

RULES
for
MILDURA BAPTIST CHURCH INCORPORATED

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Note

The persons who from time to time are members of the Association are an incorporated association by the name given in rule 1 of these Rules.

Under section 46 of the **Associations Incorporation Reform Act 2012**, these Rules are taken to constitute the terms of a contract between the Association and its members.

PART 1—PRELIMINARY

1. Name

- 1.1 The name of the incorporated association is Mildura Baptist Church Incorporated.
- 1.2 Mildura Baptist Church is a properly recognised constituent church of The Baptist Union of Victoria. The Baptist Union of Victoria is incorporated under “The Baptist Union Incorporation Act”, 1930 – approved by the Parliament of Victoria on 24 December 1930 - number 3903. This is a perpetual incorporation unless revoked by Parliament.

2. Purposes

- 2.1 The purpose of the association is to do all things related to the promotion and expression of the Christian faith and for related purposes.

3. Financial year

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

4. Definitions

- 4.1 In these Rules—
 - 4.1.1 *Chairperson*, of a general meeting or committee meeting, means the person chairing the meeting;
 - 4.1.2 *Church Leadership Team* means the Committee having management of the business of the Association;
 - 4.1.3 *Leadership Team Meeting* means a meeting of the Committee held in accordance with these Rules;
 - 4.1.4 *Church Leader* means a member of the Committee elected or appointed under Division 3 of Part 5;
 - 4.1.5 *financial year* means the 12 month period specified in rule 3;
 - 4.1.6 *general meeting* means a general meeting of the members of the Association convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;
 - 4.1.7 *Mildura Baptist Church*, means Mildura Baptist Church Incorporated.
 - 4.1.8 *partner* means a member of the Association;
 - 4.1.9 *partner entitled to vote* means a member who under rule 11(2) is entitled to vote at a general meeting;
 - 4.1.10 *special resolution* means a resolution that requires not less than three-quarters of the members voting at a general meeting to vote in favour of the resolution;
 - 4.1.11 *the Act* means the **Associations Incorporation Reform Act 2012** and includes any regulations made under that Act;
 - 4.1.12 *the Registrar* means the Registrar of Incorporated Associations.
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PART 2—POWERS OF ASSOCIATION

5. Powers of Association

- 5.1 Subject to the Act, the Association has power to do all things incidental or conducive to achieve its purposes.
- 5.2 Without limiting subrule (1), the Association may—
- 5.2.1 acquire, hold and dispose of real or personal property;
 - 5.2.2 open and operate accounts with financial institutions;
 - 5.2.3 invest its money in any security in which trust monies may lawfully be invested;
 - 5.2.4 raise and borrow money on any terms and in any manner as it thinks fit;
 - 5.2.5 secure the repayment of money raised or borrowed, or the payment of a debt or liability;
 - 5.2.6 appoint agents to transact business on its behalf;
 - 5.2.7 enter into any other contract it considers necessary or desirable.
 - 5.2.8 if applicable, the Church may take over the funds and other assets and liabilities of the present unincorporated association known as Mildura Baptist Church.
- 5.3 The Association may only exercise its powers and use its income and assets (including any surplus) for its purposes.

6. Not for profit organisation

- 6.1 The Association must not distribute any surplus, income or assets directly or indirectly to its partners.
- 6.2 Subrule (1) does not prevent the Association from paying a partner—
- 6.2.1 reimbursement for expenses properly incurred by the partner; or
 - 6.2.2 for goods or services provided by the partner—
 - 6.2.3 if this is done in good faith on terms no more favourable than if the partner was not a partner.

PART 3—PARTNERSHIP, DISCIPLINE AND GRIEVANCES

DIVISION 1—PARTNERSHIP

7. Who is eligible to be a partner

- 7.1 Mildura Baptist Church consists of people who are personally committed to Jesus Christ as Lord and Saviour and to the mission of the church. Such people are identified as Partners –
- 7.1.1 after having signed the partnership document; and
 - 7.1.2 been affirmed by the church leadership team.

8. Application for partnership

- 8.1 At the beginning of each calendar year the church congregation will be invited to apply for or renew their partnership on or before the final Sunday in February.
- 8.2 To become a partner of the Association, a person must –
- 8.2.1 have previously been a partner of the Association; or
 - 8.2.2 have met with two members of the Church Leadership Team or two members so approved by the Church Leadership Team; and
 - 8.2.3 agree with and sign the partnership covenant document as referred to in clause 10; and
 - 8.2.4 be approved for partnership by the Church Leadership Team.

9. Partnership List

- 9.1 The Secretary must keep and maintain a register of current partners known as the partnership list.

10. The partnership covenant document

- 10.1 The partnership covenant document –
- 10.1.1 reflects a profession of personal faith in Jesus Christ as Saviour and Lord; and
 - 10.1.2 is a pledge to discipleship, mission, and service in the Kingdom of God as part of Mildura Baptist Church; and
 - 10.1.3 acknowledges believers baptism as a doctrine held by Mildura Baptist Church; and
 - 10.1.4 is an agreement to comply with these Rules.

11. General rights of partners

- 11.1 A partner of the Association who is entitled to vote has the right—
- 11.1.1 to receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules; and
 - 11.1.2 to submit to the Church Leadership Team items of business for consideration at a general meeting; and
 - 11.1.3 to attend and be heard at general meetings; and
 - 11.1.4 to vote at a general meeting; and
 - 11.1.5 to have access to the minutes of general meetings and other documents of the Association as provided under rule 62; and
 - 11.1.6 to inspect the register of partners.

- 11.2 A partner is entitled to vote if—
 - 11.2.1 the partner is over 18 years of age; and
 - 11.2.2 the partner’s partnership rights are not suspended for any reason.

12. Ceasing partnership

- 12.1 A Partner may be removed from the partnership list if they –
 - 12.1.1 become a member of another church;
 - 12.1.2 request removal from the list;
 - 12.1.3 die; or
 - 12.1.4 have their partnership revoked by a decision of a church meeting in response to a serious breach of the Covenant.

13. Resigning as a partner

- 13.1 A partner may resign by notice in writing given to the Association in accordance with Rule 61.
- 13.2 A partner is taken to have resigned if—
 - 13.2.1 the partner has not renewed their annual covenant document.

14. Annual subscription and fee on joining

- 14.1 There will be no fee charged to those that are partners of the Association.

15. Liabilities of Partners

- 15.1 The liability of a Partner of the Church to contribute towards the payment of the debts and liabilities of the Church, as well as any costs, charges or expenses in the event of the winding up of the Church, is limited to the amount, if any, unpaid by the Partner in respect of partnership of the Church as required by clause 14 of these rules.

DIVISION 2—DISCIPLINARY ACTION

16. Disciplinary action

- 16.1 Disputes between one Partner and another partner, or between a partner and the Association may be resolved according to policy of the Church Leadership Team.
- 16.2 The procedure for the discipline of partners and the mechanism for appearances by partners in respect of disciplinary action taken against them shall be determined by the Church Leadership Team in accordance with church policy.

DIVISION 3—GRIEVANCE PROCEDURE

17. Application

- 17.1 The grievance procedure set out in this Division applies to disputes under these Rules between—
 - 17.1.1 a partner and another partner;

17.1.2 a partner and the Church Leadership Team;

17.1.3 a partner and the Association.

17.2 A partner must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary procedure until the disciplinary procedure has been completed.

18. Parties must attempt to resolve the dispute

18.1 The parties to a dispute must attempt to resolve the dispute between themselves within 1 month of the dispute coming to the attention of each party.

19. Appointment of mediator

19.1 If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule 18, the parties must within 10 days—

19.1.1 notify the Church Leadership Team of the dispute; and

19.1.2 agree to or request the appointment of a mediator; and

19.1.3 attempt in good faith to settle the dispute by mediation.

19.2 The mediator must be—

19.2.1 a person chosen by agreement between the parties; or

19.2.2 in the absence of agreement—

19.2.2.1 if the dispute is between a partner and another partner—a person appointed by the Church Leadership Team; or

19.2.2.2 if the dispute is between a partner and the Church Leadership Team or the Association—a person nominated by the Baptist Union of Victoria.

19.3 A mediator appointed by the Church Leadership Team may be a partner or former partner of the Association but in any case must not be a person who—

19.3.1 has a personal interest in the dispute; or

19.3.2 is biased in favour of or against any party.

20. Mediation process

20.1 The mediator to the dispute, in conducting the mediation, must—

20.1.1 give each party every opportunity to be heard; and

20.1.2 allow due consideration by all parties of any written statement submitted by any party; and

20.1.3 ensure that natural justice is accorded to the parties throughout the mediation process.

20.2 The mediator must not determine the dispute.

21. Failure to resolve dispute by mediation

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

PART 4—GENERAL MEETINGS OF THE ASSOCIATION

22. Annual general meetings

- 22.1 The Church Leadership Team must convene an annual general meeting of the Association to be held within 5 months after the end of each financial year.
- 22.2 Despite subrule (1), the Association may hold its first annual general meeting at any time within 18 months after its incorporation.
- 22.3 The Church Leadership Team may determine the date, time and place of the annual general meeting.
- 22.4 The ordinary business of the annual general meeting is as follows—
 - 22.4.1 to confirm the minutes of the previous annual general meeting and of any special general meeting held since then;
 - 22.4.2 to receive and consider—
 - 22.4.2.1 the annual report of the Church Leadership Team on the activities of the Association during the preceding financial year; and
 - 22.4.2.2 the financial statements of the Association for the preceding financial year submitted by the Church Leadership Team in accordance with Part 7 of the Act;
 - 22.4.3 to elect the members of the Church Leadership Team;
- 22.5 The annual general meeting may also conduct any other business of which notice has been given in accordance with these Rules.

23. Special general meetings

- 23.1 Any general meeting of the Association, other than an annual general meeting or a disciplinary appeal meeting, is a special general meeting.
- 23.2 The Church Leadership Team may convene a special general meeting whenever it thinks fit.

24. Special general meeting held at request of partners

- 24.1 The Church Leadership Team must convene a special general meeting if a request to do so is made in accordance with subrule (2) by at least 10% of the total number of partners.
- 24.2 A request for a special general meeting must—
 - 24.2.1 be in writing; and
 - 24.2.2 state the business to be considered at the meeting and any resolutions to be proposed; and
 - 24.2.3 include the names and signatures of the partners requesting the meeting; and
 - 24.2.4 be given to the Secretary.
- 24.3 If the Committee does not convene a special general meeting within two months after the date on which the request is made, the partners making the request (or any of them) may convene the special general meeting.
- 24.4 A special general meeting convened by partners under subrule (3)—
 - 24.4.1 must be held within 3 months after the date on which the original request was made; and

24.4.2 may only consider the business stated in that request.

25. Notice of general meetings

25.1 The Church Leadership Team must give to each partner of the Association—

25.1.1 at least two Sundays notice of a general meeting if a special resolution is to be proposed at the meeting; or

25.1.2 at least 7 days' notice of a general meeting in any other case.

25.2 The notice must—

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

25.2.2 indicate the general nature of the business to be considered at the meeting; and

25.2.3 if a special resolution is to be proposed—

25.2.3.1 state in full the proposed resolution; and

25.2.3.2 state the intention to propose the resolution as a special resolution; and

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

26. Absentee and Proxy

26.1 Absentee and Proxy voting is not permitted except at the discretion of the Church Leadership Team.

27. Use of technology

27.1 A partner not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that partner and the partners present at the meeting to clearly and simultaneously communicate with each other.

27.2 For the purposes of this Part, a partner participating in a general meeting as permitted under subrule (1) is taken to be present at the meeting and, if the partner votes at the meeting, is taken to have voted in person.

28. Quorum at general meetings

28.1 No business may be conducted at a general meeting unless a quorum of partners is present.

28.2 The quorum for a general meeting is the presence (physically, or as allowed under rule 26 and 27) of 25% of the partners entitled to vote.

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

28.3.1 in the case of a meeting convened by, or at the request of, partners under rule 244—the meeting must be dissolved;

Note

If a meeting convened by, or at the request of, partners is dissolved under this subrule, the business that was to have been considered at the meeting is taken to have been dealt with. If partners wish to have the business reconsidered at another special meeting, the partners must make a new request under rule 24.

28.3.2 in any other case—

28.3.2.1 the meeting must be adjourned to a date not more than 40 days after the adjournment; and

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

29. Adjournment of general meeting

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

29.2 Without limiting subrule (1), a meeting may be adjourned—

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

29.2.2 to give the partners more time to consider an item of business.

Example

The partners may wish to have more time to examine the financial statements submitted by the Committee at an annual general meeting.

30. Voting at general meeting

30.1 On any question arising at a general meeting—

30.1.1 subject to subrule (3), each partner who is entitled to vote has one vote; and

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

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

30.2 This rule does not apply to a vote at a disciplinary appeal meeting conducted under rule 16.

31. Special resolutions

31.1 A special resolution is passed if not less than three-quarters of the partners voting at a general meeting vote in favour of the resolution.

Note

In addition to certain matters specified in the Act, a special resolution is required—
to remove a committee partner from office;
to alter these Rules, including changing the name or any of the purposes of the Association.

32. Determining whether resolution carried

32.1 Subject to subsection (2), the Chairperson of a general meeting may, on the basis of a show of hands, declare that a resolution has been—

32.1.1 carried; or

32.1.2 carried unanimously; or

32.1.3 carried by a particular majority; or

32.1.4 lost—

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

32.2 If a poll (where votes are cast in writing) is demanded by three or more partners on any question—

32.2.1 the poll must be taken at the meeting in the manner determined by the Chairperson of the meeting; and

32.2.2 the Chairperson must declare the result of the resolution on the basis of the poll.

- 32.3 A poll demanded on the election of the Chairperson or on a question of an adjournment must be taken immediately.
- 32.4 A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chairperson.

33. Minutes of general meeting

- 33.1 The Church Leadership Team must ensure that minutes are taken and kept of each general meeting.
- 33.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 33.3 In addition, the minutes of each annual general meeting must include—
 - 33.3.1 the names of the partners attending the meeting; and
 - 33.3.2 the financial statements submitted to the partners by the Church Leadership Team
 - 33.3.3 any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

PART 5—CHURCH LEADERSHIP TEAM

DIVISION 1—POWERS OF CHURCH LEADERSHIP TEAM

34. Name

- 34.1 The working name of the Church Leadership Team and its members shall be in accordance with church policy.

35. Role and powers

- 35.1 The business of the Association must be managed by or under the direction of a Church Leadership Team so named in accordance with church policy.
- 35.2 The Church Leadership Team may exercise all the powers of the Association except those powers that church policy, these Rules or the Act require to be exercised by general meetings of the partners of the Association.
- 35.3 The Church Leadership Team may—
- 35.3.1 appoint and remove staff;
 - 35.3.2 establish subcommittees consisting of partners with terms of reference it considers appropriate in accordance with church policy.

DIVISION 2—COMPOSITION AND DUTIES OF THE CHURCH LEADERSHIP TEAM

36. Composition of Church Leadership Team

- 36.1 The Church Leadership Team consists of—
- 36.1.1 any persons employed by the church as a Pastor; and
 - 36.1.2 a Secretary; and
 - 36.1.3 a Treasurer; and
 - 36.1.4 ordinary Church Leaders (if any) elected under rule 41.

37. General Duties

- 37.1 As soon as practicable after being elected or appointed to the Church Leadership Team, each Church Leader must become familiar with these Rules and the Act.
- 37.2 The Church Leadership Team is collectively responsible for ensuring that the Association complies with the Act and that individual Church Leaders comply with these Rules.
- 37.3 Church Leaders must exercise their powers and discharge their duties with reasonable care and diligence.
- 37.4 Church Leaders must exercise their powers and discharge their duties—
- 37.4.1 in good faith in the best interests of the Association; and
 - 37.4.2 for a proper purpose.
- 37.5 Church Leaders and former Church Leaders must not make improper use of—
- 37.5.1 their position; or
 - 37.5.2 information acquired by virtue of holding their position—

37.5.2.1 so as to gain an advantage for themselves or any other person or to cause detriment to the Association.

37.6 In addition to any duties imposed by these Rules, a Church Leader must perform any other duties—

37.6.1 imposed from time to time by resolution at a general meeting; and

37.6.2 in accordance with church policy

38. Secretary

38.1 The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.

Example

Under the Act, the secretary of an incorporated association is responsible for lodging documents of the association with the Registrar.

38.2 The Secretary must—

38.2.1 maintain the partnership list in accordance with rule 9; and

38.2.2 keep custody of, except for the financial records referred to in rule 57, all books, documents and securities of the Association in accordance with rule 622; and

38.2.3 subject to the Act and these Rules, provide partners with access to the partnership list, the minutes of general meetings and other books and documents; and

38.2.4 perform any other duty or function imposed on the Secretary by—

38.2.4.1 these Rules; and

38.2.4.2 Church policy.

38.3 The Secretary must give to the Registrar notice of his or her appointment within 14 days after the appointment.

39. Treasurer

39.1 The Treasurer must—

39.1.1 receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and

39.1.2 ensure that all moneys received are paid into the account of the Association; and

39.1.3 make any payments authorised by the Church Leadership Team or by a general meeting of the Association from the Association's funds; and

39.1.4 ensure all payments are authorized by two Church Leaders in accordance with church policy.

39.2 The Treasurer must—

39.2.1 ensure that the financial records of the Association are kept in accordance with church policy; and

39.2.2 coordinate the preparation of the financial statements of the Association and their certification by the Church Leadership Team prior to their submission to the annual general meeting of the Association.

DIVISION 3—ELECTION OF CHURCH LEADERS AND TENURE OF OFFICE

40. Who is eligible to be a Church Leader

- 40.1 A partner is eligible to be elected or appointed as a Church Leader if the partner—
- 40.1.1 is 21 years or over; and
 - 40.1.2 is entitled to vote at a general meeting; and
 - 40.1.3 has publicly declared their profession of faith through believers baptism; and
 - 40.1.4 has been a partner for 12 months.

41. Election of Church Leaders

- 41.1 The number of Church Leaders shall be decided in accordance with church policy.
- 41.2 Prior to the Annual General Meeting the Association shall nominate and set apart partners—
- 41.2.1 in accordance with clause 40; and
 - 41.2.2 in whom it perceives the requisite gifts to be Church Leaders.
- 41.3 Nominations shall be in writing, signed by two partners and the nominee, and must be received by the Secretary or the Pastor two weeks before the time of the meeting or at the discretion of the Secretary.
- 41.4 Nominees shall be elected to the position of Church Leader by ballot at the Annual General Meeting.,

42. Ballot

- 42.1 If a ballot is required for the election for a position, the Chairperson of the meeting must appoint two persons to act as returning officers to conduct the ballot.
- 42.2 The returning officers must not be partners nominated for the position.
- 42.3 The election must be by secret ballot.
- 42.4 The voter must indicate on a ballot paper the name, or names of the candidates for whom they wish to vote.
- 42.5 The lists shall be handed to the returning officers who must declare the eligible results.
- 42.6 Each ballot paper on which the name of a candidate has been indicated counts as one vote for that candidate. All nominees receiving the endorsement of at least two-thirds of the votes cast shall be eligible for election and shall be duly elected if their number does not exceed the number of vacancies.
- 42.7 Where the number of eligible nominees exceeds the number of vacancies, their election shall be determined by ballot.

43. Term and Vacation of office

- 43.1 Church Leaders shall be elected for two years, the election being so arranged that one half, or the nearest number to one half shall be elected each year.
- 43.2 A Church Leader may resign from the Church Leadership Team by written notice addressed to the Church Leadership Team.
- 43.3 A person ceases to be a Church Leader if he or she ceases to be a partner of the Association.

44. Election of Officers

44.1 At its first meeting, following the Annual General Meeting, Church Leaders shall be appointed to the following positions for the ensuing year:

44.1.1 the Chairperson;

44.1.2 the Treasurer; and

44.1.3 the Secretary.

45. Filling casual vacancies

45.1 The Church Leadership Team may seek an eligible partner of the Association to fill a position on the Church Leadership Team that has become vacant under rule 43.

45.2 If the position of Secretary becomes vacant, the Church Leadership Team must appoint a Church Leader to the position, in accordance with clause 44, within 14 days after the vacancy arises.

45.3 A Church Leader so elected shall hold office only up to the next Annual General Meeting.

45.4 The Church Leadership Team may continue to act despite any vacancy in its membership.

DIVISION 4—MEETINGS OF CHURCH LEADERSHIP TEAM

46. Meetings of Church Leadership Team

46.1 The Church Leadership Team must meet as often as is necessary to give due diligence to the oversight of its responsibilities.

47. Notice of meetings

47.1 Notice of each committee meeting must be given to each Church Leader no later than 5 days before the date of the meeting.

47.2 Notice may be given of more than one committee meeting at the same time.

47.3 The notice must state the date, time and place of the meeting.

48. Urgent meetings

48.1 In cases of urgency, a meeting can be held without notice being given provided that as much notice as practicable is given to each Church Leader by the quickest means practicable.

48.2 The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

49. Procedure and order of business

49.1 The procedure to be followed at a meeting of the Church Leadership Team may be determined from time to time by the Church Leadership Team.

49.2 The order of business may be determined by the Church Leaders present at the meeting.

50. Use of technology

50.1 A Church Leader who is not physically present at a Church Leadership Team meeting may participate in the meeting by the use of technology that allows that Church Leader and the Church Leaders present at the meeting to clearly and simultaneously communicate with each other.

50.2 For the purposes of this Part, a Church Leader participating in a Church Leadership Team meeting as permitted under subrule (1) is taken to be present at the meeting and, if the church leader votes at the meeting, is taken to have voted in person.

51. Quorum

51.1 No business may be conducted at a Church Leadership Team meeting unless a quorum is present.

51.2 The quorum for a Church Leadership Team meeting is the presence (in person or as allowed under rule 500) of a majority of the Church Leaders holding office.

51.3 If a quorum is not present within 30 minutes after the notified commencement time of a Church Leadership Team meeting—

51.3.1 in the case of a special meeting—the meeting lapses;

51.3.2 in any other case—the meeting must be adjourned to a later date as determined by the Chairman.

52. Voting

52.1 On any question requiring a vote at a Church Leadership Team meeting, each Church Leader present at the meeting has one vote.

52.2 A motion is carried if a two-thirds majority of Church Leaders present at the meeting vote in favour of the motion.

52.3 Subrule (2) does not apply to any motion or question which is required by these Rules to be passed by an absolute majority of the Church Leadership Team.

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

52.5 Proxy voting is not permitted.

53. Conflict of interest

53.1 A Church Leader who has a material personal interest in a matter being considered at a Church Leadership Team meeting must disclose the nature and extent of that interest to the Church Leadership Team.

53.2 The church leader must not vote on the matter.

53.3 This rule does not apply to a material personal interest—

53.3.1 that exists only because the Church Leader belongs to a class of persons for whose benefit the Association is established; or

53.3.2 that the Church Leader has in common with all, or a substantial proportion of, the partners of the Association.

54. Minutes of meeting

54.1 The Church Leadership Team must ensure that minutes are taken and kept of each Church Leadership Team meeting.

54.2 The minutes must record the following—

54.2.1 the names of the church leaders in attendance at the meeting;

54.2.2 the business considered at the meeting;

54.2.3 any resolution on which a vote is taken and the result of the vote;

54.2.4 any material personal interest disclosed under rule 53.

PART 6—FINANCIAL MATTERS

55. Source of funds

55.1 The funds of the Association may be derived from donations, fund-raising activities, grants, interest and any other sources approved by the Church Leadership Team.

56. Management of funds

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

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

56.3 The Church Leadership Team may authorise the Treasurer to expend funds on behalf of the Association in accordance with church policy.

56.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 Church Leaders.

56.5 With the approval of the Church Leadership Team, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

56.6 The Church Leadership Team shall prepare an annual budget to be presented to the Annual General Meeting for approval by the partners.

57. Financial records

57.1 The Association must keep financial records that—

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

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

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

57.3 The Treasurer must keep in his or her custody, or under his or her control—

57.3.1 the financial records for the current financial year; and

57.3.2 any other financial records as authorised by the Church Leadership Team.

58. Financial statements

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

58.2 Without limiting subrule (1), those requirements include—

58.2.1 the preparation of the financial statements;

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

58.2.3 the certification of the financial statements by the Church Leadership Team;

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

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

PART 7—GENERAL MATTERS

59. Registered address

- 59.1 The registered address of the Association is—
 - 59.1.1 the address determined from time to time by resolution of the Church Leadership Team; or
 - 59.1.2 if the Committee has not determined an address to be the registered address— the postal address of the Secretary.

60. Use of Buildings and Name

- 60.1 Subject to the direction of a church meeting, the activities of any church group or external group that is using the church's name, property, buildings or equipment, are subject to the supervision of the Church Leadership Team.

61. Notice requirements

- 61.1 Any notice required to be given to a partner or a Church Leader under these Rules may be given—
 - 61.1.1 by handing the notice to the church leader personally; or
 - 61.1.2 by sending it by post to the church leader at the address recorded for the church leader on the register of partners; or
 - 61.1.3 by email or facsimile transmission.
- 61.2 Any notice required to be given to the Association or the Church Leadership Team may be given—
 - 61.2.1 by handing the notice to a member of the Church Leadership Team; or
 - 61.2.2 by sending the notice by post to the registered address; or
 - 61.2.3 by leaving the notice at the registered address; or
 - 61.2.4 by email to the email address of the Secretary or a member of the Church Leadership Team.

62. Custody and inspection of books and records

- 62.1 Partners may on request inspect free of charge—
 - 62.1.1 the Partnership List;
 - 62.1.2 the minutes of general meetings;
 - 62.1.3 subject to subrule (2), the financial records, books, securities and any other relevant document of the Association.
- 62.2 The Church Leadership Team may refuse to permit a partner to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 62.3 The Committee must on request make copies of these rules available to partners and applicants for partnership free of charge.
- 62.4 Subject to subrule (2), a partner may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- 62.5 For purposes of this rule—

62.5.1 *relevant documents* means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following—

62.5.1.1 its membership records;

62.5.1.2 its financial statements;

62.5.1.3 its financial records;

62.5.1.4 records and documents relating to transactions, dealings, business or property of the Association.

63. Winding up and cancellation

63.1 The Association may be wound up voluntarily by special resolution.

63.2 In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any partners or former partners of the Association.

63.3 Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual partners.

63.4 The body to which the surplus assets are to be given must be decided by special resolution.

63.5 If a church group ceases to function, the church becomes the owner of any property purchased or owned by that group and any money in its possession.

64. Church Policy

64.1 The church may adopt new policies or alter existing policies on various matters for the purpose of—

64.1.1 governing aspects of the Church's life and mission; or

64.1.2 expressing a collective opinion about something that is happening in the wider Church or society.

64.2 The adoption of a policy requires the approval of a three-quarters majority of the partners who are present and who vote at a church meeting.

64.3 Only policies, new or altered, that have been approved by a two-thirds majority of the Church Leadership Team can be presented to a partnership meeting.

64.3.1 Any proposals for new or changed policies must be submitted to the Church Leadership Team in accordance with current church policy.

64.3.2 No policy proposal can be brought to a partnership vote by an individual partner.

64.4 Copies of the proposed policy must be made available to partners at least 7 days prior to the meeting.

65. Alteration of Rules

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

65.2 No proposed alteration to this Constitution can be brought to a church meeting unless notice of the wording of the proposed alteration has been given by the Church Leadership Team to partners at least 14 days prior to the meeting date.