

# **THE CONSTITUTION AND RULES OF EASTGATE BIBLE CHURCH INC**

Incorporated 25th day of September 2009

### Change History of this Document

<b>Date</b>	<b>Version</b>	<b>Where</b>	<b>What</b>
24/1/2010	1.00		Initial issue.
26/2/2012	2.00	Whole Document  6.3. CLASSES OF MEMBERSHIP  35.1 FINANCE	Separated from ECB Handbook  Facilitate moving non-involved members to 'Associate' roll.  Allow gifts to be given to Members.
26/11/2012	2.01	2.0. NAME	Include "Inc." in the name at the request of the Department of Fair Trade. Document No. 3770908.
22/06/2016	3.00	35.6 FINANCE	Change to allow 'any one person to sign' for cheques and electronic transactions, AND to introduce internal audit controls to ensure pecuniary responsibility.
2016	3.1	35.6 FINANCE	Modify 15.6 at the request of the Department of Fair Trade. Document No. 3822010 to comply with Associations Incorporation Regulations 1999 regarding the signing of cheques.  Basically we have separated the 'signing' process for paper Cheques from electronic transfers.

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## **RULE 1. INTERPRETATION**

In these rules:

1. The Management Committee of this church is referred to as “The Elders”;
2. Members of The Eldership are referred to as “Elders”; and
3. “The Act” refers to the Associations Incorporation Act 1981.

## **RULE 2. NAME**

The name of this church will be “Eastgate Bible Church Inc.”, in these Rules called “this church”.

## **RULE 3. OBJECTS**

This church is established to proclaim the Glory of God in Christ and ready all current and future members for the return of Christ by promoting and encouraging faithful living in response to His call. This will be pursued through Knowing the Word, Living the Word, and Proclaiming the Word, for the Glory of the Name.

## **RULE 4. DOCTRINE**

This church:

1. will adhere to a belief in the Scriptures of the Old and New Testaments as the inerrant, infallible Word of God in their original writings and as the only rule of faith and life; and
2. will adhere to the doctrine expressed in the Eastgate Statement of Faith, which is subordinate to the Scriptures.

## **RULE 5. POWERS**

This church has, in the exercise of its affairs, all the powers of an individual including the following powers:

1. to purchase real or personal property as needed to accomplish the objects of this church;
2. to receive gifts, devises, bequests and grants of real or personal property for the objects of this church;
3. to sell, mortgage, lease and otherwise use and dispose of the property of this church in such manner as this church considers most conducive to the objects and prosperity of this church;
4. to borrow money to accomplish the objects of this church; and
5. to conservatively invest any of the monies of this church not immediately required for any of its objects in such manner as it from time to time determines.

## **RULE 6. CLASSES OF MEMBERSHIP**

1. The membership of this church will consist of persons who apply for and are received into membership by The Elders.
2. The membership of this church will consist of regular members and associate members.
3. Membership will be regular membership unless the applicant for membership has a bona fide reason for only requiring associate membership. Bona fide reasons include, but are not limited to:
  - a. Inability to attend services and meetings regularly because of distance or ill-health.
  - b. Where a member ceases to attend services and advertised meetings without written apologies or reasonable excuse (electronic forms accepted) for a period of three-months or more, that member will be will have their class of membership changed to “Associate Member”. Their names will be removed from the membership roll entirely if they continue to miss services and meetings for a further three months without reasonable excuse.
4. People under 18 years of age may only be admitted as an associated member. A review of their membership status will be held after their eighteenth birthday by the Eldership or persons appointed by the Eldership, and if their attendance, profession of faith and personal desire continue to align with Eastgate's Values and Statement of Faith, they will be entered into the roll as 'regular members' after completing membership classes (if not already completed).
5. An associate member may not hold any leadership positions in this church, nor have the right of a vote at any meetings of this church.
6. The number of members will be unlimited and there will be no membership fees.

## **RULE 7. MEMBERSHIP**

An application for membership must be made to The Elders.

1. All prospective members of this church must attend membership class/es at which the following teaching will be provided:
  - a. the purpose and values of this church;
  - b. the key biblical doctrines of this church;
  - c. the principles and process of church discipline;
  - d. this church's constitution of which a copy will be given to each prospective member; and
  - e. the existence and amount of public liability insurance.
2. The Elders will advise this church of membership class/es scheduled throughout the year. Certain components of the membership training can be conducted outside of these times depending on circumstances.
3. Regular attendees of this church wishing to become members of this church should register to attend these classes. Should a person be unable to attend, they will be advised to attend the next scheduled class/es.
4. Following attendance at these class/es, an Elder(s) will meet with each applicant to determine if the applicant meets the requirements for membership (see RULE 9) and to address any questions from the applicant.\

## **RULE 8. ADMISSION AND REJECTION OF MEMBERS**

1. The Elders must consider an application for membership at the next meeting of The Elders held after it receives the application, and after the applicant has attended membership class/es and met with an Elder(s).
2. The Elders must decide at the meeting whether to accept or reject the application.
3. If a majority of the Elders present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member to the class of membership applied for.
4. The Elders may, by a majority decision, reject an application for membership if the all the requirements of RULE 9 are not satisfied in the judgment of The Elders.
5. The Elders of this church must, as soon as practicable after The Elders decides to accept or reject an application, give the applicant a written notice of the decision. Should an application be rejected, the Elders will also convey this to the applicant by personal contact.
6. A new member will be publicly recognised at the worship service following his or her acceptance into membership.

## **RULE 9. REQUIREMENTS FOR MEMBERSHIP**

The Elders will accept into membership only those persons who:

1. make a public profession of faith in our Lord Jesus Christ and whose Christian profession is not contradicted by flagrant sin or false doctrine;
2. have been baptised in the name of the Father, the Son, and the Holy Spirit, in obedience to Christ's command;
3. are willing to submit themselves to the government of this church;
4. have received proper instruction, as determined by The Elders, in the doctrinal standards and constitution of this church; and agree to submit to the doctrinal standards and constitution of this church;
5. have been examined by The Elders to determine, so far as possible, that the applicant possesses the doctrinal knowledge necessary for active faith in the Lord Jesus Christ, relies for salvation on the merits of Christ alone and is determined by the grace of God to lead a Christian life; and
6. on the occasion of a public profession of faith in the Lord Jesus Christ or as a part of a written testimony, can answer in the affirmative to the following five or equivalent questions:
  - a. Do you acknowledge yourself to be a sinner in the sight of God, justly deserving His displeasure and without hope except in His sovereign mercy?
  - b. Do you believe in the Lord Jesus Christ as the Son of God and Saviour of sinners, and do you receive and rest upon Him alone for salvation as He is offered in the Gospel?
  - c. Do you now resolve and promise, in humble reliance upon the grace of the Holy Spirit, to endeavour to live as a follower of Christ?
  - d. Do you promise to support this Church in its worship and work as God enables you?
  - e. Do you submit yourself to the government and discipline of this Church and promise to work for its purity and peace?

## **RULE 10. WHEN MEMBERSHIP ENDS**

1. Resignation of a member:
  - a. A member may resign from this church by giving a written notice of resignation to the Secretary.
  - b. The resignation takes effect on:
    - i. the day and at the time the notice is received by the Secretary; or
    - ii. if a later day is stated in the notice – the later day.
2. Membership termination by The Elders:
  - a. The Elders may terminate a member's membership if in the opinion of The Elders the member has for a significant period of time been indifferent or opposed to the life and work of this church, its doctrinal standards or has fallen into gross immorality. Such a decision would follow personal contact with the member in an attempt to identify and address concerns in accordance with Matthew 18:15-18.
  - b. Any such member whose whereabouts are known to The Elders will be notified of a time and place at which to appear before The Elders in person or by Counsel to show cause as to why he or she should not be removed from membership.
  - c. If after considering all representations made by the member The Elders decides to remove a person from membership, The Elders will notify that person in writing of the decision and the reasons for that decision.
  - d. The Elders may also terminate the membership of a member who has relocated, in negotiation with the member.
  - e. A member who has been removed from this church has no right of appeal against their removal under this Rule.
  - f. The name of any person removed from membership will be reported at the next regularly convened church meeting.

## **RULE 11. REGISTER OF MEMBERS**

The Elders must keep a register of members.

1. The register of members must include the following particulars for each member:
  - a. the full name and postal or residential address of each member;
  - b. the date of admission to membership;
  - c. the class of membership;
  - d. if applicable, the date of death or resignation of the member;
  - e. if applicable, details about the termination or reinstatement of membership; and
  - f. any other particulars The Elders or the members at a general meeting decide.
2. The register is to be known as "Members Roll of Eastgate Bible Church" and will be maintained by the Secretary;
  - a. The register must be open for inspection at all reasonable times upon application to the Secretary but must be within fourteen days of the request.
3. However, The Elders may, on the application of a member of this church, withhold information about the member (other than the member's full name) from the register available for inspection if The Elders have reasonable grounds for believing the disclosure of the information would put the member at risk of harm.



## **RULE 12. PROHIBITATION ON USE OF INFORMATION ON REGISTER OF MEMBERS**

1. A member of this church must not:
  - a. use information obtained from the Register of Members and Associate Members' of this church to contact, or send materials to, another member of this church for the purpose of advertising for political, religious, charitable, commercial purposes. This does not include religious purposes associated with the day to day management of the church; or
  - b. disclose information obtained from the Register of Members' and Associate Members' to someone else, knowing that the information is likely to be used to contact, or send material to, another member of this church for the purpose of advertising for political, religious, charitable or commercial purposes.
2. RULE 12.1 does not apply if the use or disclosure of the information is approved by The Elders.

## **RULE 13. GOVERNMENT BY THE ELDERS**

1. In the exercise of government this church will apply the following Scriptural principles.
  - a. Jesus Christ alone is the ruler of His Church and the source of its authority.
  - b. Jesus Christ exercises His authority by the Holy Spirit who is everywhere operative in the Church and by His Word, the Bible, which is His will for the regulation of the affairs of His church.
  - c. Jesus Christ also gives to His Church gifted men who are responsible to Him for leading and guarding His people.
  - d. In each congregation there will be Elders fulfilling their ministry in submission to one another.
  - e. Elders commence their ministry in response to a call by the congregation and are ordained by the other Elders.
  - f. Elders may represent their congregation in larger assemblies of Christ's Church.
2. In accordance with Scriptural principles of church government, the government of this church is placed in the hands of The Elders

## **RULE 14. QUALIFICATIONS FOR ELDERSHIP**

1. Before a man is ordained to the Eldership, The Elders will examine him to ascertain that he believes and agrees with the following:
  - a. the Scriptures, as set out in RULE 4.1;
  - b. the Eastgate Statement of Faith, as set out in RULE 4.2; and
  - c. the vision, mission and values of Eastgate Bible Church.
2. He must also have demonstrated his ability to teach and exhort in sound doctrine and that his personal life conforms to the Scriptural pattern for Elders (I Tim. 3:1-7, Titus 1:6 9).

## **RULE 15. MEMBERSHIP OF THE ELDERS**

1. The Elders are elected by the members of this church.
2. Certain Elders will be elected into positions of president, secretary, treasurer.
3. An Elder must be a member of this church.
4. The Elders may appoint a qualified member of this church as set out in RULE 14 to a casual vacancy among The Elders for a specified period of time as agreed upon by the existing elders.
5. Appointment of a member by The Elders to fill a casual vacancy must be confirmed at the next general or special meeting of this church. Voting is to be as per RULE 16.6.b.
6. Tenure of service:
  - a. Non-paid Elders will be elected to a three-year term of active service among The Elders, upon completion of which they may stand for re-election for another term of three years;
  - b. Elders must reaffirm annually in writing and before the congregation their commitment to this church's standards of doctrine and life; and
  - c. It is recommended that non-paid elders who have served an aggregate of six years be given a one year sabbatical.
  - d. Elders who are not active because of the sabbatical year or other mitigating circumstances, and are still members, will form the Eastgate Council of Elders. Although not active in day to day governance responsibilities, the Council of Elders will meet with the active elders on a yearly basis to discuss general aspects pertaining to the direction of the church.

## **RULE 16. ELECTING THE ELDERS**

1. A member may be nominated for the office of Elder only as follows:
  - a. Any two members of this church may nominate another member (the candidate) to serve as an Elder.
  - b. Nominations must be:
    - i. in writing;
    - ii. contain the signatures of two members and the candidate; and
    - iii. given to The Elders prior to the general meeting held in May.
2. The nomination of Elders will be followed by a period of not less than three months in which the nominees, under the direction of The Elders, will undergo appropriate training and testing as defined by The Elders (in the Eastgate Leadership Document) and including all of RULE 4.
3. A list of the candidates' names in alphabetical order, with the names of members who nominated each candidate, must be posted in a conspicuous location in this church's meeting place for at least two Sundays immediately preceding the annual general meeting.
4. Balloting slips must be prepared containing the names of the candidates in alphabetical order.
5. The Elders must ensure that, before a candidate is elected as a member of The Elders, the candidate is advised:
  - a. whether or not the church has public liability insurance; and
  - b. if the church has public liability insurance – the amount of the insurance.
6. The Elders will be elected as follows:
  - a. each member present and eligible to vote at the annual general meeting may vote for any number of candidates, but not more than the number of vacancies;
  - b. Elders will be elected when 70% of the ballots received to vote at the meeting give their support; and
  - c. the vote will be by secret ballot.
  - d. postal votes will be allowed where appropriate and approved by the elders.

**RULE 17. RESIGNATION OR REMOVAL FROM OFFICE OF AN ELDER OR OFFICE BEARER**

1. Any member of The Elders or office bearers of this church may resign from their position at any time by giving notice in writing to The Elders. Resignation will take effect only after the next regular Elders meeting at which the letter has been received.
2. An Elder or office bearer of this church may be removed from office if he is not fulfilling the function of their office in accordance with the doctrine and standards of this church, as set out in these rules and the purpose and values of this church (Appendix 1 & 2), or have fallen into gross immorality, and after spiritual steps to discipline have failed (Mt 18:15-17). It is the responsibility and duty of The Elders to ensure he is removed from office as soon as possible.
3. An Elder or office bearer of this church who has been removed from their office by The Elders has no right of appeal against their removal from office under this Rule.

**RULE 18. VACANCIES ON THE ELDERS**

1. If a casual vacancy happens within The Elders, the continuing members of The Elders may appoint another qualified member of this church (see Rule 15) to fill the vacancy until the next annual general meeting.
2. The continuing members of The Elders may act despite a casual vacancy among The Elders.
3. However, if the number of Elders members is less than the number fixed under these rules as a quorum of The Elders (see RULE 20.5), the continuing members may act only to:
  - a. increase the number of Elders members to the number required for a quorum; or
  - b. call a general meeting of this church.

## **RULE 19. FUNCTIONS OF THE ELDERS**

1. The Elders will have the spiritual oversight of this church in accordance with the Eastgate Leadership Document.
2. Except as otherwise provided by these Rules and subject to resolutions of the members of the congregation carried at any general meeting, The Elders will have oversight and general responsibility and control of all the administrative affairs of the church including the right:
  - a. to borrow or raise or secure the payment of money in such manner as the members of this church may think fit and secure the same or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by this church in any way and in particular by the issue of debentures, perpetual or otherwise, charged upon all or any of this church's property, both present and future and to purchase, redeem or pay off any such securities;
  - b. to borrow money from members at a rate of interest not exceeding interest at the rate for the time being charged by bankers in Toowoomba for overdrawn accounts of money lent, whether the term of the loan be short or long, and to mortgage or charge its property or any part thereof and to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of this church, and to provide and pay off any such securities;
  - c. to invest in such manner as the members of the congregation of this church may from time to time determine;
  - d. to appoint trustees of this church if required;
  - e. to provide for the safe custody of books, documents, instruments of title and securities of this church; and
  - f. to appoint an auditor for the current financial year and notify the members of the appointment at the Annual General Meeting.
3. Delegation of Elders Powers.
  - a. The Elders may delegate the whole or part of its powers to a subcommittee consisting of this church's members considered appropriate by The Elders.
  - b. A subcommittee may only exercise delegated powers in the way The Elders decides.
  - c. A subcommittee with a quorum may, if a Pastor of this church is not available or willing to act, elect a chairperson of its meetings, and may meet and adjourn, as it considers appropriate.
    - i. If the chairperson is not present within fifteen minutes after the time fixed for a meeting, the members present may choose one of their number to be the chairperson of that meeting.
  - d. A question arriving at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.
  - e. A quorum for a subcommittee meeting will be 50% of the subcommittee's membership.
4. The Elders will have authority to interpret the clear meaning of these Rules, but any interpretation must have regard to all of RULE 4 of this Constitution and to The Act, including any regulation made under The Act.
5. The Elders have the right to veto any nomination for the position of office bearers of this church.

## **RULE 20. MEETINGS OF THE ELDERS**

The Elders may meet together and regulate its proceedings as it considers appropriate, subject to the following.

1. The Elders will meet at least once every calendar month to exercise its functions.
2. The Elders must decide how a meeting is to be called.
3. Notice of a meeting is to be given in the way decided by The Elders.
4. The Elders may hold meetings, or permit an Elder with a bona fide reason for not attending the meeting to take part in its meeting, by using technology that reasonably allows the Elder to hear and take part in discussions as they happen. In this instance, the Elder is taken to be present at the meeting.
5. At an Elders meeting, more than 50% of the members elected or appointed to The Elders as at the close of the last general meeting of the members form a quorum.
6. Any questions arising at any meeting of The Elders will be decided by a majority vote of members present at the meeting and, in the case of equality of votes the question is to be decided in the negative.
7. A member of The Elders must not vote in respect of any contract or proposed contract with this church in which he has an interest, or any matter arising there out.
8. A Pastor of this church will, where possible, be the Chairman of all meetings of this church. The Pastor or elders can appoint another elder to act in the stead of the Pastor where appropriate.
9. Special meetings of The Elders:
  - a. may be called at regular (stated) worship services of the congregation of this church, two Sundays prior to the meeting;
  - b. the notice must state the day, time and place of the meeting, and the business to be conducted at the meeting; and
  - c. a special meeting of The Elders will be convened by a Pastor of this church, on the request of at least two of the members of The Elders. The request must state why the special meeting is being called and the business to be conducted at it.
10. If a Pastor of this church or the appointed Chairman not present within fifteen minutes after the time appointed for holding the meeting, then the The Elders may choose one of their numbers to be Chairman of the meeting.
11. If a quorum is not present within thirty minutes after the time fixed for an Elders meeting called:
  - a. on the request of The Elders, the meeting lapses; and
  - b. other than on the request of The Elders, the meeting is to be adjourned to the same day, time and place in the next week, or to a day, time and place determined by The Elders but within twenty-eight days.
12. An Elder may, in the case of an emergency, make a decision which would normally require a meeting of The Elders, and he must:
  - a. gain the approval of at least 60% of The Elders in writing to so act; and
  - b. have this decision ratified at the next Elders meeting.

## **RULE 21. MINUTES OF ELDERS MEETINGS**

A Pastor of this church or the Chairman of Elders meetings will appoint a member of The Elders to maintain minutes of all Elders meetings. These minutes:

1. may be kept in electronic format; and
2. will be available for inspection to any member who applies to a Pastor or Elder of this church for that inspection.
3. However, any confidential notes may be deleted from the copy of that record made available for inspection to maintain the privacy of other individuals, at the discretion of a Pastor of this church.

## **RULE 22. APPOINTMENT OF A SECRETARY**

1. This church must ensure a Secretary is appointed by The Elders for this church within one month of a vacancy occurring in the office of secretary.
2. The appointment must be reported at the next general meeting.
3. The Secretary must be an individual residing in Queensland, not more than thirty kilometres from this church's place of worship, who is any of the following persons appointed by The Elders:
  - a. a member of The Elders; or
  - b. a member of this church

## **RULE 23. REMOVAL OF SECRETARY**

The Elders may appoint and remove this church's Secretary at any time.

## **RULE 24. FUNCTIONS OF THE SECRETARY**

The Secretary's functions include, but are not limited to:

1. calling meetings of this church, including preparing notices of a meeting and of the business to be conducted at the meeting in consultation with The Elders of this church;
2. keeping minutes of each regular meeting of this church;
3. keeping copies of all correspondence and other documents relating to this church; and
4. maintaining the Register of Members of this church, known as the "Members Roll of Eastgate Bible Church"

## **RULE 25. ELECTION OF THE TREASURER**

1. This church must ensure a Treasurer is elected for this church within one month of a vacancy occurring in the office of Treasurer.
2. The election must be reported at the next general meeting.
3. The Treasurer must be an individual residing in Queensland not more than thirty kilometres from this church's place of worship who is any of the following persons appointed by The Elders:
  - a. a member of The Elders; or
  - b. a member of this church;

## **RULE 26. FUNCTION OF THE TREASURER**

The Treasurer will be responsible for:

1. the keeping and maintaining of proper books, or electronic accounts in the English language showing correctly the financial affairs of this church and the particulars usually shown in books or electronic accounts of this nature.

## **RULE 27. PASTOR/S**

1. Requirements for election as Pastor/s:
  - a. A Pastor (paid Elder) will give evidence to this church of God's calling to the ministry, together with evidence of gifts and abilities suitable to this church, and to the discharge of this office as prescribed in Scripture (I Timothy 3:1-7; Titus 1:6-9).
  - b. He will be undergoing or have satisfactorily completed a course of theological studies at a theological institution acceptable to the elders with regard to Rule 4.
  - c. The call of the congregation to a Pastor will issue from a proper meeting of this church in which 75% of all members eligible to vote support the call. The vote will be taken by secret ballot.
2. A Pastor of this church will be an ex officio member of all committees of this church and its organizations, and where possible act as Chairman at the meetings of The Elders and of the congregation of this church and will conscientiously perform such duties as may be directed by The Elders.
3. Resignation and removal of a Pastor/s:
  - a. A Pastor of this church will serve until he accepts a call elsewhere, resigns, or this church requests his resignation. Where this church requests his resignation it shall be in accordance with the following sub-paragraphs (3.c, 3.d, and 3.e).
  - b. A Pastor of this church will give at least ninety days' notice of his intention to resign, unless The Elders deems there are exceptional circumstances. A Pastor will be entitled to receive at least twenty-eight days' salary calculated from the day of the request and any other entitlements due.
  - c. If at any time his personal belief, preaching, teaching or living are not in full accord with the doctrine and standards of this church, as set out in these Rules and the purpose and values of this church, it will be the duty of The Elders to request of this church that his services be terminated as soon as possible.
  - d. A Pastor's services to this church may only be terminated from a proper meeting of this church at which 75% of all this church's members eligible to vote support the termination. The vote will be taken by secret ballot.
  - e. If a Pastor of this church is asked by this church to resign, he will receive his legal entitlements under the Employment and Industrial Relations Act.

## **RULE 28. DEACONS**

1. Deacons will be members of this church approved by the elders and appointed by congregational vote as needed;
2. Deacons will be accountable to the authority of The Elders; and
3. Deacons will evidence the qualifications that are prescribed in 1 Timothy 3 and Acts 6.

## **RULE 29. MEETINGS**

1. The location of general meetings will be this church's place of worship unless otherwise decided by The Elders.
2. There will be two regular meetings of this church held each year:
  - a. The first will be held in the month of May when nominations for Elders will be received. The proposed budget for the upcoming financial year will also be presented to the congregation.
  - b. The second will be the Annual General Meeting held in the month of October or November, at which the election of Elders will take place.
3. The business to be transacted at every Annual General Meeting will be:
  - a. receiving The Elders's report including the spiritual health and future direction of this church;
  - b. receiving this church's financial statements (statement of income and expenditure; assets and liabilities; and mortgages, charges and securities affecting the property of this church) and auditor's report for the last reportable financial year;
  - c. presenting the financial statements and auditor's report to the meeting for adoption;
  - d. the election of Elders; and
  - e. the appointment of the auditor for the present financial year.

## **RULE 30. SPECIAL GENERAL MEETING**

1. The Secretary may only call a special general meeting by giving each member notice of the meeting within fourteen days after:
  - a. being directed to call the meeting by The Elders;
  - b. being given a written request stating why the special general meeting is being called and the business to be conducted at the meeting and signed by:
    - i. 33% of the members of The Elders; or
    - ii. ten eligible members, no two from the same immediate family, or two Elders or a pastor of this church; or
  - c. being given a written notice of an intention to appeal against the decision of The Elders to reject an application for membership, or to terminate a person's membership.

## **RULE 31. NOTICE OF ALL GENERAL AND SPECIAL MEETINGS**

1. Notice of all general meetings of this church:
  - a. must be announced for at least two consecutive Sundays immediately preceding the meeting;
  - b. must be posted in a conspicuous location in this church's place of worship, or website for at least two consecutive Sundays immediately preceding the meeting; and
  - c. must appear for at least two consecutive weeks in this church's E-news or Bulletin immediately preceding the meeting.
2. In addition to the rules for general meetings, notice of all special meetings of this church:
  - a. must be given in writing to all members; and
  - b. must be mailed or emailed at least two weeks immediately preceding the special meeting.
3. A notice of all general and special meetings must state the date, place, time and business to be conducted at that meeting.



## **RULE 32. QUORUM FOR AND ADJOURNMENT OF GENERAL MEETINGS**

1. Quorum.
  - a. A quorum of this church's meetings will be 50% of the members eligible to vote; and
  - b. no business may be conducted at a general or special meeting unless a quorum of members is present when the meeting proceeds to business.
2. Adjournment.
  - a. If a quorum is not present within thirty minutes after the time fixed for a general or special meeting:
    - i. then on the request of Elders or this church's members, unless it contravenes these Rules, the meeting lapses; or
    - ii. other than on the request of Elders or this church's members, the meeting is to be adjourned to the same day, time and place in the next week, or to a day, time and place determined by The Elders but within twenty-eight days.
  - b. If at an adjourned meeting, a quorum under RULE 32.1.a is not present within thirty minutes after the time fixed for the meeting, the members present form a quorum.
  - c. The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting.
  - d. If a meeting is adjourned under RULE 32.2.c, and with regard to RULE 32.2.a.ii, only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.
  - e. The Secretary is not required to give the members notice of an adjournment or the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least twenty-eight days.
  - f. If a meeting is adjourned for at least thirty twenty-eight days, notice of the adjourned meeting must be given in the same way notice is given for an ordinary meeting.

### **RULE 33. PROCEDURE AT GENERAL MEETINGS**

1. When this church is without a Pastor or a Pastor of this church cannot preside or is not present at the meeting within fifteen minutes after the appointed time for the holding of the meeting then the members will elect an Elder to be the Chairman of the meeting.
2. At every church meeting the Chairman must conduct the meeting in a proper and orderly manner.
3. Each question, matter or resolution must be decided by a 60% majority of members present and eligible to vote, except:
  - a. in the case of calling a Pastor, RULE 27.1.c;
  - b. in the case of electing an Elder, RULE 16.6.b; or
  - c. when a special resolution is required under the provisions of the Associations
  - d. Incorporation Act 1981 necessitating a 75% majority of the members present and eligible to vote to pass a motion.
4. Voting procedures.
  - a. All regular members of this church will be eligible to vote at any member's meeting of this church. Postal votes will be accepted where appropriate with the approval of the elders.
  - b. Every eligible member present will be entitled to one vote only (in a show of hands or a secret ballot) and, if the votes are equal, the chairman has a casting vote but not a primary vote.
  - c. Voting will be by show of hands or a division of members, unless at least 20% of the members present prefer a secret ballot, in which case:
    - i. the Chairman will appoint two members to conduct the secret ballot in such a manner as he will determine; and
    - ii. the result of the ballot as declared by the Chairman will be deemed to be the resolution of the meeting at which the ballot was preferred.
  - d. Absentee votes in writing, indicating the voting preference of the member, and signed by the absentee member will be accepted by a member of Elders, if the absentee member has a bona fide reason for not attending the meeting in person.
5. Minute taking guidelines.
  - a. The Secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of every general or special members meeting of this church are entered in the minutes book.
  - b. The minutes of any regular or special meeting of this church will be approved by the members at the next meeting, as a true and accurate record. They will then be signed by the Chairman and Secretary.
  - c. Any member may request from the Secretary an inspection or copies of the minutes of any members' meeting at any reasonable time. However, these must be provided within twenty-eight days of the request.

#### **RULE 34. EMPLOYEES**

1. All employees of this church must be a member in good standing.
2. All employees of this church, except the Pastor/s, will be employed or dismissed by a 75% majority vote by The Elders.
3. All employees of this church will receive pay and conditions above that prescribed by the Queensland State Award.

## **RULE 35. FINANCE**

1. The income and property of this church, however derived, will be used and applied solely towards the promotion of the objects of this church as set forth in these rules and in the exercise of its power. No portion of it will be paid or transferred directly or indirectly by way of dividend bonuses or otherwise to any member of this church except:
  - a. For the payment in good faith of remuneration to any member of this church in return for any services actually rendered to this church or
  - b. For the payment to any member for occasional services, or
  - c. By way of a 'gift' unanimously agreed to at a Leaders (Elder's) Meeting where the 'gift' provides no benefit to an Elder or their immediate family, or
  - d. By majority vote at a members meeting
2. The fiscal year of this church will end on the thirtieth day of June each year.
3. The funds of this church will be banked in the name of this church in such bank as The Elders may from time to time direct.
4. All amounts must be deposited in the financial institution account as soon as practicable after receipt.
5. All this church's payments of \$100 or more must be made by cheque, or by electronic funds transfer.
6. Electronic banking and cheques issued by this church will be 'signed' by an authorised member of Eastgate Bible Church Inc. on an 'any one person to sign' basis.
  - a. The members authorised to sign cheques and conduct electronic debits and transfers will be EITHER:
    - i. an Elder, OR
    - ii. any one of up to three other members of this church authorised by the Elders to conduct debit transactions on bank accounts.
  - b. All financial debit transactions will be subject to internal audit procedures in addition to the requirements under the Act for End of Financial Year external audit procedures.
7. Cheques will be crossed "not negotiable" except those in payment of wages, allowances or petty cash recoupment, which may be open.
8. All non-budgeted expenditure over \$100 must be approved or ratified at an Elders meeting.
9. The treasurer must, as soon as practicable after the end of each financial year, ensure a statement containing the following particulars is prepared:
  - a. the income and expenditure for the financial year just ended;
  - b. this church's assets and liabilities; and
  - c. all the mortgages, charges and securities affecting the property of this church at the close of that year.
10. The auditor must examine the statement prepared under RULE 35.9 and present a report about it to the Secretary prior to the next annual general meeting following the financial year for which the audit was made.
11. If asked by a member of this church, the Secretary must, within twenty-eight days after the request is made, provide a copy of this church's annual financial documents.

### **RULE 36. BRANCHES AND AMALGAMATIONS**

This church will have power:

1. to establish branches and to regulate and discontinue the same; and
2. to withdraw from this relationship at any time for reasons which seem to it sufficient by orderly ballot at a duly constituted meeting of this church, by a resolution carried by 75% of all the members of this church eligible to vote..

### **RULE 37. COMMON SEAL**

The form, custody and use of the common seal.

1. The Elders must ensure that this church has a common seal.
2. The common seal must be:
  - a. kept securely by The Elders; and
  - a. used only under the authority of The Elders.
3. Each instrument to which the seal is attached must be signed by the President or Treasurer a member and co-signed by:
  - b. the secretary;
  - c. another member of The Elders; or
  - d. a member appointed by The Elders.

### **RULE 38. DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY**

Distribution of surplus assets on winding-up.

1. This Rule applies if the association:
  - a. is wound-up under section 10 of The Act [Section 10 (Winding-up) of The Act]; and
  - b. it has surplus assets.
2. The surplus assets must not be distributed among the association members.
3. The surplus assets must be given to another entity:
  - a. having objects similar to the association's objects; and
  - b. having rules which prohibit the distribution of the entity's income and assets to its members.
4. Under this Rule, "surplus assets" has the meaning given by section 92(3) of The Act [Section 92 (Distribution of surplus assets) of The Act].

### **RULE 39. AMENDMENTS**

1. Subject to the provisions of the Associations Incorporation Act 1981, this constitution may be amended, rescinded or added to from time to time by special resolution carried at any regular general or special meeting of this church by 75% of this church's membership eligible to vote.
2. Provided the proposed amendment has been read to the congregation or presented in such form that each member may read it, at each regular church service for each of the four Sundays immediately preceding such meeting, and provided also that an exact copy of the proposed amendment has been conspicuously posted in the church on such four Sundays.
3. However an amendment, repeal or addition is valid only after it is registered by the chief executive.