c) whether any information (in addition to the instructions necessary to enable a member to cast a valid postal vote) is to accompany a ballot paper and, if so, the nature and content of the information.
  
2. The secretary is to send to each member of the association, not less than fourteen (14) days before the close of the ballot:
  - (a) a ballot paper, initialled by the secretary, and
  - (b) the instructions necessary to enable a member to cast a valid postal vote, and
  - (c) the address to which, and the date and time by which, the ballot paper is to be returned to the secretary.
  
3. A vote is informal if it is not made in accordance with the instructions necessary to enable a member to cast a valid postal vote.
  
4. At a contested election, each candidate is entitled to appoint a scrutineer.
  
5. The secretary is to announce the result of a postal ballot at all meetings of the church on the Sunday following the close of the ballot.