

CrossWords Church Inc

T/A Grace Christian Church Armadale

Constitution

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## PART 1 — PRELIMINARY

### 1 Name

The name of this Association is “CrossWords Church Inc” trading as “Grace Christian Church Armadale” (hereinafter “this Church”).

### 2 Definitions

(1) In this Constitution, unless the contrary intention appears –

**Act** means the Associations Incorporation Act 2015 in the State of Western Australia;

**Bible** means the written Word of God contained in the scriptures of the Old and New Testaments (as listed in the Westminster Confession of Faith Part 1:2);

**Book of Church Order (BCO)** means the document adopted by Session as a document that sets out the doctrine, government and offices of the Church. In the event there is any inconsistency between the Book of Church Order and this Constitution, then the meaning in this Constitution shall prevail;

**Books**, of the Association, includes the following —

- (a) a register;
- (b) financial records, financial statements or financial reports, however compiled, recorded or stored;
- (c) a document;
- (d) any other record of information;

**Church** means Grace Christian Church Armadale (ABN 15668109110), which is a branch of the visible church, reformed in doctrine and Presbyterian in government;

**Clerk of Session** means a person so appointed by the Session and holding office as the Secretary referred to in Rule 26;

**Commissioner** means the person for the time being designated as the Commissioner under section 153 of the Act;

**Congregation** means the gathering of the Church consisting of all Members in good standing;

**Diaconate** means the committee of deacons consisting of all deacons and chaired by the Moderator.

**Deacons** mean Members who are elected to the office of Deacon by the Congregation in the general meeting according to all relevant Book of Church Order requirements;

**Deacons’ Fund** means the fund administered and controlled by the Deacons collected through donations and includes any interest gained on those funds;

**Elders** mean Members who are elected to the office of Elder by the congregation in the general meeting according to all relevant Book of Church Order requirements;

**Financial records** includes —



- (a) invoices, receipts, orders for the payment of money, bills of exchange, cheques, promissory notes and vouchers; and
- (b) documents of prime entry; and
- (c) working papers and other documents needed to explain —
  - i. the methods by which financial statements are prepared; and
  - ii. adjustments to be made in preparing financial statements;

**Financial statements** means the financial statements prepared for presentation to a Session meeting or meeting of Members;

**Financial year**, of the Association, has the meaning given in Rule 5;

**General meeting** of the Association means a meeting of the Association that all members are entitled to receive notice of and to attend;

A member in **good standing** is regarded as having complied with all their explicit obligations, while not being subject to any form of sanction, suspension or disciplinary censure.

**Members** means Voting Members and Non-Voting Members.

**Voting Members** mean those persons aged 18 years or more who have been received into membership of the Church by the Session. In the Book of Church Order this membership class is equivalent to Communicant Members who have attained the age of 18 years [BCO 3.6];

**Non-Voting Members** mean all members other than Voting Members. In the Book of Church Order this membership class includes Communicant Members who have not attained the age of 18 years, Non-Communicant Members, Associate Members and Adherent Members;

**Moderator** means an Elder appointed to that position by the Session who shall act as the moderator of Session meetings and any general meetings of the Church;

An **office holder** is a person appointed in accordance with this constitution to the role of Elder, Deacon, Secretary or Treasurer.

**Pastor** means an Elder examined by the Presbytery and received by the Congregation to the position of Teaching Elder or Pastor (the two terms being synonymous);

**Presbytery** has the meaning given to that term in the Book of Church Order and is a regional assembly of Westminster Presbyterian Church Elders;

**Register** means the register of members referred to in rule 14;

**Regulations** means the Associations Incorporation Regulations 2016 in the State of Western Australia;

**Rules** mean these rules of the Association, as in force for the time being;

**Secretary** means the person so appointed in accordance with Rule 26 of this Constitution;

**Session** means the session of the Church consisting of the active Eldership;

**Special General Meeting** means a general meeting of the Association other than the annual general meeting;

**Special resolution** has the meaning given by the Act, that is –

A resolution is a special resolution if it is passed by a majority of not less than three-fourths of the partners of the Association who are entitled under the rules of the Association to vote and vote in person at a general meeting of which notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules.

At a meeting at which a resolution proposed as a special resolution is submitted, a declaration by the person presiding that the resolution has been passed as a special resolution shall be evidence of the fact unless, during the meeting at which the resolution is submitted, a poll is demanded in accordance with the rules of the Association or, if the rules do not make provision as to the manner in which a poll may be demanded, by at least 3 members of the Association present in person.

If a poll is held, a declaration by the person presiding as to the result of a poll is evidence of the matter so declared.

**Synod**, known as National Assembly, has the meaning given to that term in the Book of Church Order and is a meeting of Elders representative of their Westminster Presbyterian Churches wheresoever situated;

**Treasurer** means the treasurer of the Church who has been elected in accordance with Rule 39(1) of this Constitution;

**Westminster Confession of Faith** means the document produced in 1647 (and as amended) and as referred to in the Book of Church Order, which expresses the system of doctrine, taught in the Bible. It is subordinate to the Bible.

(2) In this Constitution, the singular includes the plural and the plural includes the singular, unless the context otherwise requires.

### 3 Object

- (1) This church is established to glorify God and to enjoy Him through the assembly of His people. God is glorified when His people devote themselves wholeheartedly to serving Him (Romans 12:1-2.).
- (2) To this end God's people are to be prepared for service, including evangelism, so that they reach unity in the faith, confidence in Jesus Christ and maturity in Christian character (Ephesians 4:12).
- (3) Part of this church's ministry shall be to discover, develop and employ the gifts given to each member of Christ's Church.
- (4) In consideration of the compassion shown by Christ, this church shall also seek to minister to the whole person, spiritually, emotionally, physically, and socially and will strive to help the needy near and far, as it is enabled.

## 4 Doctrine

- (1) This Church shall adhere to a belief in the Scriptures of the Old and New Testaments as the infallible Word of God in their original writings, and as the only rule of faith and life.
- (2) Subordinate to these Scriptures this Church shall adhere to:
  - (a) The reformed faith as expressed in the Westminster Confession of Faith;
  - (b) The Book of Church Order.

## 5 Financial Year

The financial year of the Association is the period of 12 months commencing on 1 July and ending on 30 June in the following year.

## 6 Powers

- (1) This Church, through its duly appointed Session, may purchase real or personal property as it may feel that such is needed for the accomplishment of the purposes of this Church.
- (2) It may receive gifts, devises, bequests and grants of real estate or personal property for missionary purposes connected with this Church or for the benefits of church institution.
- (3) This Church may, through its duly appointed Session, sell, mortgage, lease and otherwise use and dispose of the property of this Church in such manner as this Church deems most conducive to the prosperity of this Church.
- (4) This Church has full power and authority, by vote of three-fourths (3/4) of members present and voting at a general meeting, to borrow money on behalf of this Church and to incur indebtedness on its behalf and it may invest any of the monies of this Church not immediately required for any of its objects and in such manner as it from time to time determines.
- (5) This Church may employ salaried staff necessary to further its objects.

## PART 2 — NOT FOR PROFIT BODY

### 7 Not-for-profit body

- (1) The property and income of the Association must be applied solely towards the promotion of the objects or purposes of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- (2) A payment may be made to a member out of the funds of the Association only if it is authorised under Rule 7(3).
- (3) A payment to a member out of the funds of the Association is authorised if it is —
  - (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or
  - (b) the payment of interest on money borrowed by the Association from the member at a rate not greater than the secured lending rate of the financial institution with which the Association conducts its financial affairs; or
  - (c) the payment of reasonable rent to the member for premises leased by the member to the Association; or
  - (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.



## PART 3 — MEMBERS

### 8 Eligibility for Voting Membership

- (1) Membership of this Church shall consist of persons received into membership by the Session of this Church, having:
  - (a) Been baptised in obedience to Christ's command;
  - (b) Made a profession of faith in our Lord Jesus Christ as their only hope of salvation, this profession not being contradicted by flagrant sin or false doctrine;
  - (c) Expressed a willingness to submit themselves to the government of this Church;
  - (d) Received proper instruction as determined by the Session in the doctrinal standards of this Church;
  - (e) Given satisfactory answers to reasonable examination by the Session;
  - (f) Attained the age of 18 years.
- (2) Any Voting Member shall be publicly recognised at a gathering following his or her reception by the Session and his or her name shall be entered on the Register.
- (3) No entrance fees, subscriptions nor any other payments are required of Voting Members of this Association.
- (4) Members are expected to strive conscientiously to live according to the light given them through God's Word and to support wholeheartedly the services and the activities of this Church.

*The Book of Church Order also refers to this class of member as a "Voting Member" [BCO 3.6].*

### 9 Rights of a Voting Member of the Association

- (1) The rights and privileges of each Voting Member shall be personal and shall not in any manner be transferable by their own act or by or through any other person on their behalf or by operation of law.
- (2) Each Voting Member shall comply with the provisions of this Constitution in force for the time being and from time to time, and with any additions, alterations, and variations thereto.
- (3) Voting Members are expected to strive to live in good conscience according to God's Word and to support wholeheartedly the services and activities of this Church.
- (4) Upon acceptance to membership of the Church, each Voting Member agrees to be bound by the Book of Church Order, which shall be readily available to all members.
- (5) Each Voting Member, upon being notified of acceptance as a Member of this Church, shall either be provided with an electronic copy of this Constitution, or shall obtain a copy of this Constitution from the Associations website.

- (6) Upon request, a Voting Member may inspect the Books of the Church at such time and place as is mutually convenient to the Church and the member.
- (a) The Voting Member shall contact the Secretary to make the necessary arrangements for the inspection.
  - (b) The inspection shall be free of charge.
  - (c) If the Voting Member wishes to inspect a document that records the minutes of a Session meeting, the right to inspect that document shall be subject to any decision that the Session has previously made concerning minutes of Session meetings generally, or the minutes of a specific Session meeting, being available for inspection by Members.
  - (d) The Voting Member may make a copy of or take an extract from the Books of the Church, but may not for that purpose take those Books nor any part of those Books away from the place of inspection.
  - (e) The Voting Member shall not use or disclose information contained in the Books except for a purpose that is:
    - (i) directly connected with the affairs of the Church; or
    - (ii) related to complying with a requirement of the Act or of the Regulations, without the prior approval of the Session.
- (7) The rights of a Voting Member shall cease immediately upon the Member ceasing to be a Member of the Church.

## 10 Eligibility for Non-Voting Membership

- (1) Non-voting members of the church are –
- (a) Children under the age of 18 and of Voting Members;
  - (b) Children under the care of Voting Members who stand to them as foster parents in the place of parents;
  - (c) People who are at too great a distance from their permanent church to attend and serve regularly in the church of which they are Voting Member;
  - (d) Adults, along with their children, if any, who regularly attend this Church but who have not yet become Voting Members.

## 11 Rights of a Non-Voting Member of the Association

- (1) Non-Voting Members will enjoy all the privileges of fellowship, worship, and service, under the care of the session of the church.
- (2) Non-Voting Members are not entitled to vote in any meeting of the church.
- (3) Non-Voting Members may not be members of the Session or the Diaconate.

## 12 Cessation of membership of the Association

- (1) A Member shall cease to be a Member of the Church when any of the following occurrences takes place:
  - (a) the Member dies;
  - (b) the Member resigns under Rule 13;
  - (c) the Member is expelled under Rule 19;
- (2) The Secretary shall keep a written record, for at least twenty (20) years after a person has ceased to be a Member, of:
  - (a) the date on which the person ceased to be a Member; and
  - (b) the reason why the person ceased to be a Member

## 13 Resignation as a member of the Association

- (1) A Member may resign from membership of the church by giving written notice thereof to the Session who shall forthwith pass the notice on to the Secretary. The resignation shall take effect:
  - (a) When the Secretary receives the notice from the Session; or
  - (b) If a time is stated in the notice as to when the resignation is to take effect, then at that time.

## 14 Register of members

- (1) The Church shall:
  - (a) maintain a Register of Members
  - (b) record in the Register of Members any change in the Churches membership no later than twenty-eight (28) days after the date on which any such change occurs.
- (2) The Register of Members shall include:
  - (a) each Member's full legal name;
  - (b) The class of membership to which each Member belongs;
  - (c) The date on which each Member becomes a Member;
  - (d) each Member's contact details, being that Member's:
    - (i) residential address;
    - (ii) postal address (if different from the member's residential address);

- (iii) e-mail address (if any);
  - (iv) contact telephone or mobile telephone number by means of which the Church may make contact with the Member.
- (3) The Register of Members shall be kept in a manner previously determined by the Session.
- (4) The Session shall review the Register annually.

## **Part 4 — Disputes, Mediation, and Disciplinary Action**

### **15 Dispute resolution**

- (1) The procedures set out in Rules 15-18 shall apply to disputes:
- (a) between Members; and
  - (b) between one or more Members and the Association,
  - (c) that are non-disciplinary in nature.

Disputes and accusations that are disciplinary in nature must be brought to the Session following Rule 19 and should be informed by BCO 12.3.

- (2) Disputes or accusations are considered disciplinary if there is an accusation that could, if it were shown to be true, result in suspension or expulsion (see Rule 19(1) for further explanation).
- (3) The parties to a dispute shall attempt to resolve the dispute between themselves no later than fourteen (14) days after the dispute has come to the attention of each party.
- (4) If a person believes the other party has sinned, they should in the first instance, go to that person, bringing their fault to them. If the person fails to listen, they may seek to resolve the matter using the witness of one or two others (Matt 18:16), but should not bring the matter to the whole church until they have first exhausted these means of resolving the conflict.
- (5) If the parties to a dispute are unable to resolve the dispute between them within the time required by Rule 15(3), they should seek the help of a mediator through the Session. Mediation may be requested by either party in writing.

### **16 Mediation**

- (1) If written notice has been given to the Secretary requesting the appointment of a mediator by a:
- (a) Member; or
  - (b) party to a dispute,
- a mediator must be chosen or appointed.

- (2) The mediator should be a person chosen by agreement between the parties and may be a Member or a former Member of the Church in good standing, a member of Session, a Presbytery of WPC, or be a professional or otherwise suitably experienced mediator, but the mediator may not:
  - (a) have a personal interest in the matter that is the subject of the mediation; nor
  - (b) be biased in favour of or against any party to the mediation.
- (3) If there is no agreement and –
  - (a) the dispute is between Members, the Session shall appoint the mediator.
  - (b) the dispute is between a Member or Members and the Session, the Session shall ask the Presbytery to appoint the mediator.
- (4) The person appointed by the Session under Rule 16(3) as mediator must meet the criteria described in Rule 16(2).

## 17 Mediation process

- (1) The purpose of mediation is for the mediator, who is a neutral third party, to help the parties in conflict to negotiate a mutually acceptable resolution.
- (2) The parties to mediation shall attempt in good faith to settle the matter that is the subject of the mediation.
- (3) Each party to mediation shall give the mediator a written statement of the issues that need to be considered and if possible resolved at the mediation not less than five (5) clear days before the mediation is scheduled to take place.
- (4) In conducting the mediation, the mediator shall:
  - (a) give each party to the mediation every opportunity to be heard;
  - (b) allow each party to the mediation to give due consideration to any written statement given by any other party to the mediation; and
  - (c) help both parties explore ways to resolve the conflict and achieve reconciliation.
- (5) The mediator shall have no power to determine the matter or matters that are the subject of the mediation.
- (6) The mediation shall be confidential, and any information given in the mediation may not be used in any other proceedings that may take place in relation to the matter that is the subject of the mediation except where legally obliged.
- (7) If there is a cost, the costs of the mediation shall be paid by the party to the mediation that requested the appointment of the mediator or insisted on the professional, and, if there is more than one party that requested the appointment of the mediator, then equally between them.
- (8) If the parties to the mediation are unable to reach a mutually agreeable resolution,

- (a) and the dispute is between two Members, one or both parties may petition the Session for a determination.
  - (b) If the dispute is between a Member or Members and Session, one or both Members may petition the Presbytery following BCO 7.4.9 if they wish to appeal a decision made by Session.
- (9) Petitions must be in writing to the Clerk and within 14 days of mediation, or of the last session of mediation if there were multiple sessions.

## 18 Determination of dispute by the Session

- (1) Session must determine disputes brought to it if the party bringing the dispute has:
- (a) acted in good faith to resolve the dispute directly with the other party, and
  - (b) sought mediation and acted in good faith within the mediation process if it took place.
- (2) No later than twenty-eight (28) days after the Clerk is given notice, a Session meeting shall be convened to consider and determine the dispute.
- (3) The Clerk shall give each party to the dispute written notice of the Session meeting at which the dispute is to be considered and determined not less than seven (7) clear days before the meeting is held.
- (4) The notice given to each party to the dispute shall state:
- (a) when and where the Session meeting is to be held; and
  - (b) that each party and/or their respective representative may attend the meeting and will be given a reasonable opportunity to make written and/or oral submissions to the Session concerning the dispute.
- (5) At the Session meeting at which a dispute is to be considered and determined, the Session shall:
- (a) give each party to the dispute, or their respective representatives, a reasonable opportunity to make written and/or oral submissions to the Session concerning the dispute; and
  - (b) give due and proper consideration to any submissions so made; and
  - (c) determine the dispute.
- (6) The Session shall give each party to the dispute written notice of the Sessions determination, together with the reasons for the determination, no later than seven (7) days after the Session meeting at which the determination was made.
- (7) If either party believes they have been treated unjustly by the Session or that the Session has not acted in accordance with this constitution or the BCO, they may appeal to the Presbytery through the Session following BCO 7.4.9.

## 19 Suspension and expulsion of a member

- (1) Accusations of conduct or teaching which, if true, would show that the person:
  - (a) is indifferent or opposed to the life and work of this Church or its doctrinal standards; and/or
  - (b) is guilty of having done or omitting to do, inside or outside the Church's premises, any act, matter, or thing to discredit the Church, any one or more of its Members, or the Westminster Presbyterian Church; and/or
  - (c) is guilty of behaviour that is unbecoming of a member of Christ and, if not repented of, would bring into question the person's salvation

are disciplinary in nature and must be brought to the attention of, and responded to, by the Session if and when either:

- (i) the person making the accusation has followed scriptural principles to confront the person with their sin and call them to repentance, including bringing one or two others to give weight to their call to repentance; or
  - (ii) the behaviour or incident is considered so severe that even if it was repented of, disciplinary measure would have to be taken by the Session.
- (2) If there is doubt as to whether a behaviour or incident is disciplinary in nature or whether it should be resolved according to Rules 15-18, the Session will decide it's nature.
- (3) If an accusation might be criminal in nature, it must be referred to the police.
- (4) The Session may, if it chooses, form a commission from among its members to hear the accusation. The commission must have a minimum of three members.
- (5) No later than twenty-eight (28) days after the Clerk is given the notice of an accusation, a Session meeting or meeting of a commission, shall be convened to consider and determine the dispute.
- (6) The Clerk shall give each party to the dispute written notice of the hearing at which the accusation is to be considered and determined not less than fourteen (14) clear days before the hearing is held.
- (7) The notice given to the Member under Rule 19(6) shall state:
  - (a) when and where the hearing to decide the case is to be held; and
  - (b) details of the accusation made; and
  - (c) that the Member, or that Member's non-legal representative, may attend the Session meeting and will be given a reasonable opportunity to make written or oral submissions, or both written and oral submissions to the Session in relation to the proposed suspension or expulsion.
- (8) All parties should prepare for the hearing following BCO 12.4.
- (9) If the Member does not attend within thirty (30) minutes of the time stated on the hearing notice, the hearing may commence without him/her being present, and the Session may make a determination at the hearing.

- (10) At the hearing, Session or its commission should follow the procedure given in BCO 12.5.
- (11) If the Session or its commission find the accusations to be true, they will then decide what action ought to be taken. This may include:
  - (a) Admonition, which is the solemn addressing of the accused, placing his/her sin before him/her, and exhorting him/her to exercise greater care in his/her life and doctrine.
  - (b) Rebuke, which is setting forth the serious nature of the offence, the formal reproof of the accused, warning him/her of his/her guilt and danger, and exhorting him/her to repentance.
  - (c) Suspension, which is the temporary withholding of all the privileges of membership in a local church, and in the case of an officer the temporary removal from office.
  - (d) In the case of an officer, dismissal from office.
  - (e) Expulsion (excommunication) which is the exclusion of the accused from the fellowship of the church and the cancellation of his/her membership. (This form of censure should be regarded as a last measure in the reclamation of the accused and should be resorted to only in extreme cases.)
- (12) The Session shall give the Member written notice of the decision made under Rule 19(11) and of the reasons for its decision no later than seven (7) days after the conclusion of the meeting at which the Session's decision was made.
- (13) The Session may revoke the membership of members who have been uncontactable for twelve months.
- (14) A decision of the Session to suspend the Member's membership of the Church or to expel the Member as a Member of the Church shall take immediate effect.
- (15) The name of any person removed from the membership roll shall be reported at the next regularly convened congregational meeting and such a person shall also be notified.
- (16) During the period that a Member's membership of the Church is suspended, the Member shall lose all rights, including voting rights, arising as a result of membership of the church.
- (17) When a Member's membership of the Church is suspended, the Secretary shall record in the Register of Members:
  - (a) that the Member's membership of the Church is suspended;
  - (b) the date on which the suspension took or takes effect;
  - (c) the period of the suspension; and
  - (d) when the period of the suspension ends,and, when it has ended, the Secretary shall record in the Register of Members that the suspension of the Member's membership of the Church has been lifted.
- (18) If a person who has been admonished, rebuked, suspended, dismissed from office, excommunicated or otherwise disciplined believes they have been treated unjustly by the



Session, or that the Session has not acted in accordance with this constitution or the BCO, they may appeal to the Presbytery through the Session following BCO 7.4.9.

## PART 5 — GOVERNMENT

### 20 Government

- (1) In the exercise of the government this church will follow scriptural principles:
  - (a) Jesus Christ is the only and ultimate 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 servants who are responsible to him for leading and guarding his people. He does not transfer his authority to his servants. His servants have only derived or ministerial power.
  - (d) These men are described by the equivalent terms 'elder' or 'overseer'.<sup>[1]</sup>In each congregation a number of elders fulfil their ministry in submission to one another.
  - (e) Elders commence their ministry in response to a call by the congregation and are ordained by other elders.
  - (f) Elders may represent their congregation in larger assemblies of Christ's Church.
- (2) The government of this Church shall be conducted in full compliance and accord with the Westminster Presbyterian Church Book of Church Order.

### 21 Session

- (1) As a representative and constitutional democracy, the government of this Church is placed in the hands of the Session:
  - (a) Ruling Elders elected by members, and
  - (b) Teaching Elder(s) called by members, or the moderator established in the absence of a Teaching Elder.

In this way, the chief responsibility for the spiritual affairs of this Church shall be in the hands of Session in accordance with the authority given to it by Christ as it is expressed in the Bible. The Session shall have general oversight of regular services and the administration of the sacraments of this church and shall carry out the ordination and installation of ruling elders and deacons.

- (2) Elders are expected to be in regular attendance at public gatherings of this Church and available for consultation on spiritual matters.

- (3) There shall be no less than three active Elders on Session, including the moderator. This may include an Acting Moderator or Elders appointed by the Presbytery and accepted by the congregation.
- (4) The congregation shall have the power to determine the number of Ruling Elders who shall serve on the Session above those minimum requirements set forth in Rule 21(3).
- (5) Should a position on the Session become vacant for any reason, a meeting of the congregation shall be called to elect a qualified replacement or otherwise accept an elder appointed by Presbytery.

## 22 Ruling Elders

- (1) To be eligible for election to the office of Ruling Elder, the Member shall have been:
  - (a) Nominated by two other Members. A nomination shall be written and contain the signatures of the two nominating Members, an elder, and the nominee himself.
  - (b) Interviewed and endorsed by Session in accordance with BCO 9.3(2).
  - (c) Announced to the congregation as a nominee in a sufficiently public manner such that all regularly attending Members could reasonably be expected to be aware of the nomination.
  - (d) Adequately prepared for service according to BCO 9.3(3).
  - (e) Assessed by Session and two Members of the Presbytery as being suitable according to biblical criteria, including –
    - (i) being a man whose personal life is in conformity with the scriptural pattern for elders (1 Tim 3:1-7; Tit 1:6-9);
    - (ii) having a firm grasp of the Scriptures and being able to teach and defend the faith; and
    - (iii) adhering to the reformed faith as expressed in the Westminster Confession of Faith.
  - (f) The assessment in subrule (e) shall take place no sooner than three months after the nomination date and be conducted in accordance with the requirements set out in the Book of Church Order.
- (2) All elections for the office of Ruling Elder shall be by vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
- (3) Ruling Elders shall be elected for a three-year term of active service on the Session.
- (4) Ruling Elders may be re-elected after every three years of active service subject to the approval of Session and to the vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
- (5) No Ruling Elder shall serve more than two consecutive terms without having taken at least 12 months of leave over the prior six years. Ruling Elders should plan the timing of their leave in consultation with Session.
- (6) While on leave, a Ruling Elder retains his status as 'elder,' but is not active on session.

- (7) The position of Ruling Elder will become vacant if the number of elders falls below that stated in Rule 21(3).
- (8) If the Session lacks adequate numbers, elders may be appointed temporarily from other churches by the Presbytery subject to the vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
- (9) A person ceases to be a Ruling Elder when:
  - (a) the person dies or ceases to be a Member;
  - (b) the person resigns or is removed from the position;
  - (c) the person becomes ineligible to sit on the Session, including for the reason that the congregation has not re-elected them to Session;
  - (d) the person becomes permanently unable because of a mental or physical disability or
  - (e) the person fails to attend three (3) consecutive Session meetings without sending an apology.
- (10) If a person who has ceased to be a Ruling Elder according to Rule 22(9) for whatever reason later desires to serve again as a Ruling Elder, or is nominated again as a Ruling Elder, he must be nominated and assessed according to Rule 22(1). However, the assessment may be carried out sooner than the stipulated three months at the discretion of Session, and he would not be re-ordained.
- (11) Ruling Elders may represent the Members of the congregation not only in the Session, but also in any Presbytery, Synod or Assembly to which he is appointed by the Session.

## 23 Teaching Elders

- (1) The minister (Teaching Elder) shall give evidence of God's calling to the ministry, together with evidence of gifts and abilities suitable to the discharge of this office as prescribed in the Scriptures (1 Timothy 3:1-7; Titus 1:6-9).
- (2) He shall also have satisfactorily completed a course of theological studies at a theological institution acceptable to the membership of this Church and the Presbytery. Provision shall be made for a minister of mature age provided he satisfies the requirements of Presbytery.
- (3) The call of the congregation to the minister shall issue from a General Meeting of the congregation in which three-fourths (3/4) of Members present and voting support the call. The vote shall be taken by secret ballot.
- (4) A Teaching Elder shall be responsible for the regular preaching and the administration of the sacraments in this Church, and for the services of ordination and installation of Elders and Deacons of this Church.
- (5) A Teaching Elder shall be an ex officio member of all committees in connection with this Association. A Teaching Elder shall be responsible to the Session and shall conscientiously perform such other duties as may be directed by Session.
- (6) The Teaching Elder shall serve until he accepts a call elsewhere, resigns, or the congregation requests his resignation in accordance with Rule 23(7).

- (7) If at any time his personal belief, preaching, teaching or living be not in full accord with the doctrine and standards of this Church, it shall be the duty of this congregation to request that his service be terminated as soon as possible.
- (8) A minister shall give at least ninety days' notice of his intention to resign and in the case of a request by the congregation, the minister shall be entitled to receive at least thirty days salary calculated from the day of the request, and any other entitlements due.

## 24 Removal of elders from office

- (1) If at any time the preaching, teaching or living of any Teaching Elder be not in full accord with the doctrine and standard of this Church, it shall be the duty of the congregation to request his services be terminated.
  - (a) Requests to the Presbytery for the dismissal of a Teaching Elder shall be by vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
  - (b) Requests to Session for the dismissal of a Ruling Elder shall be by vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
- (2) The Session will respond to a request for the dismissal of a Ruling Elder by applying Rule 19.

## 25 Moderator

- (1) The Moderator shall be a Teaching Elder, unless approved otherwise by Presbytery.
- (2) If the Session has more than one Teaching Elder, the position of Moderator shall be elected annually by the Session.
- (3) The Moderator has the powers and duties relating to convening and presiding at Session meetings and presiding at General Meetings provided for in these rules.
- (4) It is the duty of the Moderator to consult with the Secretary regarding the business to be conducted at each Session meeting and General Meeting.
- (5) In circumstances where the appointed Moderator is unavailable, a temporary Moderator will be appointed by Session for the period of their unavailability.

## 26 Clerk of Session

- (1) The Session shall annually elect a Clerk of Session from among the Elders, who shall also be the Secretary of this Church.
- (2) The Session may also appoint a recording clerk to assist the Clerk of Session in taking and preparing minutes of meetings.
- (3) The Clerk shall:

- (a) deal with the Church's correspondence;
- (b) maintain full and accurate minutes of all Session Meetings, and General Meetings;
- (c) liaise and consult with the Moderator concerning the business to be conducted at each Session meeting and at each General Meeting;
- (d) prepare the notices required for meetings and for the business to be conducted at those meetings;
- (e) maintain an up-to-date copy of the Church's Constitution;
- (f) maintain and keep up-to-date the Church's Register of Members;
- (g) maintain and keep up-to-date the Church's Register of persons authorised to act on behalf of the Church, together with their respective nominated personal, business, or e-mail addresses;
- (h) ensure the safe custody of the Church's Books and Records, and of the Church's Common Seal if the Church has resolved to have one; and
- (i) perform such other duties and functions as are imposed on the Secretary by the Act, the Regulations, any other law, and by this Constitution.

## 27 Session meetings

- (1) The Session shall meet monthly with at least 48 hours' notice prior to the meeting, with exceptions as the Session may approve. Special meetings of Session may be called at any time with at least 48 hours' notice by the Moderator, or by the Clerk of Session upon the written request of one third (1/3) of the Ruling Elders on Session.
- (2) A quorum for a meeting of Session shall be the Moderator and two Ruling Elders, or one Ruling Elder if there be less than four Ruling Elders on the Session.
- (3) During the passing of a motion each elder present at the Session meeting has one vote. In the event of a tie the vote will be recorded as a failed vote.
- (4) At each Session meeting the minutes to be taken requires the following to be recorded:
  - (a) the names of the elders present at the meeting;
  - (b) the name of any person attending the meeting by invitation;
  - (c) the business considered at the meeting; and
  - (d) any motion on which a vote is taken at the meeting, and the result of the vote.

## 28 Use of technology to be present at Session meetings

- (1) The presence of a Session member at a Session meeting need not be by attendance in person but may be by that Session member and each other Session member at the meeting

being simultaneously in contact by telephone or other means of instantaneous communication.

- (2) A Session member who participates in a Session meeting as allowed under Rule 28(1) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

## 29 Authority to call meetings

- (1) The Session shall have the authority to call Special General Meetings for stated purposes. Any such meeting shall be called in accordance with Rule 43.

## 30 Validity of acts

- (1) The acts of a Session, or of a Session member, are valid despite any defect that may afterwards be discovered in the election, appointment or qualification of a Session member.

## 31 Diaconate

- (1) The Diaconate shall consist of the Deacons elected by the congregation.
- (2) The Diaconate will be accountable to Session.
- (3) The congregation shall have the power to determine the number of deacons who serve on the Diaconate.
- (4) The Diaconate shall be responsible for the provision of:
  - (a) assistance to those of the congregation in financial need;
  - (b) visitation of the sick;
  - (c) elements for Communion (also known as the Lord's Supper);
  - (d) care of the physical needs concurrent with the worship services; and
  - (e) other administrative and charitable duties as may be encouraged by the Session and the congregation.

## 32 Deacons

- (1) To be eligible for election to the office of Deacon, the Member shall have been:
  - (a) nominated by two other Members. A nomination shall be written and contain the signatures of the two nominating Members, an elder, and the nominee himself.
  - (b) Interviewed and endorsed by Session in accordance with BCO 9.4(2).

- (c) Announced to the congregation as a nominee in a sufficiently public manner such that all regularly attending members could reasonably be expected to be aware of the nomination.
  - (d) Adequately prepared for service according to BCO 9.4(3).
  - (e) Assessed by Session as being suitable according to biblical criteria, including –
    - (i) being a man whose personal life is in conformity with the scriptural pattern for deacons (1 Tim 3:8-12);
    - (ii) thoroughly understanding his work as deacon; and
    - (iii) understanding and approving the doctrines of Scripture as expressed in the Westminster Confession of Faith.
  - (f) The assessment in subrule (e) shall take place no sooner than three months after the nomination date and be conducted in accordance with the requirements set out in the Book of Church Order.
- (2) All elections for the office of Deacon shall be by vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
  - (3) The term of office for a Deacon on the Active Diaconate shall be three years.
  - (4) A Deacon may be re-elected after every three years of active service subject to the approval of Session and to the vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
  - (5) No Deacon shall serve more than two consecutive terms without having taken at least 12 months of leave over the prior six years. Deacons should plan the timing of their leave in consultation with the Diaconate and Session.
  - (6) While on leave, a Deacon shall retain his status as 'deacon,' but is not active on the Diaconate.
  - (7) The position of Deacon will become vacant if the congregation decides that the number of active deacons is inadequate to meeting the Church's needs.
  - (8) Should a place on the Diaconate become vacant for any reason, a meeting of the congregation shall be called to elect a qualified replacement, if available.
  - (9) A person will cease to be a Deacon if:
    - (a) the person dies or ceases to be a member;
    - (b) the person resigns or is removed from the position;
    - (c) the person becomes ineligible to be a member of the Diaconate, including failure to be re-elected to active service according to Rule 32(4);
    - (d) the person becomes permanently unable because of a mental or physical disability; or
    - (e) the person fails to attend three (3) consecutive Diaconate meetings without sending an apology.

- (10) If a person who has ceased to be a Deacon according to Rule 32(9) for whatever reason, later desires to serve again as a Deacon, or is nominated again as a Deacon, he must be nominated and assessed according to Rule 32(1). However, the assessment may be carried out sooner than the stipulated three months at the discretion of the Session, and he would not be re-ordained.
- (11) Deacons are expected to be in regular attendance at public gatherings of this Church and available for consultation.

### 33 Removal of deacons from office

- (1) Requests to Session for the dismissal of a Deacon shall be by vote of three-fourths (3/4) of Members present and voting at a General Meeting, said vote to be expressed by secret ballot.
- (2) The Session will respond to a request for the dismissal of a Deacon by applying Rule 19.

### 34 Diaconate meetings

- (12) The Diaconate shall hold regular meetings at least once every three months. Meetings shall be moderated by a Teaching Elder appointed by Session.
- (13) Special meetings may be called at any time by the Session, by the moderator of the Diaconate with the approval of one third (1/3) of the Deacons on the Diaconate, or upon written request of one third (1/3) of the Deacons serving on the Diaconate.
- (14) A quorum for a meeting of the Diaconate shall be the moderator and two Deacons, or one Deacon if there be less than four Deacons on the Diaconate.
- (15) If the moderator calls for a vote, each deacon present at the meeting will have one vote. In the event of a tie, the moderator will cast the deciding vote.

### 35 Use of technology to be present at Diaconate meetings

- (1) The presence of a Deacon at a Diaconate meeting need not be by attendance in person but may be by that Deacon and each other Deacon at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.
- (2) A member who participates in a Diaconate meeting as allowed under Rule 35(1) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

### 36 Treasurer

- (1) The Treasurer shall be elected annually by vote of three-fourths (3/4) of Members present and voting at a General Meeting.



- (2) He or she shall be a Member of this Church but shall not be a Member of Session.
- (3) The Treasurer shall be responsible to keep records of receipts and expenditures.
- (4) The Treasurer shall:
  - (a) ensure that all amounts that are payable to the Church are collected and that receipts are expeditiously issued for those amounts in the Church's name;
  - (b) ensure that all amounts paid to the Church are credited to the appropriate account of the Church, as directed by the Session;
  - (c) ensure that all payments that are to be made by the Church have been properly authorised by the Session, or by a General Meeting, and that they are made expeditiously and on time;
  - (d) ensure that the Church complies with the relevant accounting requirements of Part 5 of the Act;
  - (e) prepare or ensure that all relevant and necessary Financial Statements and other Reports of the Church are prepared and distributed on time to their intended recipients, including Statements of Income and Expenditure, Balance Sheet, Statement of Source and Application of Funds, Bank Reconciliation Statements, Lists of Creditors and Debtors, Statements of Cash at Bank and on Hand, and Financial Reports to the Committee and to the members at Annual General Meetings;
  - (f) ensure that the Church conducts its financial affairs as required by the Act, the Regulations, any other law, and by this Constitution;
  - (g) assist the Reviewer or Auditor (if any) in performing their respective functions; and perform such other duties and functions as are imposed on the Treasurer by the Act, the Regulations, any other law, and by this Constitution.

## **PART 6 — GENERAL MEETINGS**

### **37 General Meetings**

- (1) There shall be one Annual General Meeting of the Association held in August of each year.
- (2) Additional (Special) General Meetings may also be called at request of the Voting Members as described in Rule 43, or by the Session as is provided in Rule 29 of this Constitution.
- (3) The ordinary business of the Annual General Meeting is as follows —
  - (a) to confirm the minutes of the previous Annual General Meeting and of any Special General Meeting held since then if the minutes of that meeting have not yet been confirmed;
  - (b) to receive and consider-
    - (i) the Session's annual report on the Church's activities during the preceding financial year; and



- (ii) the reports of various ministries within the Church; and
  - (iii) the financial statements or the financial report of the Church for the preceding financial year; and
  - (iv) a copy of the report of the review or auditor's report on the financial statements or financial report (if applicable);
- (c) to elect Elders or Deacons, if applicable, of the Church;
  - (d) if applicable, to appoint or remove a reviewer or an auditor of the Church;
  - (e) any other business of which notice has been given in accordance with these rules;
  - (f) Moderator adjourns the meeting.

### 38 Notice of general meetings

- (1) Notice of each meeting shall be given not later than twenty-one (21) days before the date of the meeting.
- (2) Notice shall include at least
  - (a) the time,
  - (b) place, and
  - (c) purpose(s) of the meeting.
- (3) Notice shall be provided both:
  - (a) in the church service(s) on each Sunday preceding the meeting;
  - (b) as a written notice either delivered by hand, sent by post or sent electronically.
- (4) Written notice must include details of each item of business to be considered at the meeting.

### 39 Proxies and absentee votes

- (1) There shall be no voting by proxy.
- (2) Bona fide absentee votes by members will be accepted subject to the approval of Session.

## 40 Presiding member and quorum for general meetings

- (1) The quorum for a General Meeting shall be one third (1/3) of the voting membership (excluding suspended members) of this Church.
- (2) Should the moderator be unable to preside at any General Meeting, a temporary moderator shall be chosen by the Session.
- (3) The Clerk or Secretary of this Church, or recording clerk as per Rule 26 (2), shall take minutes for the meeting.

## 41 Adjournment of general meeting

- (1) The chairperson of a General Meeting at which a quorum is present may, with the consent of a majority of the Voting Members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- (2) Without limiting sub rule (1), a meeting may be adjourned —
  - (a) if there is insufficient time to deal with the business at hand; or
  - (b) to give the members more time to consider an item of business.
- (3) No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- (4) Notice of the adjournment of a meeting under this rule is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with Rule 38.

## 42 Voting at general meetings

- (1) Unless otherwise specified in this document, decisions in the items of business shall pass by a vote of a majority of Members present and voting, said vote to be expressed by show of hands.
- (2) Every Voting Member has full voting rights as referred to in Rule 9.
- (3) No suspended Member may vote in any General Meeting during his or her period of suspension.
- (4) A Voting Member who has not attended morning worship services for a significant period of time – that time being judged by the Session – for the six months prior to the meeting shall be ineligible to vote at any regular or special meeting of the Church. This provision shall not apply to any Member who has sought and been granted leave of absence by the Session.

## 43 Special general meetings

- (1) The Session may convene a Special General Meeting.

- (2) Any such meeting shall be called upon notice given to the Members in accordance with Rule 38.
- (3) The Session must convene a Special General Meeting if at least ten Voting Members or ten percent (10%) of Voting Members, whichever is greater, require a Special General Meeting to be convened.
- (4) The Voting Members requiring a Special General Meeting to be convened must —
  - (a) make the requirement by written notice given to the Secretary; and
  - (b) state in the notice the business to be considered at the meeting; and
  - (c) each sign the notice.
- (5) The special general meeting must be convened within 28 days after notice is given under Rule 43(4).
- (6) If the Session does not convene a special general meeting within that 28 day period, the Voting Members making the requirement (or any of them) may convene the special general meeting.
- (7) A special general meeting convened by members under Rule 43(6) may only consider the business stated in the notice by which the requirement was made.
- (8) The Association must reimburse any reasonable expenses incurred by the Voting Members convening a special general meeting under Rule 43(6)

## **PART 7 — FINANCIAL MATTERS**

### **44 Finance**

- (1) The income and property of this Church, however derived, shall be applied:
  - (a) solely toward promotion of the objects of this Church as herein set forth and
  - (b) no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonuses or otherwise howsoever by any way of profit to any member of this Church.
  - (c) A Session member is entitled to be paid out of the funds of the Association for any out-of-pocket expenses for travel and accommodation properly incurred —
    - (i) in attending a Session meeting;
    - (ii) in attending a general meeting;
    - (iii) otherwise in connection with the Churches business.
- (2) The financial year of this Church shall end on the thirtieth day of June each year.
- (3) Bank account signatories shall be four persons designated by Session from any of the following categories:

- (a) Treasurer;
  - (b) Elders and/or Deacons of this Church; and/or
  - (c) Members of this Church elected for this purpose by vote of three-fourths (3/4) of members present and voting at a general meeting, said vote to be expressed by secret ballot.
  - (d) Non-member agents appointed by Session and acting in a professional capacity in roles such as bookkeepers, accountants, etc.
- (4) At least two signatories shall sign. The Clerk of Session shall notify the bank of any change in signatories.
- (5) Any budget item with a value equal to, or exceeding, \$20,000 per financial year shall be approved by congregational vote. The approval shall be by vote of three-fourths (3/4) of members present and voting at a general meeting, said vote to be expressed by secret ballot.
- (6) The funds of the Church shall be derived from donations, fund-raising activities, grants, and interest earned, and from any other source approved by the Session.
- (7) The Church shall open an account in the name of CrossWords Church Inc. with a financial institution determined by the Session, from which all expenditure of the Church shall be made, and into which all funds received by the Church shall be deposited.
- (8) Subject to any restrictions imposed at a General Meeting, the Session shall approve expenditure on behalf of the Church.
- (9) With the prior authorisation of the Session, the Treasurer may spend the Churches funds (on behalf of the Church) up to a predetermined and specified limit, without being required to seek the Session prior approval in respect of each item for which the funds are to be expended.
- (10) The church will not provide a loan or lend money to any person. This includes both church members, and members of the public.
- (11) All funds received by the Church shall be deposited into the Churches account or one of the Churches accounts no later than ten (10) working days following the date of their receipt.
- (12) In respect of each Financial Year, the Session shall ensure that the requirements imposed on the Church under Part 5 of the Act that relate to the Financial Statements or Financial Report of the Church are met, including:
- (a) if required, the Review or Audit of the Financial Statements or Financial Report, as applicable; and
  - (b) the presentation to the Annual General Meeting of the Financial Statements or Financial Report, as applicable; and
  - (c) if required, the presentation to the Annual General Meeting of a copy of the Report of the Review or Auditor's Report, as applicable, on the Financial Statements or Financial Report, as applicable.
- (13) The Financial Records of the Church shall be retained for not less than seven (7) years after the transactions that are covered by or relate to those records have been completed.

## PART 8 — GENERAL MATTERS

### 45 Common Seal

- (1) If the Church has a common seal, it shall be in the custody of three seal holders appointed by Session.
- (2) It is not necessary to use the common seal on contracts executed by this Church, unless otherwise resolved by Session regarding particular contracts.
- (3) If Session resolves to use the common seal on a contract, the common seal shall be affixed to the contract by at least two of the seal holders, who shall countersign thereon.

### 46 Amalgamations

- (1) This Church shall have power:
  - (a) to establish and to regulate and discontinue the same; and
  - (b) by special resolution carried by a three-fourths (3/4) majority and with such notices and sanctions as are hereinafter provided for in the case of amendments to this Constitution (Rule 48),
  - (c) to amalgamate or unite this Church with any other church or churches or religious body having an object in whole or part the same as the object of this Church and
  - (d) having a doctrinal standard in harmony with that contained in Rule 4 hereof, and with regard for the ethos with which this Church has been established, namely that the local congregation has ownership and control over its assets.

### 47 Dissolution

- (1) If upon dissolution of this Church there remains after satisfaction of all debts and liabilities any property whatsoever:
  - (a) shall not be paid or distributed among the members or former members,
  - (b) but shall be given or transferred to the local Presbytery of Westminster Presbyterian Church provided that the Presbytery is an incorporated association under the Associations Incorporation Act that has similar objects to those of this Church.
- (2) If Presbytery is ineligible, the property shall be transferred instead to another association incorporated under the Act that has similar objects to those of this Church, and which association shall be determined by resolution of the members.

## 48 Alteration of Rules

- (1) If the Association wants to alter or rescind any of these rules, or to make additional rules, the Association may do so only by special resolution approved at a members meeting of which 28 days written notice has been given.
- (2) The Association must lodge with the Commissioner, within one month, the notice of the special resolution setting out the particulars of the alteration together with a certificate given by the Clerk of Session certifying that the resolution was duly passed as a special resolution and that the rules so altered conform to the requirements of the Act.
- (3) The Alteration to the rules of the Association does not take effect until the approval of the Commissioner is given.
- (4) This Constitution may be amended by:
  - (a) a three-fourths (3/4) majority of the members present
  - (b) voting at any regular or special general meeting,
  - (c) vote to be expressed by secret ballot,
  - (d) provided the proposed amendment has been read to the congregation or presented in such a form that each member may read it,
  - (e) Presented at each regular church service for each of the four Sundays immediately preceding such a meeting.

### DOCUMENT HISTORY

[As Amended April 30, 1986 (Article 7:8 added): May 2, 2001 (Article 6:2.4 amended):<sup>SEP</sup>April 20, 2016: (Article 1 Amended): June 17, 2018 (Grievance requirements amended); April 21 2024 (substantial revision)]