

Hall Green Baptist Church Constitution

1. PREAMBLE

This constitution governs the charitable assets of the church from a legal perspective in accordance with the requirements of charity law. Regulations affecting the spiritual governance of the church are contained in a separate document entitled "Rules and Regulations".

2. THE NAME OF THE CHARITY

The name of the charity is Hall Green Baptist Church, Haworth.

3. OBJECTS

The principal object of the charity is the advancement of the Christian faith according to Baptist principles and in accordance with the Basis of Faith as stated in Schedule 1. The charity may also carry out other charitable purposes in the United Kingdom and/or other parts of the world.

4. APPLICATION OF INCOME AND CAPITAL

The income of the charity and, where the trusts permit, any capital, shall be applied solely towards the promotion of the objects as stated in clause 3 provided that the Office Bearers may adopt an appropriate Reserves Policy in accordance with general law.

5. MEMBERSHIP

5.1 Membership is open to any individual who meets the qualifications for church membership set out in Schedule 2.

5.2 The Office Bearers must maintain a list of the members of the church which should be kept under regular review.

6. THE APPOINTMENT AND REMOVAL OF CHARITY TRUSTEES

6.1 The statutory definition of charity trustees in Section 97(1) of the Charities Act 1993 is "persons having the general control and management of the administration of a charity".

In this church it shall be the Minister(s) if any and:-

Elders

Deacons

Secretary

Treasurer

who together, by the nature of their responsibilities, shall be the charity trustees, referred to in this Constitution as the "Office Bearers". There must be a minimum of three Office Bearers at all times.

6.2 The Church Members' Meeting, acting in accordance with the procedures set out in Schedule 3, shall appoint, remove and accept the resignation of Office Bearers.

6.3 No person may serve as an Office Bearer who is disqualified by law from acting as a charity trustee.

7 RESPONSIBILITIES OF OFFICE BEARERS

7.1 The Office Bearers shall be responsible for the governance of the charitable assets of the Church and the fulfilment of the objects, acting according to the will of God as discerned by the Church Members' Meeting and subject to any specific or general directions of the Church Members' Meeting.

7.2 The Office Bearers should keep in an appropriate state of repair and insure to their full value against fire and other usual risks all the buildings of the church, including those held on separate property trusts, (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability and employer's liability.

8. PROCEEDINGS OF OFFICE BEARERS

- 8.1 Subject to there being a minimum of two meetings a year, the Office Bearers shall determine when and how frequently they shall meet.
- 8.2 The Office Bearers shall determine a quorum for their full meetings that shall not be less than two persons or half of their number whichever is the greater number.
- 8.3 Notwithstanding the joint and several responsibilities of all the Office Bearers and in addition to regular meetings of the whole group they may meet in such sub-groups as are necessary and convenient. Reports of such sub-group meetings must be made to the next full Office Bearers' Meeting.
- 8.4 Office Bearers shall, so far as possible, seek consensus on all matters considered at their meetings.
- 8.5 For matters requiring a decision a vote shall be taken and the outcome of the vote recorded as the resolution of the Office Bearers.
- 8.6 Each Office Bearer shall have one vote to be exercised at the meeting.
- 8.7 Every issue may be determined by a simple majority of votes cast at a meeting of the Office Bearers but if there is an equality of votes on any matter the resolution will be considered rejected and the matter shall be referred back to the submitter for review and if appropriate resubmission to a subsequent meeting for consideration.

- 8.8 The Office Bearers shall always act in accordance with the provisions of this constitution and the general law.
- 8.9 The Office Bearers shall act in accordance with the specific directions of the Church Members' Meeting in relation to matters relating to church property including any purchase, sale, lease, tenancy, mortgage or redevelopment.
- 8.10 Minutes shall be prepared of the proceedings at the meetings of the Office Bearers including any appointments, the names of those present, the decisions taken, and where appropriate the reasons for the decisions.

9 REMUNERATION OF OFFICE BEARERS

- 9.1 Subject to the provisions of clauses 9.2 and 9.3 none of the income of the church may be paid to any Office Bearer of the church. This does not prevent an Office Bearer from receiving a benefit in the capacity as a beneficiary of the church upon the same terms as other members, nor from being reimbursed reasonable and proper expenses and other payments permitted by statute or specifically authorised by the Charity Commission.
- 9.2 Notwithstanding the fact that any Minister or Ministers appointed by the church are charity trustees they will be entitled to be paid an agreed and reasonable remuneration or stipend out of the funds of the church.
- 9.3 Where it is proposed that an Office Bearer (or person, firm or company, connected with the Office Bearer) is to be employed or receive remuneration or sell goods or services or any interest in land to the church and where this gains the approval of the Church Members' Meeting then this shall be permitted only if:

- the Office Bearer or any person connected with the trustee who may benefit directly or indirectly from the proposed remuneration declares an interest in the proposal before discussion on the matter begins;
- absents himself or herself (in the case of any connected persons themselves) from any part of any meeting at which the proposal is discussed and takes no part in any discussion of it and is not counted in determining whether any such meeting is quorate;
- does not vote on the proposal;
- the remaining Office Bearers who do not stand to receive the proposed benefit are satisfied that it is in the interests of the church to contract with or employ that Office Bearer (or connected person) rather than another independent person and must record the reason for their decision in the minutes;
- in reaching that decision the Office Bearers must balance the advantage of contracting with or employing an Office Bearer against the disadvantage of doing so (especially the loss of the Office Bearer's services as a result of dealing with the Office Bearer's conflict of interest);
- the Office Bearers authorising the proposed transaction comprise a majority of the Office Bearers and have not received any such benefit.

10.1 The Office Bearers must manage the business of the charity and have the following powers in order to further the objects (but not for any other purpose):

- power to make rules and regulations for the governance of the church and the charity provided that they are not in conflict with this constitution;

- power to do all such things as are lawful for the achievement of the objects.

11 RECORD-KEEPING AND ACCOUNTING

11.1 The Church's annual financial year will run from

11.2 Financial statements of all church organisations shall be presented to the Office Bearers and incorporated into the church's financial statements.

11.3 A statement of the church accounts (audited or independently examined as required by law) shall be received by an Annual Church Members' Meeting.

11.4 Financial Records, annual reports and statements of account relating to the church for the previous six years must be available for inspection by any Office Bearer.

11.5 The law requires charity trustees to make the annual report and accounts available to any person who requests them. The Office Bearers may make a reasonable charge to cover the administration costs of meeting this request, though a charge will not be made to members of the church.

12 POWER OF AMENDMENT

12.1 Subject to clause 12.2 this constitution may be amended but only by a Special Resolution passed at a Church Members' Meeting.

12.2 No amendment may be made to this constitution that would have the effect of making the charity cease to be a charity at law, and no amendment may be made to clauses 2, 4, 9 and 12 without the prior written permission of the Charity Commission.

12.3 A copy of any resolution amending this constitution shall be sent to the Charity Commission within twenty of days of it being passed.

13 CLOSURE

13.1 If the church shall resolve to close or shall cease to meet for worship for at least six months the Office Bearers will remain in office as charity trustees and be responsible for winding up the affairs of the church in accordance with this clause.

13.2 The assets of the church, after the satisfaction of debts and liabilities (not being property assets subject to separate trusts) shall be applied for Christian charitable purposes as closely as possible to the objects as stated in clause 3 as shall be decided by a Special Church Members' Meeting or in such other manner as the Charity Commission may approve in writing in advance.

13.3 The Office Bearers shall notify the Charity Commission of any closure or dissolution.

SCHEDULE 1

BASIS OF FAITH

1. The verbal inspiration of the Holy Scriptures of the Old and New Testaments and that they are the sole, supreme, and all-sufficient authority in every matter of Christian faith and practice.

2. One living and only true God, subsisting in the Trinity of Three co-equal and co-eternal Persons – the Father, the Son, and Holy Spirit; all infinite without beginning; the Father neither begotten nor proceeding; the Son eternally begotten of the Father; the Holy Spirit eternally proceeding from the Father and the Son.

3. The Deity, eternal Sonship, and spotless humanity of the Lord Jesus Christ; His virgin birth, crucifixion, death, and burial; His physical resurrection, and ascension into heaven.

4. The personal, eternal, and unconditional election of the Church in Christ unto everlasting salvation.

5. The Fall of mankind in Adam their federal head whose transgression is imputed to them, and from whom they derive a corrupt nature, thereby rendering them both unable and unwilling to meet the claims of God's righteous and holy law.

6. That though all men are rendered spiritually impotent by the Fall, they are none the less accountable to God for their sins, and they shall answer for the same in the day of judgment except they be granted repentance unto eternal life.

7. The special, particular, and eternal redemption from all sin, and the penal consequence thereof, of all God's elect, through the substitutionary sacrifice of the Lord Jesus Christ.

8. The eternal and everlasting justification through faith of the elect and redeemed Church, by the blood and imputed righteousness of Christ, irrespective of any moral or spiritual works done by them either before or after regeneration.

9. The effectual calling of all the redeemed by the invincible power and grace of the Holy Spirit, according to the counsel of God's will, involving their regeneration and sanctification by the direct agency of the Holy Spirit, through which the saints grow in grace perfecting holiness in the fear of the Lord.

10. The grace of faith whereby the elect are enabled to believe to the saving of their souls is the gift of God, and the work of the Holy Spirit in their hearts, Who convinces them of sin, works in them repentance unto life, and enables them to look to, receive, and rest upon the Lord Jesus Christ alone for salvation.

11. The final perseverance in the ways of God of all those who have been chosen by the Father, redeemed by the Son, and regenerated by the Holy Spirit, so that they shall never perish, but have eternal life.
12. The second coming of the Lord Jesus Christ, the resurrection of the dead, both of the just and the unjust, when the wicked will go away into everlasting punishment and the righteous into life eternal.
13. The duty and privilege of all true believers to profess their repentance towards God and faith in the Lord Jesus Christ, by being baptized, that is, immersed in water, in the name of the Father, and of the Son, and of the Holy Spirit, prior to becoming members of a Christian Church or partaking of the Lord's Supper.
14. The preaching of the Gospel to every creature as a divine command and solemn duty.
15. The necessity of a believer's life being consistent with the profession he makes.
16. The congregational order of the Churches.

SCHEDULE 2

CHURCH MEMBERSHIP

1. BIBLICAL BASIS FOR CHURCH MEMBERSHIP

According to the Great Commission (Matthew 28:18-20) there is an inseparable connection between making disciples, baptising them and

teaching them. The apostles implemented this commission by gathering baptised believers into local churches where they were duly taught all that Christ had commanded (Acts 2:38-42, Acts 20:20-21, 1 Corinthians 4:17). With the exceptions of the dying thief on the cross (Luke 23:42-43) and the Ethiopian eunuch (Acts 8:37-38), the New Testament records nothing of believing men and women who were not members of local churches. All believers are required by Christ to observe the Lord's Supper, which is clearly a local church ordinance (1 Corinthians 11 cf 1 Corinthians 1:1-2). It follows that all Bible believing Christians ought to belong to a visible local church to partake Biblically of the Lord's Supper.

2. QUALIFICATIONS FOR CHURCH MEMBERSHIP

A person wishing to be a member of the church must:

- accept the beliefs of the church,
- meet the church's requirement for baptism (see clause 1.3),
- commit himself to serving Christ within the church and beyond,
- abide by the decisions of the Church Members' Meeting,
- acknowledge his responsibilities as a church member, and
- have his membership application accepted at the Church Members' Meeting.

3. REQUIREMENT FOR BAPTISM

A person wishing to be a member of the church must have been baptised by immersion. In exceptional cases where people cannot be baptised because of infirmity or medical reasons, effusion will be permitted at the discretion of the church members' Meeting.

4. APPLICATION FOR MEMBERSHIP

A person wishing to become a church member shall apply to the elders who will arrange for the candidate to be interviewed by two church members. At the interview the members must assess whether the applicant meets the church's criteria for membership and submit a report to the Church Members' Meeting at which the application is being considered.

5. PROCEDURE AT CHURCH MEMBERS' MEETINGS

Applications for membership will be considered and voted on at an Ordinary Church Members' Meeting and, if accepted by a simple majority, the new member will normally be welcomed publicly.

6. TRANSFERS FROM OTHER CHURCHES

Where an applicant has previously been a member of another evangelical church a recommendation from that church will normally be required. Applicants baptised as believers by effusion may be accepted at the discretion of the Church Members' Meeting.

7. THE DISCIPLINE OF CHURCH MEMBERS

The Church Members' Meeting reserves the right to discipline members in cases of absenteeism, immorality, uncharitable conduct towards other members, schism, heresy and unwillingness to submit to the legitimate authority of the church. Such discipline shall have as its primary aim the restoration of the offender. It shall relate only to areas of Christian life clearly governed by Scripture. In accordance with the Biblical principle, private counsel and reproof will always take precedence over public reproof, the suspension of privileges, and excommunication. As a spiritual society, the church may only impose spiritual penalties on its errant members.

8. TERMINATION OF CHURCH MEMBERSHIP

Church membership may be terminated in one of the following ways:

8.1 TRANSFER

When a church member in good standing moves to another part of the country, he is encouraged to identify with a like-minded church. In such cases, a letter of transfer to that church will be granted unless he is currently under the discipline of this church. If he aligns himself to a church without a comparable system of membership, the Church Members' Meeting reserves the right to make other arrangements appropriate to the circumstances.

8.2 WITHDRAWAL

Whilst it is legally possible for church members to resign their membership, the church prefers not to recognise the practice of resignation. Resignation becomes effective when church members cease to attend the means of grace

and, in effect, withdraw themselves from the fellowship of the church without either transferring to another local church or giving satisfactory reasons for their non-attendance. The church will then withdraw from those members, recognising that they have already withdrawn from the church. A failure to attend the Lord's Supper for 12 months, without good cause, will be deemed satisfactory cause for the church to take such action.

8.3 DEATH

Church members who die are regarded as having transferred their membership from the church militant on earth to the church triumphant in heaven.

8.4 EXCOMMUNICATION

In exceptional circumstances where the conduct of a member is considered to be contrary to the purpose and beliefs of the church and/or disruptive to the relationships between members, the elders may recommend to a Church Members' Meeting that the membership of that person be reviewed. The church members may, after considering the facts, terminate the membership of that person. The church member shall be allowed to hear what is said at the Church Members' Meeting, to correct any errors of fact and offer any explanation of the circumstances or reasons for his actions before withdrawing from the meeting. A simple majority is required for the person to be removed from the list of members.

SCHEDULE 3

CHURCH MEMBERS' MEETINGS

1. THE PURPOSE OF CHURCH MEMBERS' MEETINGS

Church Members meet together in a Church Members' Meeting under the Lordship of Christ, under the guidance of the Holy Spirit, and in subjection to the Scriptures, to discern the mind of God in the affairs of the Church.

2. ORDINARY AND SPECIAL CHURCH MEMBERS' MEETINGS

2.1 There are two types of formal church members' meetings: Ordinary Church Members' Meetings and Special Church Members' Meetings.

2.2 Ordinary Church Members' Meetings shall be held at regular intervals on not less than four occasions in any calendar year and shall be an opportunity to consider and review routine matters associated with the life of the church.

2.3 One Ordinary Church Members' Meeting each year shall be constituted as the Annual General Meeting for the church members to receive annual accounts and reports, to appoint auditors or independent

examiners, and to consider proposals for the strategy and vision of the church in the coming year, with other appropriate matters.

- 2.4 A Special Church Members' Meeting shall be convened when necessary to consider the appointment or dismissal of elders and pastors, matters relating to the acquisition or disposal of church property, the closure of the church, or matters considered by the elders or deacons to be of sufficient importance to require the calling of a Special Church Members' Meeting.

3. CONVENING CHURCH MEMBERS' MEETINGS

- 3.1 Church Members' Meetings shall be convened by the elders so as to be as convenient for as many church members as is reasonable.
- 3.2 An Ordinary Church Members' Meeting shall be properly convened if as a minimum requirement the date, time and place for the meeting are publicised at the worship service or services on the previous two Sundays.
- 3.3 A Special Church Members' Meeting shall be properly convened if as a minimum requirement the date, time and place for the meeting as publicised, with as full an indication of the matters to be considered as possible, at the public worship service or services on the two previous Sundays.
- 3.4 Additional Church Members' Meetings, whether Special or Ordinary, shall be convened by the elders, as necessary but they shall have specific responsibility to convene a Special Church Members' Meeting as soon as possible upon the receipt of a written request for a meeting signed by at least one tenth of the church membership or twelve church members, whichever is the less.

3.5 Apart from invited guests, only members of the church shall attend a Church Members' meeting.

4. THE CONDUCT OF CHURCH MEMBERS' MEETINGS

4.1 Worship, including prayer and the reading of Scripture, shall be a key feature of the Church Members' Meeting. The discussion of any matters affecting the life and activities of the church shall be set in this context with the intention that, so far as possible, practical issues are not perceived as being separate from the spiritual aspects of the church.

4.2 A quorum of one third shall apply to Church Members' Meetings.

4.3 The Church Members' Meeting shall appoint a person (who shall normally be the pastor) to chair Church Members' Meetings.

5. VOTING

5.1 Members shall, so far as possible, seek consensus on all matters considered at a Church Members' Meeting.

5.2 For matters requiring a decision a vote shall be taken and the outcome of the vote recorded as the resolution of the members.

5.3 Each member shall have one vote which they may use at the Church Members' Meeting after hearing about the issues and any comments or questions raised by other members in advance of the vote.

5.4 No proxy votes shall be allowed and no postal votes shall be valid.

- 5.5 If any matter requires a decision affecting or involving individuals and any embarrassment might arise by a public vote a secret ballot shall be held if requested and agreed by the Church Members' Meeting.
- 5.6 If a secret ballot is to be held two persons will be appointed as scrutineers to the ballot to count the votes. The person chairing the Church Members' Meeting shall announce the outcome without necessarily revealing the numbers of votes.
- 5.7 A resolution at an Ordinary Church Members' Meeting shall be carried if supported by a majority of the members present, entitled to vote, and voting.
- 5.8 If there is an equality of votes on any matter at an Ordinary Church Members' Meeting the resolution will be considered rejected.
- 5.9 A resolution at a Special Church Members' Meeting shall be carried if supported by at least two thirds of the members present, entitled to vote, and voting.
- 5.10 The Church Members' Meeting may want a higher measure of support for a particular resolution but a higher proportion of votes for a resolution shall not override the arrangements in clauses 4.5.7 or 4.5.9 unless, before the vote is taken, the Church Members' Meeting passes an enabling resolution referring to that particular resolution and specifying the proportion of votes necessary to pass it.
- 5.11 Although members of any age may attend and participate in a Church Members' Meeting, the minimum age for voting shall be 18.

6. MINUTES

- 6.1 The business conducted at Church Members' Meetings and, in particular, any decisions of the members shall be recorded in the minutes for future reference.
- 6.2 The minutes shall be written or printed and filed in a book or binder set aside for this purpose using materials of sufficient quality to ensure that they survive for many years and shall be kept in a safe place.
- 6.3 Each set of minutes shall be approved by the church members attending the next Church Members' Meeting. They shall have the opportunity to review the minutes and to correct any errors of fact before a formal vote on the approval of the minutes is taken. If the minutes are approved, the person chairing the Church Members' Meeting shall confirm the members' acceptance of the minutes by signing and dating them as a correct record of the preceding meeting.
- 6.4 The signed minutes shall be conclusive evidence of the decisions taken at the Church Members' Meeting to which they relate.