

Maffra Community Church Incorporated

A0094870I

ABN: 88 288 219 539

THE CONSTITUTION  
OF  
MAFFRA COMMUNITY CHURCH INCORPORATED

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Associations Incorporation Reform Act 2012

RULES

for

MAFFRA COMMUNITY CHURCH INCORPORATED

1 Name

The name of the incorporated association is "Maffra Community Church Incorporated" hereafter known as Maffra Community Church.

2 Purpose

The purpose of the Maffra Community Church is to proclaim the Glory of God in Christ.

3 Goal

The overarching goal is to present Christ to all, and all mature in Christ.

In order to achieve this, the distinguishing feature of Maffra Community Church is that we are an Evangelical Church with a strong expository teaching ministry that God's people might be equipped to serve, live and proclaim the Lord Jesus and His Gospel. This prominence of a Christ-centred Bible teaching emphasis permeates all the ministries of the Church.

4 Interpretation

In these rules:

the Act means the Associations Incorporation Reform Act 2012 and includes any regulations made under that Act.

5 Doctrinal Statement

The Doctrinal Statement is detailed in the document Maffra Community Church: Doctrinal Statement.

6 Church Government

Jesus Christ alone is the ruler of His Church and the source of its authority.

- (1) The leadership structure of Maffra Community Church is that of Pastor, Elders and Deacons.
  - (a) The Pastor and Elders are responsible for the Doctrinal and Pastoral oversight of Maffra Community Church.
  - (b) The Deacons provide practical and administrative support.
- (2) Decision making in Maffra Community Church is by representative Eldership with an emphasis on consensus through discussion and deliberation.
- (3) Issues requiring congregational input are communicated clearly and time allowed for feedback to the Administration Committee. Decisions are made after considering all relevant information.
- (4) When necessary, issues will be brought to a general meeting of Maffra Community Church for consideration.

7 Administration Committee

The Administration Committee consists of:

- (1) the Pastor,
- (2) the Elders,
- (3) the Deacons.

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### 8 Responsibilities of the Administration Committee

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

- (1) is authorised and has responsibility to determine and administer the financial affairs of Maffra Community Church, including the setting of an annual budget;
- (2) is authorised and has responsibility to manage the assets of Maffra Community Church;
- (3) is authorised and has responsibility to perform all such acts and do all such things not elsewhere regulated by these rules as appear to the Administration Committee to be necessary or desirable for the proper management of the affairs of Maffra Community Church.

### 9 Administration Committee meetings

- (1) Members may raise issues to be addressed by the Administration Committee at any time. Such advice may be by personal contact, email or in writing.
- (2) The Administration Committee is to meet regularly, not less than four times a year.

### 10 Quorum at Administration Committee meetings

The quorum for an Administration Committee meeting shall be at least half of the Elders and Deacons, one of which shall be an Elder.

### 11 Chairing of Administration Committee meetings

The Pastor or, in the Pastor's absence, an Elder is to chair the Administration Committee meetings.

### 12 Minutes of Administration Committee meetings

- (1) A member of the Administration Committee must ensure that minutes are taken and kept of each Administration Committee meeting.
- (2) The minutes must record the business considered at the meeting and any resolutions made.

### 13 Requirements for appointment as a Pastor

The Pastor will be a person who meets the requirements as defined in the Maffra Community Church Position Description: Pastor.

### 14 Appointment of a Pastor

- (1) A Pastoral Selection Committee:
  - (a) is formed as the need arises,
  - (b) is composed of members appointed by the Administration Committee,
  - (c) considers candidates,
  - (d) brings a recommendation to the Maffra Community Church.
  - (e) The Pastoral Selection Committee will disband upon the appointment of the Pastor.
- (2) The Pastor will be appointed by special resolution of a general meeting of Maffra Community Church.
- (3) Upon appointment the Pastor is an Elder.

### 15 Duties of the Pastor

As defined in the Maffra Community Church Position Description: Pastor.

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16 Resignation or removal of the Pastor

(1) The Pastor of Maffra Community Church will serve until:

- (a) acceptance of a call elsewhere; or
- (b) resignation in accordance with the Terms and Conditions of the Position Description: Pastor; or
- (c) if at any time the Pastor's personal belief, preaching, teaching or living are not in accord with the Purpose, Goal and Doctrinal Statement of Maffra Community Church:
  - (i) The Elders have the responsibility to raise the issue with the Pastor in accordance with Rule 38.
  - (ii) If the issue remains uncorrected, the Elders in consultation with the Administration Committee may terminate his employment.

(2) When the employment of the Pastor of Maffra Community Church is terminated, he will receive his legal entitlements under the Employment and Industrial Relations Act.

17 Requirements for appointment as an Elder

An Elder is a person meeting the requirements as described in Maffra Community Church Position Description: Elder.

18 Appointment of an Elder

(1) An Elder will be appointed by the current Elders.

- (a) A member of Maffra Community Church may be approached by the Elders to consider serving as an Elder, or
- (b) A member of Maffra Community Church may be recommended to the Elders for consideration as an Elder.

(2) After consultation with the person involved, the person's name may be put forward by the Elders to Maffra Community Church. After at least two weeks, unless there are grounds for reconsideration, the person will be appointed.

(3) An Elder may be appointed at any time and as the need arises.

19 Duties of an Elder

As defined in the Maffra Community Church Position Description: Elder.

20 Term of office of an Elder

- (1) An Elder will be appointed for a period of three years. Upon completion of their term of office, the Elder may be re-appointed for another three years.
- (2) The recommendation is that Elders who have served six years consecutively have a one year sabbatical.

21 Resignation or removal of an Elder

An Elder of Maffra Community Church will serve until:

- (1) resignation, or
- (2) if at any time his personal belief, preaching, teaching or living are not in accord with the Purpose, Goal and Doctrinal Statement of Maffra Community Church.
  - (a) The Elders have the responsibility to raise the issue with the Elder in accordance with Rule 38.
  - (b) If the issue remains uncorrected, the Elders in consultation with the Administration Committee may terminate the Elder's membership.

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22 Elders' meetings

- (1) Members may raise issues to be addressed by the Elders at any time. Such advice may be by personal contact, email or in writing.
- (2) The Elders are to meet regularly, not less than four times a year.

23 Chairing of Elders' meetings

The Pastor or, in the Pastor's absence, an Elder is to chair the Elders' meetings.

24 Minutes of Elders' meetings

- (1) An Elder must ensure that minutes are taken and kept of each Elders' meeting.
- (2) The minutes must record the business considered at the meeting and any resolutions made.

25 Requirements for appointment as a Deacon

A Deacon is a person meeting the requirements as described in Maffra Community Church Position Description: Deacon.

26 Appointment of a Deacon

- (1) A Deacon will be appointed by the current Elders.
  - (a) A member of Maffra Community Church may be approached by the Elders to consider serving as a Deacon; or
  - (b) A member of Maffra Community Church may be recommended to the Elders for consideration as a Deacon.
- (2) After consultation with the person involved, the person's name may be put forward by the Elders to Maffra Community Church. After at least two weeks, unless there are grounds for reconsideration, the person will be appointed.
- (3) A Deacon may be appointed at any time and as the need arises.

27 Duties of a Deacon

As defined in the Maffra Community Church Position Description: Deacon.

28 Term of office of a Deacon

- (1) A Deacon will be appointed for a period of a three years. Upon completion of their term of office, the Deacon may be re-appointed for another three years;
- (2) The recommendation is that Deacons who have served six years consecutively have a one year sabbatical.

29 Resignation or removal of a Deacon

A Deacon of Maffra Community Church will serve until:

- (1) resignation, or
- (2) if at any time their personal belief or living is not in accord with the Purpose, Goal and Doctrinal Statement of Maffra Community Church.
  - (a) The Elders have the responsibility to raise the issue with the Deacon in accordance with Rule 38.
  - (b) If the issue remains uncorrected, the Elders in consultation with the Administration Committee may terminate the Deacon's membership.

30 Membership

Any person being 18 years of age or older who supports the Purpose, Goal and Doctrinal Statement of Maffra Community Church is eligible to be a member.

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### 31 Membership application

A request is to be made to the Administration Committee to become a member of Maffra Community Church. The applicant must:

- (1) have made their own free decision to commit themselves to Christ and to the church;
- (2) have made a public profession of faith in our Lord Jesus Christ;
- (3) be living a life consistent with their profession of faith;
- (4) have attended Maffra Community Church for a period of not less than three months;
- (5) agree to support the Purpose, Goal and Doctrinal Statement of Maffra Community Church;
- (6) agree in writing to comply with these Rules.

### 32 Membership application process

- (1) As soon as practicable after an application for membership is made, the applicant will be provided with the following information:
  - (a) the key biblical doctrines of Maffra Community Church;
  - (b) Maffra Community Church's constitution.
- (2) A member of the Administration Committee will meet with the applicant to discuss any issues that may need to be addressed.
- (3) After meeting with the applicant, the Administration Committee will consider whether to accept or reject the application, and will notify the applicant of its decision as soon as practicable.
- (4) If an initial application is rejected, further discussion will be undertaken with the applicant to clarify and address the issues deemed unsatisfactory for acceptance into membership.

### 33 Membership fees

There are no joining or annual fees.

### 34 Member's rights and responsibilities

- (1) A person becomes a member of Maffra Community Church and can exercise the rights and responsibilities of membership from the date on which the Administration Committee approves their membership.
- (2) A member of Maffra Community Church:
  - (a) may submit items of business for consideration at an Administration Committee or general meeting;
  - (b) may receive notice of general meetings and of proposed special resolutions in the manner and time prescribed by these Rules;
  - (c) may attend and be heard at general meetings;
  - (d) may vote at any meetings of Maffra Community Church;
  - (e) may have access to the minutes of general meetings and the financial records of Maffra Community Church;
  - (f) has responsibility to be generous with their time, gifts and talents and material possessions reflecting a true grasp of the Gospel and all of its implications.

### 35 Cessation of membership

- (1) The rights and responsibilities of a member are not transferable and terminate on cessation of membership.
- (2) The membership of a person ceases:
  - (a) on resignation; or

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- (b) on termination of a person's membership by the Elders in consultation with the Administration Committee; or
  - (c) on the relocation of a member after negotiation with the member; or
  - (d) death.
- (3) A member may resign by advising the Administration Committee of their intention. The date of resignation is taken to be the date of the advice to the Administration Committee.

### 36 Register of Members

- (1) The Secretary must keep and maintain a Register of Members that includes:
- (a) for each current member:
    - (i) the member's name;
    - (ii) the address for notice last given by the member;
    - (iii) the date of becoming a member;
    - (iv) any other information determined by the Administration Committee;
  - (b) for each former member, the date of ceasing to be a member.
- (2) Any member may enquire about the names and numbers of members on the Register of Members.
- (3) The Administration Committee may withhold information about a member if the Administration Committee have reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

### 37 Grounds for taking disciplinary action

The Elders or the Administration Committee may take disciplinary action against a member if it is determined that the member:

- (1) refuses to support the Purpose of Maffra Community Church; or
- (2) refuses to support the Goal of Maffra Community Church; or
- (3) does not agree with the Doctrinal Statement of Maffra Community Church; or
- (4) has failed to comply with these Rules; or
- (5) has engaged in conduct prejudicial to Maffra Community Church.

### 38 Disciplinary process

- (1) The purpose of the disciplinary process is to restore the relationship between the member and Maffra Community Church fellowship.
- (2) If the Elders or the Administration Committee determine that there are sufficient grounds for taking disciplinary action against a member, the matter must be dealt with in a timely and impartial manner. A disciplinary issue will be raised with the member concerned and the member will be given sufficient time to address the issue.
- (3) If the issue is corrected by the member concerned, they are welcome to remain in fellowship.
- (4) If the issue is not resolved by the member concerned, the Elders in consultation with the Administration Committee may decide to terminate membership.

### 39 Appeal rights

A member who has been removed from Maffra Community Church for disciplinary purposes has no right of appeal against their removal under the Rule 38.

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### 40 Grievance process

- (1) The grievance process applies to disputes between:
  - (a) a member and another member; or
  - (b) a member and the Administration Committee; or
  - (c) a member and Maffra Community Church.
- (2) A member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary process until the disciplinary process has been completed.
- (3) The parties to a dispute should attempt to resolve the dispute between themselves.
- (4) If the issue remains unresolved, the issue may be brought to the attention of the Administration Committee.
- (5) The Administration Committee will assist the parties to resolve the dispute.
- (6) If the Administration Committee is unable to assist the parties to resolve the dispute, the assistance of independent people known for their maturity of faith and Christian character may be sought.

### 41 General meetings

The Administration Committee may convene a general meeting whenever the need arises.

### 42 Annual General Meeting

- (1) The Administration Committee will determine the date, time and place of the Annual General Meeting.
- (2) The ordinary business of the Annual General Meeting is to:
  - (a) confirm the minutes of the previous Annual General Meeting;
  - (b) receive and consider:
    - (i) reports on the activities of Maffra Community Church during the preceding year;
    - (ii) the financial statements of Maffra Community Church for the preceding year submitted by the Administration Committee in accordance with Part 7 of the Act;
  - (c) approve the annual budget of Maffra Community Church;
  - (d) conduct any other business of which notice has been given in accordance with these Rules.

### 43 Notice of general meetings

- (1) A notice must be announced for at least two consecutive Sundays immediately preceding the meeting.
- (2) A notice must appear for at least two consecutive weeks in Maffra Community Church's Bulletin immediately preceding the meeting.
- (3) A notice of all meetings must state the date, time, place and business to be conducted at that meeting.

### 44 Quorum at general meetings

- (1) No business may be conducted at a general meeting unless a quorum of members is present.
- (2) The quorum for a general meeting is the presence, physically or as allowed under the Rule 45, of 20 percent of the members.
- (3) If a quorum is not present within 30 minutes after the notified commencement time of a general meeting:



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- (a) the meeting must be adjourned to a date not more than 21 days after the adjournment;
    - (b) notice of the date, time and place to which the meeting is adjourned must be given at the meeting;
    - (c) confirmation of the date, time and place of the adjourned meeting must be advised to all members of Maffra Community Church.
  - (4) If a quorum is not present within 30 minutes after the time set for the adjourned general meeting, the business of the adjourned general meeting will be deferred to the Administration Committee for resolution.
- 45 Use of technology
- (1) A member not physically present at a general meeting may be permitted to participate in the meeting by the use of technology that allows that member and the members present at the meeting to clearly and simultaneously communicate with each other.
  - (2) A member participating in a general meeting as permitted under Sub-rule (1) is taken to be present at the meeting and, if the member is eligible to vote at the meeting, is taken to have voted in person.
- 46 Chairing of general meetings
- (1) The Pastor or, in the Pastor's absence, an Elder is to chair any general meetings.
  - (2) If the Pastor and Elders are absent, or are unable to preside, the meeting must be chaired by a member of the Administration Committee elected by the members present.
- 47 Voting at general meetings
- (1) Confirmation of the minutes of a previous meeting can only be done by members who were present at that meeting.
  - (2) On any question arising at a general meeting:
    - (a) each member has one vote,
    - (b) members must vote personally.
  - (3) Voting may be conducted by those members present by:
    - (a) a show of hands, or
    - (b) if requested by any member, a secret ballot.
  - (4) Votes are decided by:
    - (a) the required majority for a special resolution, or
    - (b) the required majority as determined by the Administration Committee.
  - (5) On the basis of the vote, the resolution will be declared as:
    - (a) carried, or
    - (b) lost.
    - (c) An entry to that effect in the minutes of the meeting is conclusive proof of that fact.
- 48 Proxy voting
- No proxy voting is permitted.
- 49 Minutes of general meetings
- (1) The Secretary must ensure that minutes are taken and kept of each general meeting.
  - (2) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

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- (3) In addition, the minutes of each Annual General Meeting must include:
  - (a) the names of the members attending the meeting;
  - (b) the financial statements submitted to the members;
  - (c) the certificate signed by two Administration Committee members certifying that the financial statements give a true and fair view of the financial position and performance of Maffra Community Church;
  - (d) any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

50 Adjournment of general meetings

- (1) The Chairman of a general meeting at which a quorum is present may, with the consent of a majority of 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 the Rule 43.

51 Special resolutions

- (1) A special resolution is passed if not less than 75 percent of the members present support the resolution.
- (2) The vote on a special resolution issue will be by secret ballot. Scrutineers will be appointed from those attending the meeting.
- (3) Special resolutions are required:
  - (a) to appoint a Pastor;
  - (b) to alter these Rules, including changing the purpose, goal or name of Maffra Community Church.
- (4) The need for a special resolution will be determined by the Administration Committee.

52 Secretary

- (1) The Secretary will be a member of the Administration Committee appointed to the position.
- (2) The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
- (3) The Secretary must maintain the Register of Members.

53 Treasurer

- (1) The Treasurer will be a member of the Administration Committee appointed to the position.
- (2) The Treasurer must:
  - (a) receive all monies paid to or received by Maffra Community Church and issue receipts for those monies in the name of Maffra Community Church;
  - (b) ensure that all monies received are paid into the account of Maffra Community Church;

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- (c) make any payment authorised by the Administration Committee or by a general meeting of Maffra Community Church from Maffra Community Church's funds;
- (d) make any authorised payment in accordance with Maffra Community Church procedures.

(3) The Treasurer must:

- (a) ensure that the financial records of Maffra Community Church are kept in accordance with the Act;
- (b) coordinate the preparation of the financial statements of Maffra Community Church and their certification by the Administration Committee prior to their submission to the Annual General Meeting of Maffra Community Church.

(4) The Treasurer must ensure that at least one other Administration Committee member is signatory to the accounts of Maffra Community Church.

54 Custody and inspection of books and records

(1) Members may request to inspect the records of Maffra Community Church however compiled, recorded or stored, that relate to:

- (a) the minutes of general meetings;
- (b) the financial records;
- (c) incorporation and management;
- (d) transactions, dealings, business or property.

(2) The Administration Committee may refuse to permit a member to inspect records of Maffra Community Church that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of Maffra Community Church.

(3) The Administration Committee must on request make copies of these Rules available to members and applicants for membership free of charge.

55 Winding up and cancellation

(1) Maffra Community Church may be wound up voluntarily by special resolution.

(2) In the event of the winding up or the cancellation of the incorporation of Maffra Community Church, the surplus assets of Maffra Community Church must not be distributed to any members or former members of Maffra Community Church.

(3) Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to Maffra Community Church and which is not carried on for the profit or gain of its individual members.

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

56 Alteration of Rules

These Rules may only be altered by a special resolution of a general meeting of Maffra Community Church.