# **CONSTITUTION**

OF

# **UNITED CHURCH HERMANUS**

As approved at the Special Meeting held on

# **CONSTITUTION**

# **TABLE OF CONTENTS**

History	y, Purpose and Objectives	
C1.	Name and short history	
C2.	Establishment and Objects	
	C2.1 Establishment	4
	C2.2 Objects	
C3.	Purpose and Mission	
C4	Statement of Faith by members	
C5.	Membership and Meetings	
C6.	Elders	
<b>C7.</b>	The Pastorate	
C8.	Management of the Church	
C9.	Amendments to the Constitution	5
C10.	Dissolution	6
Regula	tions	7
R1.	Definitions and Interpretations	
114.	R1.1 Definitions	
	R1.2 Interpretation.	
R2.	Membership (See C5 of the Constitution)	
114.	R2.1 Application for Membership	
	R2.2. Termination of Membership	
	R2.3 Meetings of Members	
R3.	Elders (See C6 of the Constitution)	
113.	R3.1. The Elders shall serve and be answerable to the Members	
	R3.2 Composition of the Eldership	
	R3.3 The Role of Elders	
	R3.4 Election of Elders	
	R3.5. Period of office	
	R3.6 Re-election	
	R3.7 Termination of office as Elders	
R4.	The Pastorate (See C7 of the Constitution)	
11-7.	R4.1 The Pastors shall be responsible for:	
	R4.2 Appointment	
	R4.3 Retirement	
	R4.4 Temporary Continuing Service	
R5.	Management of the Church (See C8 of the Constitution)	
113.	R5.1 Members of the Board of Management	
	R5.2 Powers and Responsibilities of the Board	
	R5.3 Church Officers and Trustees	
	R5.4. Immovable Property	
	R5.5 Finance	
R6.	Ministries	
ĸσ.	R6.1 Definition	
	R6.3 Accountability	
R7.	Policies and Operating Procedures	
R/.	rollcies and Operacing Procedures	I <i>1</i>

# **CONSTITUTION**

	R7.1	Responsibility of the Board	17
R8.	Disso	lution (See C10 of the Constitution)	17
	R8.1	Motion for the dissolution	17
ANN	IEXUR	RE A	18
MFN	/IRFRSH	ΙΙΡ ΔΡΡΙ ΙζΔΤΙΩΝ	18

# **CONSTITUTION**

# **History, Purpose and Objectives**

# C1. Name and short history

The name of the Church shall be **United Church Hermanus** constituted in January 1947 by a Trust Deed and Constitution signed on the 7th December 1949 by representatives of the Presbyterian, Methodist, Congregational and Baptist denominations. ("The original constitution") Having started as an inter-denominational church, the Church has evolved into being a non-denominational church open to all people.

In terms of Article 27 of the original Constitution, the revised Constitution was adopted by members at an Annual General Meeting held on **19**<sup>th</sup> **November 2003**, and replaced the original Constitution.

**First amendment:** In terms of Article 18 of the Constitution dated the 19<sup>th</sup> November 2003 an amendment of **Article 11.3** was adopted by members at a Special Congregational Meeting held on **11<sup>th</sup> October 2006.** 

**Second amendment:** In terms of Article 18 of the Constitution dated the 19<sup>th</sup> November 2003 an amendment of **Article 13.1 and Article 14.1** was adopted by members at a Special Congregational Meeting held on **18<sup>th</sup> May 2016.** 

**Third amendment:** In terms of Article 18 of the Constitution dated the 19<sup>th</sup> November 2003 an amendment of **Article 13.1 and Article 14.1** was adopted by members at a Special Congregational Meeting held on **05**<sup>th</sup> **March 2019.** 

# C2. Establishment and Objects

#### C2.1 Establishment

C2.1.1 The United Church Hermanus is a voluntary association established as a non-profit voluntary association, capable of owning property apart from its members, having perpetual succession, an identity and existence distinct from its Members and office-bearers and, to the exclusion of any liability of its Members, shall be solely liable for the discharge of its obligations.

#### C2.2 Objects

The objects of the United Church Hermanus are to:

- C2.2.1 fulfil the mission of Christ as revealed in the Bible and in so doing to conduct religious services, provide opportunity for worship, and engage in activities in keeping with the character of the Church;
- C2.2.2 frame and ensure the observance of and adherence to the "Constitution" and "Regulations" of the Church.

# C3. Purpose and Mission

As a community of Christian believers, we understand that our purpose and mission is to:

- worship God together in spirit and in truth;
- live faithfully as the Body of Christ in the world;
- proclaim the Gospel of God's grace in Christ;
- promote discipleship and fellowship among believers;

# **CONSTITUTION**

- engage in the work of Christian mission and evangelism; and
- **stimulate service** for the fulfilment of all God's purposes in the world.

# C4 Statement of Faith by members

"With Christians throughout the ages we declare our faith in the Triune God - Father, Son, and Holy Spirit - One in the mystery of the Godhead.

- We believe in God the Father, Creator of all things.
- We believe that Jesus Christ is Lord of all, and is Saviour through His atoning life, death and resurrection, and that forgiveness of sin and eternal life come only through faith in Him.
- We acknowledge the Holy Spirit as the Lord and Giver of life, the One who imparts
  the life of Christ, nurtures the believer in holy living, bestows gifts for service in the
  Church, and is Teacher and Counsellor in the whole of life.
- We believe the Church, both universal and local, is the Body of Christ, a fellowship of believers, the agent of God's purpose in the world and we acknowledge Jesus Christ as head of the church.
- We believe that Christians are called to follow Jesus in a life of integrity and accountability. We believe we are called to a life of service, of witness to and care for others, and the stewardship of God's creation.
- We believe the Scriptures of the Old and New Testament to be the Word of God, inspired by the Holy Spirit and the final authority for faith and practice."

# C5. Membership and Meetings

Membership of the United Church shall be open to those who profess faith and trust in Jesus Christ alone as Saviour and Lord. (Regulations Clause R2)

# C6. Elders

Elders shall be nominated and elected as set out in the Regulations. (Regulations Clause R3)

### C7. The Pastorate

Recognizing the autonomy of the Church, Members, through the Elders, may ordain a person whom they deem fit for ministry (*Regulations Clause R4*)

# C8. Management of the Church

The general management and control of the business affairs of the Church shall be entrusted to the Board of Management. (Regulations Clause R5)

#### C9. Amendments to the Constitution

The Constitution shall not be amended except by resolution passed at a <u>Special Meeting</u> called for that purpose.

# C10. Dissolution

The dissolution of the church shall take place in accordance with the  $\underline{\it Clause~R9}$  of the Regulations

# CONSTITUTION

# Regulations

#### R1. Definitions and Interpretations

#### R1.1 Definitions

- "AGM" means the Annual General Meeting of the Church held as per <u>Clause R2.3.4</u> of the Regulations;
- **"Board"** means the Board of Management duly appointed in terms of <u>Clause</u> R5 of this the Constitution;
- **"Call Committee"** means a committee as set out in <u>Clause R4.2.1</u> of the Regulations.
- "Christian" means one who professes faith and trust in Jesus Christ alone as Saviour and Lord;
- **"Church"** means the United Church Hermanus as identified in <u>Clause C2.1</u> of the Constitution;
- "Constitution" means the Constitution of the Church as set out in this document;
- **"Elder"** means any Member nominated and elected in terms of <u>Clause R3</u> of the Regulations;
- "Members/Membership" means one whose name appears on Register of Members of the Church;
- "Notice of Meeting means notice given of meetings as per <u>Clause R2.3.6</u> of the Regulations;
- "Officers" means the Chairman, Deputy Chairman, Secretary and Treasurer of the Church as appointed in terms of <u>Clause R5.3</u> of the Regulations;
- "Ordinary Meeting" means a Meeting of Members as per <u>Clause R2.3.1</u> of the Regulations;
- "Policies and Operating Procedures" means the Policies and Procedures to ensure the effective management of the Church adopted by the Board;
- "Register" means the Church record as per <u>Clause R2.1.10</u> of those who are in Membership of the Church at any point in time;
- "Regulations" means the Regulations as set out in this document and which can only be changed by the Members at the AGM or at a Special Meeting called for that purpose;
- "Special Meeting" means a Meeting of Members as per <u>Clause R2.3.2</u> of the Regulations; and
- "Trustees" means the Trustees of the Church as set out in <u>Clause R5.3.6</u> of the Regulations.

#### R1.2 Interpretation.

# CONSTITUTION

- R1.2.1 Words referring to natural persons shall include a reference to bodies corporate and other legal personae and vice versa;
- R1.2.2 Words importing the masculine shall include a reference to the feminine;
- R1.2.3 Words referring to the singular shall include a reference to the plural and vice versa.
- R1.2.4 A reference to a Party in a document includes that Party's successors and lawful assigns.
- R1.2.5 Any reference to an enactment is to that enactment as at the date of signature hereof and as amended or re-enacted from time to time.
- R1.2.6 Where the day on or by which anything is to be done is not a business day, it shall be done on or by the first business day thereafter.
- R1.2.7 When any number of days is prescribed in this Constitution, same shall be reckoned exclusively of the first and inclusively of the last day, unless the last day falls on a Saturday, Sunday or public holiday, in which case, the last day shall be the next succeeding day which is not a Saturday, Sunday or public holiday.
- R1.2.8 A reference to a document includes an amendment or supplement to, or replacement or novation of that document.
- R1.2.9 The captions and headings appearing in this Agreement are for reference purposes only and shall not affect the interpretation thereof.
- R1.2.10 Where figures are referred to in numerals and words, if there is any conflict between the two, the words shall prevail.

# **R2.** Membership (See C5 of the Constitution)

- R2.1 Application for Membership
  - R2.1.1 Anyone wishing to become a Member of the Church must submit a request to the Church office expressing their interest in becoming a Member of the Church.
  - R2.1.2 The Elders shall determine the frequency of meetings where potential Members shall be informed of the requirements for Membership of the Church.
  - R2.1.3 The Elders shall determine the format and content of such meetings.
  - R2.1.4 At the conclusion of the meetings, prospective members need to complete the Application for Membership as per **Annexure A** and return the completed form to the Church.
  - R2.1.5 An Elder shall visit the prospective member and report back to the Elders.
  - R2.1.6. A list of prospective members shall be posted on the Church notice board.
  - R2.1.7 Should a Member wish to express a concern regarding a prospective Member, a written and signed motivation must be lodged with the Elders within 7 days following the notification.
  - R2.1.8 The Elders shall determine the appropriate action to resolve the matter.

# CONSTITUTION

- R2.1.9 Members shall be informed of all new Members introduced to the Church through the appropriate media at the time.
- R2.1.10 A Register of Members shall be kept and maintained, in which all current Members of the Church are recorded.

# R2.2. Termination of Membership

This may be effected -

- R2.2.1 if a written resignation or a request for transfer to another church has been received:
- R2.2.2 if a person's Membership is determined by the Board to have been inactive for a period of three years.
- R2.2.3 after an investigation of any justified complaint lodged against the behaviour or character of a Member, such investigation to include, but not limited to:
  - a) an interview with the Member by a Pastor and one other Elder; and
  - b) after pastoral effort has been made to restore such a Member through repentance to Christian fellowship.
- R2.2.4. The Elders shall determine the appropriate action to resolve the matter.

#### R2.3 Meetings of Members

R2.3.1 AGM and Ordinary Meetings

Ordinary meetings are meetings of Members where:

- a) 15% of all Members shall constitute a quorum;
- b) Voting is determined by the chairperson; and
- c) Motions are resolved by a simple majority of those present.

#### R2.3.2 Special Meetings

Special Meetings are meetings of Members where:

- a) 30% of all Members shall constitute a quorum;
- b) Voting is determined by the chairperson; and
- c) Motions are resolved by 75% of those present voting in favour of the motion.

#### R2.3.3 Quorum

- a) In the event of failure to achieve a quorum within 15 minutes after the stated starting time, the meeting shall be adjourned. A new date for the adjourned meeting shall be fixed by the Board, and the Notice of Meeting shall be given.
- b) In the event of the required quorum not being obtained at the adjourned meeting, those Members present shall be deemed to constitute a quorum, and be empowered to transact all business of the Meeting.

### R2.3.4 Annual General Meeting.

a) The AGM shall be held as soon as possible after the end of the financial year, and in any event not later than ninety days thereafter.

# **CONSTITUTION**

- b) The business of the AGM, which shall be resolved by Ordinary Resolution, shall be:
  - to consider and confirm Minutes of the previous AGM which shall have been displayed in the foyer for at least three weeks prior to the AGM, and to deal with any matters arising therefrom at an appropriate place on the Agenda;
  - ii) to elect the necessary members of the Board in accordance with *R5.1.2*;
  - iii) to elect the Officers of the church;
  - iv) to hear and receive written annual reports from the ministries of the church, the Pastor/s and the Chairman of the Board;
  - v) to hear and receive a written annual report from the Treasurer, to consider the adoption of the reviewed Financial Statements, which shall have been displayed at the Church for at least ten days, and to consider and, after any amendment, to approve the Budget submitted by the Board, which shall have been similarly displayed.
  - vi) to consider any Motion of which at least 7 days' written notice has been given to the Board. The Chairperson may allow proposals from the floor to be considered at his discretion, without such notice, provided these do not substantially affect the life and practice of the Church.
  - vii) to appoint a suitably qualified person to review the annual financial statements.

# R2.3.5 Special Meeting.

a) A Special Meeting may be called by the Elders, the Board or at the written and signed request of not less than 10% of the Members. Motions to be tabled at such Special Meeting shall be as set out in the Notice of Meeting.

#### R2.3.6 Notice of Meetings

- a) Notice of Meetings shall be given on the three Sundays immediately preceding such meetings by announcement from the pulpit and inclusion in the Church bulletin.
- b) The notice shall include all motions to be tabled at the meeting.

# R3. Elders (See C6 of the Constitution)

- R3.1. The Elders shall serve and be answerable to the Members.
- R3.2 Composition of the Eldership
  - a) Elders shall be the Pastor/s and not less than 2 Members.
- R3.3 The Role of Elders

is to:

- R3.3.1 give Biblical, Godly servant leadership in all aspects of church life;
- R3.3.2 be the custodians of doctrine;

# **CONSTITUTION**

- R3.3.3 provide direction, exercise wisdom and give support and care, whilst overseeing preaching, pastoral work, teaching and disciplinary matters; and
- ensure that at all times the preaching and teaching needs of the Members are competently catered for.

#### R3.4 Election of Elders

- R3.4.1 At an AGM or at an Ordinary Meeting called by the Board for this purpose, an Elders Nomination Committee ("ENC") shall be elected for the purpose of identifying and nominating suitable candidates as Elders.
- R3.4.2 The ENC shall consist of:
  - a) The chairman as appointed by the Members at the meeting;
  - b) Two Members as appointed by the Members at the Meeting;
  - c) the serving Elders; and
  - d) two members of the Board, elected by the Board.
- R3.4.3 The Board shall arrange for the names of those nominated as Elders to be announced at all services for 3 consecutive weeks.
- R3.4.4 Should a Member wish to express a concern regarding a nominee, a written and signed motivation must be lodged with any member of the ENC within 7 days following the last announcement in *R3.2.3*.
- R3.4.5 The Elders shall determine the appropriate action to resolve the matter.
- R3.4.6 After due process, the nominees of the ENC shall be presented at a Special Meeting called for the purpose of considering the ENC's recommendations.
- R3.4.7 Any objection or concern against a nominee raised at the Meeting, shall be ruled out of order by the chairperson, unless the objector has proof that an event has occurred after the seven-day period mentioned in *R3.2.4* which makes a nominee unsuitable for election.
- R3.4.8 The names of the newly elected Elders shall be announced at all services of the Church for two consecutive Sundays and the Pastors shall arrange for a commissioning service as soon as possible thereafter.
- R3.4.9 the ENC will dissolve once the elected Elders have been commissioned to serve.
- R3.4.10 If the Elders deem it necessary, they may, with the approval of the Board, co-opt a Member or Members of the Church to assist them in meeting the immediate needs of the Church. Such co-opted Elder(s) shall serve in this capacity until the next AGM or until the election of the next Elder(s) in terms of this clause, whichever occurs first.
- R3.5. Period of office

The period of office of an Elder shall be three years.

- R3.6 Re-election
  - R3.6.1 At the expiry of three years, an Elder may be re-elected for a further period of three years, after which period the Elder shall step down.

# CONSTITUTION

- R3.6.2 After a period of one year, such person may again be considered for election as an Elder.
- R3.7 Termination of office as Elder
  - R3.7.1 An Elder may be removed from office at a Special Meeting at which a motion has been tabled for the removal of an Elder.
  - R3.7.2 The Board shall give notice of the meeting and the detail of the motion tabled shall be presented at the meeting for the meeting's consideration.
  - R3.7.3 The Elder concerned shall be given the opportunity to address the meeting.

# **R4.** The Pastorate (See C7 of the Constitution)

- R4.1 The Pastors shall be responsible for:
  - R4.1.1 preaching, nurturing the spiritual life of the Church;
  - R4.1.2 leading it in its outreach with the Gospel;
  - R4.1.3 pastoral care; and
  - R4.1.4 preparing and equipping the Members for Christian service and outreach.
- R4.2 Appointment

In the event of a vacancy in the Pastorate, or of a desire to appoint an additional Pastor:

- R4.2.1 A Call Committee, consisting of the Elders, 4 Board members appointed by the Board, and at least two, but not more than four Members appointed at a Special Meeting called for this purpose, shall identify candidates to fill this office. The Call Committee shall have the authority to do whatever it deems necessary to fulfil its mandate.
- R4.2.2 With the approval of at least 90% of the Call Committee, a motion proposing one name ("Nominee") shall be tabled at a Special Meeting called by the Board.
  - a) If the motion tabled is approved by the Meeting, a call shall be sent to the Nominee with full details of the appointment.
- R4.2.3 Compulsory termination

If any allegation of misconduct is brought against a Pastor:

- a) The Elders and the Board shall meet to consider the allegations.
- b) Should the Elders and the Board after due consideration unanimously decide that there is merit in the allegations, a summary of their considerations and recommendations shall be tabled at a Special Meeting of Members.
- R4.3 Retirement

On reaching the age of 70 years the Pastor shall retire.

- R4.4 Temporary Continuing Service
  - R4.4.1 The Board, with the approval of the Elders, may invite the retiring Pastor to continue to render service to the Church in a temporary capacity.

# **CONSTITUTION**

R4.4.2 The Board shall inform Members of the appointment through the appropriate media at the time.

# **R5.** Management of the Church (See C8 of the Constitution)

- R5.1 Members of the Board of Management
  - R5.1.1 The Board shall consist of not less than seven and not more than twelve elected members, plus the Pastor/s.
  - R5.1.2 The members of the Board shall be elected at the AGM and shall:
    - a) be elected to hold office for an initial two-year term, after which they shall be eligible for re-election.
    - b) not serve for more than three consecutive two-year terms, but after an interval of one year shall again become eligible for election.
  - R5.1.3 Nominations for election to the Board shall be called for by announcement on at least three consecutive Sundays, and valid nominations on the official nomination forms shall be in the hands of the Secretary not less than seven days prior to the AGM.
    - a) A nominee must have been a Member of the Church for at least twelve months prior to the date of the AGM.
  - R5.1.4 The Chairman, the Deputy Chairman, the Secretary and the Treasurer of the church shall be elected at the AGM.
    - a) Should the AGM fail to elect any one of these, the Board shall be empowered to make such appointment, if necessary, by co-opting a Member to serve.
    - b) The first meeting of the new Board after the AGM shall be within 14 calendar days of the AGM. The outgoing members of the Board shall remain in office until the first Board meeting after the AGM.
  - R5.1.5 Should any member of the Board resign or, in the opinion of a majority of the Board, be incapable for any reason of fulfilling his responsibilities as a member of the Board, the Board may appoint another in his stead. Such appointment shall hold good until the next AGM.
  - R5.1.6 A member of the Board may be removed from office by a joint resolution of the Elders and the Board for what they perceive to be misconduct of a serious nature, or continuous neglect of duty, or if he fails to resign his office on being called on to do so.
    - a) Anyone so removed may request that the Board call a Special Meeting where he may table a motion for the Members to re-consider the decision of the Board.
  - R5.1.7 The Board shall be entitled to co-opt persons from among the Members of the Church to serve on the Board or any of its sub-committees where the special knowledge and experience of such a person will assist the Board in its deliberations. Such co-opted members shall be able to speak but shall have no voting right.

# CONSTITUTION

- R5.2 Powers and Responsibilities of the Board
  - R5.2.1 The Board shall serve and be answerable to the Members.
  - R5.2.2 The Board shall, in pursuance of the Objects (<u>Clause C2</u>) and in conformity with the Purpose and Mission (<u>Clause C3</u>) of the Church, and in accordance with the Statement of Faith (<u>Clause C4</u>) be accountable and exercise managerial responsibility for the operational work of the Church and of its various ministries.
  - R5.2.3 No member of the Board, and no ministry or committee, shall enter into any contract or incur any liability or expense in the name of, or affecting, the Church unless acting in terms of a Board resolution or with authority implicitly granted by the approval of the budget of such ministry or committee.
  - R5.2.4 The Board shall have power to approve and, where it deems necessary, to intervene in the functioning and the staffing of any ministry.
  - R5.2.5 The Board shall have the responsibility to do all such things as may be necessary for the management and well-being of the Church, in keeping with its Objects, Purpose and Mission and its Statement of Faith.
  - R5.2.6 The Board shall meet at least eleven times in each year.
    - a) Such meetings may be electronic, or a combination of electronic and in-person, should in-person attendance be impractical.
    - b) 50% of Board members shall constitute a quorum for meetings.
    - c) Motions tabled at Board meetings shall be resolved by a simple majority of those present at the meeting.
    - d) Should the chairman not be at the meeting the meeting may elect a chairman.
  - R5.2.7 The Board shall cause proper minutes to be kept of all Board meetings. Minutes shall be made available to all Board members prior to the next regular meeting, at which they shall be submitted for approval after appropriate amendments have been considered and decided upon. A copy of the approved minutes shall be available to Members of the Church. However, after due consideration of the right of Members to be fully informed, should there be any item recorded which in the view of the Board is essentially private and confidential to the Board, such item shall not appear in the Members' copy but shall be indicated in the appropriate place by the words 'Confidential Item'.
  - R5.2.8 The Board shall have the power to:
    - a) acquire by purchase, exchange, hire, or otherwise, any movable property, which may be considered necessary or convenient for the purposes of the Church;
    - b) erect, maintain, improve, alter, repair and equip any buildings or erections for the purposes of the Church;

# CONSTITUTION

- receive or accept moneys, funds, securities, donations, gifts, bequests and inheritances, whether conditional or unconditional, for the purposes of the Church;
- d) invest its funds in such a manner as it may consider necessary;
- e) sell, exchange, donate, let, or otherwise deal with all or any of the moveable assets of the Church;
- f) open and operate banking and savings accounts in the name of the Church.
- R5.2.9 All financial instruments issued by the church shall be signed by at least two duly authorised members of the Board

#### R5.3 Church Officers and Trustees

The Chairperson, Deputy Chairperson, Secretary, Treasurer and the Pastors shall collectively be known as the Officers of the Church.

#### R5.3.1 The Chairperson

- a) shall chair the AGM, Ordinary, Special, and Board Meetings.
- b) shall be an ex-officio member of all committees and sub-committees.

#### R5.3.2 The Deputy Chairperson

 shall fulfil all duties and responsibilities of the Chairperson during the Chairperson's absence.

#### R5.3.3 The Secretary

shall be responsible for:

- a) carrying out all decisions of the Board, not otherwise allocated for their discharge in terms of the Constitution.
- b) the drawing up of Agendas, in consultation with the Chairperson, for the AGM, Special, and Board meetings.
- c) the recording and safekeeping of minutes for the meetings specified in *R5.2.7*.

#### R5.3.4 The Treasurer

shall be responsible for:

- receiving, counting, recording and banking all financial offerings and donations;
- b) investment of funds;
- c) the payment of salaries, wages and honoraria;
- d) issuing relevant tax documents;
- e) the settlement of accounts and for all approved disbursements from Church funds; and
- f) preparing and presenting monthly and annual financial statements and the proposed budget for the ensuing year.

#### **R5.3.5** Executive Committee

a) The Officers shall together form an Executive Committee of the Board, to consider urgent matters which may arise should the Board be unable to meet.

# CONSTITUTION

b) Minutes shall be kept of all such Executive Committee meetings, and all decisions taken shall be subject to ratification by the Board.

#### R5.3.6 Trustees

- a) The Officers of the Church shall be the Trustees.
- b) In the event that any of the Trustees be unable at any time to function as Trustees, the Board shall have power to appoint alternates.

# R5.4. Immovable Property

- R5.4.1 All immoveable property of the Church shall be registered in the name of the 'Trustees for the time being of the United Church Hermanus'.
- R5.4.2 Immovable property shall be acquired or disposed of after approval by Members at a Special Meeting.
- R5.4.3 The Trustees shall sign all documentation necessary for the acquisition, mortgage or disposal of immovable property.
- R5.4.4 The Trustees shall not become liable for any of the obligations and liabilities of the Church solely by virtue of their status as Trustees, nor shall they become personally liable for any loss suffered by any person as a result of an act or omission.

#### R5.5 Finance

- R5.5.1 The Financial Year of the church shall be from April 1st to March 31st.
- R5.5.2 All monies received relating to any Church activity shall be deposited in the name of the United Church Hermanus in such registered financial institutions, as defined in Section I of Financial Institutions Act (Investment of Funds) of 1984, as the Board may decide.
- R5.5.3 The Church is prohibited from carrying on any business, undertaking or trading activity otherwise than to the extent permitted in terms of section 30(3) of Income Tax Act 58 of 1962;
- R5.5.4 The Board shall ensure that proper books of account are kept reflecting income, expenditure, assets and liabilities, which comply with the standards of generally accepted accounting practice.
- R5.5.5 The annual financial statements of the Church shall be subject to an annual independent review and reviewed annual financial statements shall be prepared in time for the AGM.
- R5.5.6 The Board shall operate within the budget approved by the AGM both for operational and capital expenditure. It shall have authority to meet unforeseen expenditure, up to a limit of 5% (five percent) of the previous year's annual income, in any one year. Should there be a perceived need for emergency expenditure beyond this amount, the matter shall be brought to a Special Meeting for consideration and decision.
- R5.5.7 The Board shall ensure that all assets of the Church, moveable and immoveable, are adequately covered by insurance at all times, and that the Church is adequately covered by Public Liability Insurance against claims by staff, Members and the public.

# **CONSTITUTION**

#### **R6.** Ministries

#### R6.1 Definition

- R6.1.1 Ministries of the Church are activities specifically organised to help meet the particular needs of identified groups in or connected with the Church.
- R6.1.2 Ministries shall at all times recognise themselves and be recognised as part of the Church rather than as separate entities, and shall seek to serve the Lord through the Church.

### R6.2 Accountability

Ministries shall be accountable to the Board.

#### **R7.** Policies and Operating Procedures

R7.1 Responsibility of the Board

The Board shall be empowered to create, amend, add or delete Policy, and Operating and general administrative and staff management Procedures, not inconsistent with the Constitution, in order to provide for the smooth running of the Church and its various ministries and committees.

R7.1.1 A record of the Policy and Operating Procedures, together with terms of reference for all ministries and committees and all administrative matters, shall be kept by the Board.

#### R8. Dissolution (See C10 of the Constitution)

- R8.1 Motion for the dissolution
  - R8.1.1 A motion for the dissolution of the Church shall be tabled at a Special Meeting of Members.
  - R8.1.2 After all debts and liabilities have been discharged, whatever assets remain shall not be paid or distributed to the members, but shall be administered by the Trustees and be transferred to another Non-Profit Organisation which subscribes to the purpose and mission of the Church.

Provision for signatories

ANNEXURE A

# MEMBERSHIP APPLICATION

	NAME:			
	Concerning membership, our constitution reads as follows:			
"Membership of the United Church shall be open to those who profess faith and trust in				
	Jesus Christ alone as Saviour and Lord."			
• D	o you know Jesus Christ as Saviour and acknowledge Him as Lord of your life?			
•••	Please share your salvation story (testimony) with us:			
	MEMBER DETAILS			
Title:				
Surname:				
First names:				
Preferred name	::			
Identity numbe	r:			
Residential add	ress:			
Postal Code				
Postal address:				
Postal Code				
Landline numbe	5L:			
Cell number:				
Work number:				
Email:				
Marital status:				
Do you belor	ng to a home group? YES/NO (If so please provide details) :			
	<u> </u>			
Would you li	ke to belong to a home group? YES/NO			

# **CONSTITUTION**

❖ Do you subscribe to the following **Declaration of Faith** that is contained in the Constitution of the Church?

DECLARATION OF FAITH OF UNITED CHURCH HERMANUS

"With Christians throughout the ages we declare our faith in the Triune God, the Father, the Son, and the Holy Spirit, One in the mystery of the Godhead.

- We believe in God the Father, Creator of all things.
- We believe that Jesus Christ is Lord of all, and is Saviour through His atoning life, death and resurrection, and that forgiveness of sin and eternal life come only through faith in Him.
- We acknowledge the Holy Spirit as the Lord and Giver of life, the One who imparts the life of Christ, nurtures the believer in holy living, bestows gifts for service in the Church, and is Teacher and Counsellor in the whole of life.
- We believe in the church, both universal and local, is the Body of Christ, a fellowship of believers, and the agent of God's purpose in the world and we acknowledge Jesus Christ as head of the church.
- We believe that each Christian is called to a life of integrity and accountability. We believe we are called to a life of service, of witness to and care for others, and of stewardship of God's creation.
- We believe the Scriptures of the Old and New Testament to be the Word of God, inspired by the Holy Spirit and the final authority for faith and practice."

	Your response?
*	Do you intend to share as fully as your circumstances allow in the life and worship of the congregation?
٠.	Are you willing to use the gifts Cod has given you within the church?
**	Are you willing to use the gifts God has given you within the church?
*	In what ways are you gifted to serve? (Please also see the attached list)
*	Will you, as you are able, support the church financially in its work in the service of Jesus
	Christ?

IF YOUR CHILDREN ARE STILL UNDER YOUR GUARDIANSHIP, PLEASE FILL IN DETAILS.		
Full Names	Age/s	

Signature:....