

Constitution

The Constitution of Crossroads Christian Church Incorporated

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Crossroads Christian Church Incorporated Constitution

Revised May, 2014

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PART I - PRELIMINARY

1 Interpretation

- 1.1 In these rules, unless a contrary intention appears:
- "**elder**" means a member of the council, who is not a pastor;
 - "**financial year**" means the year ending on 31 December;
 - "**general meeting**" means a general meeting of the association;
 - "**partner**" means a member, however described, of the association;
 - "**mission**" means the objects of the association set out in rule 4;
 - "**pastor**" means the senior pastor and others appointed by the senior pastor as pastors;
 - "**pastoral staff**" means staff appointed by the senior pastor, according to subrule 14.5, who have pastoral responsibilities;
 - "**statement of beliefs**" means the beliefs set out in rule 3;
 - "**the Act**" means the Associations Incorporation Act 1991;
 - "**the association**" means Crossroads Christian Church Incorporated;
 - "**the church**" means Crossroads Christian Church, except in the statement of beliefs;
 - "**the council**" means the council of the association;
 - "**the Regulations**" means the Associations Incorporation Regulations.
- 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 1967** apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

2 Statement of purpose

The association is established for the principle purpose of conducting the affairs of the church.

3 Statement of beliefs

The fundamental beliefs of the association are:

(a) 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.

(b) 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.

(c) Humanity

All people, men and women, are created in God's image and are called to love God with all their beings. 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.

(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 from the dead, and in his resurrected body ascended into heaven where he is exalted as ruler over all.

(e) 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.

(f) 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.

- (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 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.

- (h) 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.

4 Statement of mission

The objects of the association are:

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

PART II - PARTNERSHIP

5 Partnership Qualifications

A person is qualified to be a partner if:

- (a) the person is a person referred to in section 21(2)(a) or (b) of the Act and has not ceased to be a partner of the association at any time after incorporation of the association under the Act, and complies with the requirements of subrule (b)(ii), (b)(iii) and (b)(v); or
- (b) the person:
 - (i) has applied for partnership in accordance with subrule 6.1;
 - (ii) acknowledges in writing his or her faith in and submission toward Jesus Christ as Lord, Saviour and God;
 - (iii) agrees in writing to promote the mission of the association;
 - (iv) has been in attendance at meetings of the church for a period of not less than three (3) months;
 - (v) has attained the age of eighteen (18) years;

- (vi) is not a member of another church, except where the council determines that extenuating circumstances apply; and
 - (vii) has been approved for partnership of the association by the council; or
- (c) the person is a pastor.

6 Application for partnership

- 6.1 An application by a person for partnership of the association must be made to the council.
- 6.2 As soon as is practicable after receiving an application for partnership, the council shall determine whether to approve or to reject the application, and the secretary shall notify the applicant of the decision.
- 6.3 The secretary shall enter the applicant's name in the register of partners no later than 48 hours after the approval has been granted; and the applicant becomes a partner once his or her name is entered in the register.

7 Partnership entitlements not transferable

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

- (a) is not capable of being transferred or transmitted to another person, except for the purpose of proxy voting pursuant to subrule 32.7; and
- (b) terminates upon cessation of the person's partnership.

8 Cessation of partnership

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

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

9 Resignation and removal of partnership

- 9.1 The council will not accept a resignation from partnership of the association except in accordance with this rule.
- 9.2 A partner may resign from partnership of the association by giving notice in writing to the council of the partner's intention to resign

and, upon the expiration of the period of notice, the partner ceases to be a partner.

- 9.3 The council shall remove a person from partnership of the association where a person 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.
- 9.4 The council may remove a person from partnership if he or she:
- (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 mission of the association.
- 9.5 Where a person ceases to be a partner, the secretary shall make an appropriate entry in the register of partners recording the date on which the partner ceased to be a partner, and notify or seek to notify the person of the action taken.

10 Fees and liabilities

- 10.1 No entrance fee or annual partnership fee is payable to the association.
- 10.2 The liability of a partner 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).

PART III - THE COUNCIL

11 Powers of the council

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

- (a) is to promote the mission of the association and to uphold the statement of beliefs;
- (b) is to support the senior pastor in the oversight of such matters as are vital to the spiritual welfare of the church;
- (c) is to confer with the senior pastor in the initiation, conduct and development of such matters as are vital to the spiritual welfare of the church;
- (d) is otherwise to control and manage the affairs of the association;
- (e) may exercise all such functions as may be exercised by the association other than those functions that are required by rule 29 to be exercised by the association in general meeting; and

- (f) has the power to perform all such acts and do all such things as appear to the council to be necessary or desirable for the proper management of the affairs of the association.

12 Constitution and membership

- 12.1 The council shall consist of a minimum of the senior pastor and three (3) elders. The council may, before an annual general meeting, increase or decrease the number of elders for the following year, providing that each elder completes his term of office and that the minimum number of three (3) elders is met.
- 12.2 The composition of the council shall be:
 - (a) the senior pastor; and
 - (b) at least three (3) elders, each of whom must be approved pursuant to rule 13 or appointed in accordance with subrule 12.5; and
 - (c) pastors, as may be selected from time to time by the senior pastor to serve on the council, providing that the total number of pastors remains less than the number of elders.
- 12.3 The office-bearers of the association shall be the following members of council:
 - (a) the senior pastor;
 - (b) the secretary; and
 - (c) the treasurer.
- 12.4 Each elder shall, subject to these rules, hold office until the conclusion of the second annual general meeting following the date of the elder's approval, but is eligible to hold office for subsequent terms.
- 12.5 In the event of a vacancy in the number of elders that occurs otherwise than by the completion of a term of office, the council may appoint a partner of the association to fill the vacancy and the partner so appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting following the date of the appointment.

13 Approval of elders

- 13.1 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;
 - (b) agree in writing to uphold the statement of beliefs; and
 - (c) agree in writing to promote the mission of the association.

- 13.2 Each elder must have been a partner of the association for at least twelve (12) months, except as provided in subrule 13.3.
- 13.3 The nominations for elders, in the first council, shall be made by the senior pastor; and these persons are exempt from subrule 13.2.
- 13.4 The council may ask the partners to suggest the names of partners suitable for consideration as elders; and, after giving due consideration to these names, submit nominations to the partners for approval.
- 13.5 The names of all nominees must be submitted to the partners at least 14 days before the AGM.
- 13.6 The approval of elders shall occur at the annual general meeting in such manner as the council may direct.
- 13.7 A nominee, in order to be approved, must receive approval from seventy five percent (75%) of the partners voting.
- 13.8 If the minimum number of three (3) elders are not approved, then the council shall repeat the process in subrule 13.4 and call a subsequent general meeting.
- 13.9 If after a subsequent general meeting the minimum number of three (3) elders are not approved, then the senior pastor may appoint elders in accordance with subrule 13.1.

14 Senior pastor

- 14.1 The senior 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 mission of the association and statement of beliefs;
 - (c) agree in writing to teach and uphold the statement of beliefs; and
 - (d) agree in writing to promote the mission of the association.
- 14.2 The senior pastor is to be responsible for leading and teaching the church in accordance with the mission of the association and statement of beliefs.
- 14.3 The senior pastor is to be responsible for the oversight of all such matters as are vital to the spiritual welfare of the church.
- 14.4 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 elder or pastor;
 - (b) any general meetings; and he may delegate the right to preside at general meetings to another partner; and

- (b) any sub-committee appointed by the council; and he may delegate the right to preside at meetings of the sub-committee to another partner.
- 14.5 The senior pastor is to be responsible for the appointment or removal of other staff, with the approval of the council.
- 14.6 The senior pastor shall appoint a pastor or elder, qualified in accordance with subrule 14.1, to fill the role of acting senior pastor, during the temporary absence or incapacity of the 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 14.5.
- 14.7 If, in the temporary absence or incapacity of the senior pastor, the senior pastor has not made provision for an acting senior pastor, then a meeting of the remainder of the council shall appoint a suitable pastor or elder to fill the role of acting senior pastor, in accordance with subrule 14.6.
- 14.8 The senior pastor shall participate in a process of on-going review, as determined by the council.
- 14.9 The senior pastor shall be appointed by the association without specifying any length of tenure excepting by those conditions set out in section 16.6.
- 14.10 The terms of remuneration for the senior pastor shall be set by the council.

15 Vacancy and appointment of senior pastor

- 15.1 For the purposes of these rules, a vacancy in the office of the senior pastor occurs, if the senior pastor:
 - (a) dies;
 - (b) resigns from office;
 - (c) is removed from office pursuant to rule 16;
 - (d) becomes an insolvent under administration within the meaning of the **Corporations Law**; or
 - (e) is disqualified from office under subsection 63(1) of the Act.
- 15.2 When the position of senior pastor is vacant, the council shall appoint a pastor, qualified in accordance with subrule 14.1, to the role of acting senior pastor, with all the powers provided by these rules to the senior pastor, excepting the powers described in subrule 14.5, until the position is filled.
- 15.3 If the council is not satisfied that a pastor, qualified in accordance with subrule 14.1, can be found they shall appoint an elder to the role of acting senior pastor, with all the powers provided by these rules to the senior pastor, excepting the powers described in subrule 14.5, until the position is filled.

- 15.4 When the position of senior pastor is vacant, or the existing senior pastor has given notice of his resignation, the council shall appoint a selection group of five partners to seek a new senior pastor.
- 15.5 The council must provide the selection group with guidelines to be followed in selecting a senior pastor.
- 15.6 The selection group shall conduct whatever discussions, investigations and interviews are necessary until unanimous agreement is reached on one person to be approached.
- 15.7 The selection group will communicate privately with this nominee to ascertain whether he would be willing for his name to be placed before the association.
- 15.8 Should he be willing, the selection group's recommendation must then be submitted to the council for approval, and then to the association.
- 15.9 The nominee, in order to be appointed, must receive a seventy five percent (75%) majority vote of the council, and a seventy five percent (75%) majority vote of the partners present and voting at a general meeting.
- 15.10 In the event of an adverse vote, the above procedure shall be repeated until successful.

16 Removal and retirement of senior pastor

- 16.1 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) if he suffers from irreversible mental or physical incapacity leaving him incapable of fulfilling his responsibilities, as certified by two suitably qualified medical practitioners who are not partners of the association.
- 16.2 The senior pastor can not be removed before:
 - (a) there has been a seventy five percent (75%) majority vote by the remainder of the council at a council meeting; and
 - (b) there has been a seventy five percent (75%) majority vote of the partners present and voting at a general meeting.
- 16.3 If the association loses confidence in the senior pastor for reasons other than those described in subrule 16.1, then the senior pastor can be removed, but not before there has been a seventy five percent (75%) majority vote of the partners on the register of partners, taken by postal vote.
- 16.4 If a decision has been reached to remove the senior pastor, then:

- (a) the council shall declare the position of senior pastor to be vacant immediately and appoint an acting senior pastor according to subrules 15.1 and 15.2; and
 - (b) 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 appointment with the association.
- 16.5 If a decision has been reached to remove the senior pastor according to subrule 16.3 then, in addition to the provisions in subrule 16.4, 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.
- 16.6 Upon attaining the age of sixty five (65) years the senior pastor shall retire, except that he may remain in office from year to year, after that age, by annual vote of the association.

17 Secretary

- 17.1 The council is to appoint an elder to the office of secretary of the association.
- 17.2 The secretary shall keep minutes of:
- (a) all elections and appointments of elders and pastors;
 - (b) the names of the partners present at a council meeting or a general meeting; and
 - (c) all proceedings at council meetings and general meetings.
- 17.3 Minutes of proceedings at a meeting must be approved at the next succeeding meeting and signed by the person presiding at the next succeeding meeting.
- 17.4 The secretary shall establish and maintain a register of partners, specifying the name and address of each person who is a partner, together with the date on which the person became, or ceased to be, a partner.
- 17.5 The council may delegate the powers of the secretary to other partners of the association:
- (a) who shall be accountable to the secretary for the discharge of the responsibilities in subrules 17.2 and 17.4; and
 - (b) who may not be elders, but may be invited to attend council meetings.

18 Treasurer

- 18.1 The council is to appoint an elder to the office of treasurer of the association.
- 18.2 The treasurer shall:
- (a) collect and receive all moneys due to the association and make payments authorised by the association;
 - (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, for approval by the council, the annual budget of the association, to be presented to the partners for approval.
- 18.3 The council may delegate the powers of the treasurer to other partners of the association:
- (a) who shall be accountable to the treasurer for the discharge of the responsibilities in subrule 18.2; and
 - (b) who may not be elders, but may be invited to attend council meetings.

19 Vacancies

- 19.1 For the purposes of these rules, a vacancy on the council occurs if the elder or pastor:
- (a) dies;
 - (b) ceases to be a partner of the association;
 - (c) resigns from office;
 - (d) is removed from office pursuant to rule 20;
 - (e) becomes an insolvent under administration within the meaning of the **Corporations Law**;
 - (f) is disqualified from office under subsection 63(1) of the Act; or
 - (g) is absent without the consent of the council from all meetings of the council held during a period of six (6) months.
- 19.2 Upon attaining the age of sixty five (65) years the elder shall retire, except that he may remain in office from year to year, after that age, by annual vote of the association.

20 Removal of elders

- 20.1 The association in general meeting may by resolution, subject to section 50 of the Act, remove any elder from the office of elder before the expiration of the elder's term of office.
- 20.2 The only grounds for removal of an elder 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) if he suffers from irreversible mental or physical incapacity leaving him incapable of fulfilling his pastoral responsibilities, as certified by two suitably qualified medical practitioners who are not partners of the association.
- 20.3 An elder can not be removed before:
- (a) there has been a unanimous decision by the remainder of the council at a council meeting; and
 - (b) there has been a seventy five percent (75%) majority vote of the partners present and voting at a general meeting.

21 Council meetings and quorum

- 21.1 The council shall meet at least four (4) times in each calendar year at such place and time as the council may determine.
- 21.2 Oral or written notice of a meeting of the council shall be given by the secretary to each member of the council at least 48 hours (or such other period as may be unanimously agreed upon by the members of the council) before the time appointed for the holding of the meeting.
- 21.3 Notice of a meeting given under subrule 21.2 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 which a majority of the council members present at the meeting agree to treat as urgent business.
- 21.4 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.

22 Delegation by council to sub-committee

- 22.1 The council may, by instrument in writing, delegate to one (1) or more sub-committees (consisting of such partner or partners of the association as the council thinks fit) the exercise of such of the

functions of the council as are specified in the instrument, other than:

- (a) this power of delegation; and
 - (b) a function which is a function imposed on the council by the Act, or by any other law of the Territory.
- 22.2 A function, the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- 22.3 A delegation under this rule may be made subject to such conditions or limitations as to the exercise of any function, or as time or circumstances, as may be specified in the instrument of delegation.
- 22.4 Notwithstanding any delegation under this rule, the council may continue to exercise any function delegated.
- 22.5 The council may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- 22.6 A sub-committee may meet and adjourn as it thinks proper.

23 Voting and decisions

- 23.1 Every effort should be made by the council or any sub-committee appointed by the council to reach significant consensus when making decisions.
- 23.2 When the council or any sub-committee appointed by the council is satisfied that such consensus can not be reached, questions arising at the meeting of the council or sub-committee shall be determined by a majority of the votes of members of the council or sub-committee present and voting at the meeting.
- 23.3 Each member present at a meeting of the council or of any sub-committee appointed by the council (including the person presiding at the meeting) is entitled to one (1) vote.
- 23.4 Notwithstanding subrule 23.3, no decision can be made by the council or any sub-committee appointed 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.
- 23.5 No pastor may vote on any questions of remuneration of pastors.
- 23.6 Subject to subrule 14.4(a), the council may act notwithstanding any vacancy on the council.
- 23.7 Any act or thing done or suffered, or purported to have been done or suffered, by the council or by the sub-committee appointed by the council, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the council or sub-committee.

PART IV - GENERAL MEETINGS

24 Annual general meetings - holding of

- 24.1 With the exception of the first annual general meeting of the association, the association shall, 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 partners.
- 24.2 The association shall hold its first annual general meeting:
- (a) within the period of eighteen (18) months after its incorporation under the Act; and
 - (b) within the period of five (5) months after the expiration of the first financial year of the association.
- 24.3 Subrules 24.1 and 24.2 have effect subject to the powers of the Registrar of Incorporated Associations under section 120 of the Act in relation to extensions of time.

25 Annual general meetings - calling of and business at

- 25.1 The annual general meeting of the association shall, subject to the Act, be convened on such date and at such place and time as the council thinks fit.
- 25.2 In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be:
- (a) to confirm the minutes of the last preceding annual general meeting and of the last general meeting held since that meeting;
 - (b) to receive from the council reports on the activities of the association during the last preceding financial year;
 - (c) to approve elders; and
 - (d) to receive and consider the statement of accounts and the reports that are required to be submitted to partners pursuant to subsection 73.1 of the Act.
- 25.3 An annual general meeting shall be specified as such in the notice convening it in accordance with rule 27.
- 25.4 An annual general meeting shall be conducted in accordance with the provisions of this Part.

26 General meetings - calling of

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

- 26.2 The council must, on the requisition in writing of not less than twenty per cent (20%) of the total number of partners, convene a general meeting of the association.
- 26.3 A requisition of partners for a general meeting:
- (a) must state the purpose or purposes of the meeting;
 - (b) must be signed by the partners making the requisition;
 - (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 partners making the requisition.
- 26.4 If the council fails to convene a general meeting within one (1) month after the date on which a requisition of partners for the meeting is lodged with the secretary, any one (1) or more of the partners who made the requisition may convene a meeting to be held not more than three (3) months after that date.
- 26.5 A general meeting convened by a partner or partners referred to in subrule 26.4 must be convened as nearly as is practicable in the same manner as general meetings are convened by the council and any partner who thereby incurs expense is entitled to be reimbursed by the association for any reasonable expense so incurred.

27 Notice

- 27.1 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 14 days before the date fixed for the holding of the general meeting notify the partners of the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- 27.2 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 21 days before the date fixed for the holding of the general meeting, notify the partners of the matters required in subrule 27.1 specifying, in addition, the intention to propose the resolution as a special resolution.
- 27.3 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 which may be transacted pursuant to subrule 25.2.
- 27.4 A partner desiring 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 partner.

28 General meetings - procedure and quorum

- 28.1 No item of business is to be transacted at a general meeting unless a quorum of partners is present either in person or, where voting by proxy is permitted, by proxy, during the time the meeting is considering that item.
- 28.2 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 partners on the register, present either in person or, where voting by proxy is permitted, by proxy, will constitute a quorum for the transaction of the business of a general meeting.
- 28.3 Where 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 partners on the register, present either in person or, where voting by proxy is permitted, by proxy, will constitute a quorum.
- 28.4 If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present either in person or, where voting by proxy is permitted, by proxy, the meeting shall stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to partners given before the day to which the meeting is adjourned) at the same place.
- 28.5 If at the adjourned meeting a quorum is not present either in person or, where voting by proxy is permitted, by proxy, 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 the next council meeting.

29 General meetings - resolutions

- 29.1 The following business requires a special resolution of the association at a general meeting, in accordance with Sections 33 and 70 of the Act:
- (a) appointment or removal of a senior pastor, except as provided in subrule 16.3; and
 - (b) changes to these rules;
- and must receive a seventy five percent (75%) majority vote of the partners and voting at a general meeting in order to be approved.
- 29.2 The following business is to be resolved at a general meeting, without the requirements for special resolution in subrule 29.1:
- (a) appointment or removal of elders;
 - (b) the purchase or sale of land or buildings;
 - (c) the approval of the association budget.

- 29.3 The council, or the person presiding at a general meeting, may determine other business requiring resolution by partners at a general meeting, providing that such business had been specified in the notice convening the general meeting.

30 Presiding partner

- 30.1 If the senior pastor or his representative is absent from the general meeting, the secretary is to preside at the meeting.
- 30.2 If the conditions in subrule 30.1 cannot be met, the meeting will be adjourned as described in subrule 28.4.

31 Adjournment

The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of partners 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.

32 Voting and making of decisions

- 32.1 Subject to subrule 32.2, upon any question arising at a general meeting of the association a partner has one (1) vote only.
- 32.2 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.
- 32.3 Voting on the questions in subrules 29.1 and 29.2(a) must be conducted by secret ballot.
- 32.4 A question requiring resolution, according to rule 29, at a general meeting of the association shall, except as provided by subrule 32.3, 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.
- 32.5 At a general meeting of the association, a poll may be demanded by the person presiding or by not less than 3 partners present at the meeting.
- 32.6 Where a poll is demanded at a general meeting, the poll shall 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 shall be deemed to be the resolution of the meeting on that matter.

- 32.7 A partner is entitled to appoint another partner as proxy by notice for a matter relating to subrules 29.1 and 29.2 only. However no partner may hold more than five proxies.
- 32.8 A proxy appointed to attend and vote for a partner on a matter relating to subrule 29.1 and 29.2 has the rights of the partner to vote (but only to the extent allowed by the appointment).
- 32.9 To appoint a proxy in accordance with subrule 32.7, the notice of the appointment must be received by the secretary no later than 24 hours before the time of the meeting for which the proxy is appointed.
- 32.10 The notice of appointment must be substantially in the form set out in Appendix 1.

PART V - MISCELLANEOUS

33 Pastoral staff

- 33.1 All pastoral staff must:
- (a) agree in writing to teach and uphold the statement of beliefs; and
 - (b) agree in writing to promote the mission of the association.
- 33.2 All pastoral staff are to work under the direction of the senior pastor in accordance with the mission of the association and statement of beliefs.
- 33.3 All pastoral staff shall be appointed or removed from office in accordance with subrule 14.5.
- 33.4 The only grounds for removing pastoral staff, before the end of their terms of appointment, are the same as the grounds for removing a senior pastor in subrule 16.1.
- 33.5 All pastoral staff shall be appointed by the association with a specified length of tenure.
- 33.6 All pastoral staff shall participate in a process of on-going review, as determined by the council.
- 33.7 Upon attaining the age of sixty five (65) years all pastoral staff shall retire, except that he or she may remain in office from year to year, after that age, by annual vote of the association.
- 33.8 The terms of remuneration for all pastoral staff shall be set by the council.

34 Funds

- 34.1 The funds of the association shall be derived from donations and, subject to section 114 of the Act, such other sources as the council determines.

- 34.2 All money received at meetings of the association must be counted and attested by the signature of two partners, who are not pastors, at least one being authorised to do so by the council.
- 34.3 All money received by the association must be deposited as soon as practicable and without deduction to the association's bank account.
- 34.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any two (2) partners of the association or employees of the association, who are not pastors, and who have been authorised to do so by the council.
- 34.5 The funds of the association must be used in pursuance of the mission of the association in such a manner as the council determines.
- 34.6 The council must appoint an auditor to audit the association's accounts in accordance with the requirements of the Act.

35 Alteration of objects and rules

Neither the objects of the association referred to in section 29 of the Act nor these rules are to be altered except in accordance with the Act.

36 Common seal

- 36.1 The common seal of the association shall be kept in the custody of the secretary.
- 36.2 The common seal must not be affixed to any instrument except by the authority of the council and the affixing of the common seal must be attested by the signatures of two (2) members of the council.

37 Custody of books

Subject to this Act, the Regulations and these rules, the secretary shall keep in his custody or under his control all records, and other documents relating to the association.

38 Inspection of books

The financial records, register of partners, and minutes of general meetings of the association shall be open to inspection by a partner of the association without cost at any reasonable hour.

39 Service of notices

- 39.1 For the purpose of these rules, a notice may be served by or on behalf of the association upon any partner either personally or by post to the partner.
- 39.2 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.

40 Surplus property

On the dissolution or the winding up of the association, any surplus property of the association shall, subject to any trust affecting the property or part of it, be taken to vest in the Australian Fellowship of Evangelical Students Incorporated, in accordance with the requirements of the Act.

41 Public officer

The council shall appoint a partner as public officer in accordance with the requirements of the Act.

42 Board of Reference

- 42.1 A board of reference will be appointed to support the association in pursuing the mission.
- 42.2 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;
 - (b) agree in writing to uphold the statement of beliefs;
 - (c) agree in writing to support the association in pursuing the mission; and
 - (d) not be a partner of the association.
- 42.3 The council must appoint a minimum of three (3) persons to the board of reference for terms of up to five years.
- 42.4 The council has the power to remove persons from the board of reference if they no longer meet the requirements outlined in subrule 42.2.
- 42.5 The names of all persons on the board of reference are to be provided to the association at each annual general meeting.
- 42.6 The council must consult with the board of reference when:

- (a) the association is selecting a new senior pastor;
- (b) there is a dispute over the continuing appointment of the senior pastor; and
- (c) the association is considering changes to the statement of beliefs or the mission.

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

42.8 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.

Appendix 1 (see subrule 32.10)

Form of appointment of proxy

I, (full name),

of (address),

a partner of Crossroads Christian Church Inc., appoint

..... (full name of proxy)

of (address),

a partner 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 other general meeting, as the case may be) to be held on/...../..... and at any adjournment of that meeting.

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

.....
.....
.....

..... (Signature of partner appointing proxy)

Date:

Note: A proxy vote may not be given to a person who is not a partner of the association.

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