

Claremont Baptist Church

**Church
Constitution**

July 2007

CONSTITUTION OF THE CLAREMONT BAPTIST CHURCH

1. NAME AND BODY CORPORATE:

1.1. The name of the church shall be THE CLAREMONT BAPTIST CHURCH (hereinafter referred to as 'THE CHURCH')

1.2. The church exists in its own right separately from its members and will continue to exist even when its members and office bearers change from time to time. The church shall be able to own property and other possessions and shall be able to sue and be sued in its own name.

2. COMMENCEMENT:

2.1. The church was inaugurated with the commencement of Baptist services in the Town Hall, Claremont, on 9 November 1902. At a meeting held after the evening service on Sunday 31 May 1903, the congregation agreed to constitute themselves as a church. From the beginning the church was regarded as a work under the auspices of the Baptist Union of South Africa.

3. BAPTIST UNION OF SOUTHERN AFRICA:

3.1 The church is in membership with the Baptist Union of Southern Africa but shall be independent of any control by it save as hereinafter provided. The church shall remain in membership of the Baptist Union unless the members shall resolve otherwise by a ninety per cent vote of members present at a properly constituted meeting of members.

4. CHURCH GOVERNMENT AND OBJECTS:

4.1 The church recognises Jesus Christ as its supreme Head, and undertakes to manage its affairs according to New Testament teaching,

believing that as the Body of Christ it is equipped by His Spirit to act, decide and direct as set out in Article 9.1.

4.2 The object of the church shall be:

4.2.1 To glorify the Lord Jesus, the Head of the Church.

4.2.2 To proclaim the Gospel of the Lord Jesus Christ as revealed in the Scriptures and to encourage and support the proclamation of that Gospel (in accordance with Matthew 28:18-20) to the ends of the earth.

4.2.3. To provide instruction and fellowship for believers, seeking to build them up to the measure and stature of the fullness of Christ (Ephesians 4:13)

5. STATEMENT OF FAITH:

5.1. The church believes:

5.1.1. In the Scriptures of the Old and New Testament in their original writings as fully inspired of God, and accepts them as the final authority for faith and life.

5.1.2. In one God eternally existing in three persons - Father, Son and Holy Spirit.

5.1.3. That Jesus Christ was begotten by the Holy Spirit, born of the virgin Mary, and is true God and true man.

5.1.4. That God created man in His own image; that man sinned and thereby incurred the penalty of death, physical and spiritual; and that all human beings inherit a sinful nature; which issues (in the case of those who have reached moral responsibility) in actual transgression involving personal guilt.

5.1.5. That the Lord Jesus died for our sins, a substitutionary sacrifice, according to the Scriptures, and that all who believe in Him are justified on the ground of His shed blood.

5.1.6. In the bodily resurrection of the Lord Jesus Christ, His ascension into heaven, and His present life as our High Priest and Advocate.

5.1.7. In the personal return of the Lord Jesus Christ.

5.1.8. That all who receive the Lord Jesus Christ by faith are born again of the Holy Spirit and thereby become children of God.

5.1.9. In the resurrection both of the just and the unjust, the eternal blessedness of the redeemed, and the eternal banishment of those who have rejected the offer of salvation.

5.1.10. That the one true Church is the whole company of those who have been redeemed by Jesus Christ and regenerated by the Holy Spirit; that the local church on earth should take its character from this conception of the church spiritual, and therefore that the new birth and personal confession of Christ are essentials of church membership.

5.1.11 We believe that the Lord Jesus Christ appointed two ordinances - Baptism and the Lord's Supper - to be observed as acts of obedience and as perpetual witnesses to the cardinal facts of the Christian faith; that Baptism is the immersion of the believer in water as a confession of identification with Christ in burial and resurrection, and that the Lord's Supper is the partaking of bread and wine as symbolical of the Saviour's broken body and shed blood, in remembrance of His sacrificial death till He come.

5.1.12 That God has ordained marriage as a heterosexual relationship between a natural man and a natural woman

5.2. Statement of Baptist Principles:

The church further believes in the following distinctive Baptist emphases:

5.2.1 The DIRECT LORDSHIP OF CHRIST over every believer and over the local church. By this we understand that Christ exercises His authority over the believer and the local church directly, without delegating it to another.

5.2.2. The CHURCH as the whole company of those who have been redeemed by Jesus Christ and regenerated by the Holy Spirit. The local church, being a manifestation of the universal church, is a community of believers in a particular place where the Word of God is preached and the ordinances of Believer's Baptism and the Lord's Supper are observed. It is fully autonomous and remains so notwithstanding responsibilities it may accept by voluntary association.

5.2.3. BELIEVER'S BAPTISM as an act of obedience to our Lord Jesus Christ and a sign of personal repentance, faith and regeneration; it consists of the immersion in water into the name of the Father, Son and Holy Spirit.

5.2.4. The CONGREGATIONAL PRINCIPLE, namely that each member has the privilege and responsibility to use his/her gifts and abilities to participate fully in the life of the church. We recognise that God gifts His Church with Overseers (who are called Pastors and Elders) whose primary function is to lead in a spirit of servanthood, to equip and provide spiritual oversight, and Trustees whose primary function is to facilitate the smooth functioning of the church. This principle further recognises that each member should participate in the appointment of the church's leaders, and that a constituted church meeting, subject to the direct Lordship of Jesus Christ and the authority of Scripture, is the highest court of authority for the local church.

5.2.5 The PRIESTHOOD OF ALL BELIEVERS, by which we understand that each Christian has direct access to God through Christ our High Priest, and shares with Him in His work of reconciliation. This involves

intercession, worship, faithful service and bearing witness to Jesus Christ, even to the ends of the earth.

5.2.6 The principle of RELIGIOUS LIBERTY, namely, that no individual should be coerced either by the State or by any secular, ecclesiastical or religious group in matters of faith. The right of private conscience is to be respected. For each believer this means the right to interpret the Scriptures responsibly and to act in the light of his conscience.

5.2.7 The principle of SEPARATION OF CHURCH AND STATE in that, in the providence of God, the two differ in their respective natures and functions. The Church is not to be identified with the State nor is it, in its faith or practice, to be directed or controlled by the State. The State is responsible for administering justice, ensuring an orderly community, and promoting the welfare of its citizens. The Church is responsible for preaching the Gospel and for demonstrating and making known God's will and care for all mankind.

5.3. Any change within the church structure or organisation which is in conflict directly or indirectly with one or more of the stated Baptist Principles will be invalid unless approved by at least ninety percent of the members present and entitled to vote at a duly constituted special church meeting of which at least three months' notice has been given.

6. MEMBERSHIP:

The membership shall consist of:

6.1. Those who have given evidence of their personal salvation through faith in the Lord Jesus Christ, have confessed that faith in Baptism by immersion, have accepted this Constitution and who have been admitted to membership in terms of Article 7.2.

6.2. Those who have been accepted by transfer, from some other Baptist Church (having been baptised by immersion, having accepted this Constitution) in terms of Article 7.3.

6.3. Those who assent to the truth of believer's baptism, but who (i) because of disability or chronic illness or (ii) because they have been given a baptism as a believer by a mode other than immersion feel they cannot be baptised by immersion, may be admitted on profession of faith, provided that they fulfil all other requirements in article 6.2.

6.4. Those who freely and voluntarily apply for membership, do so on the understanding that adherence to the basic principles in the church's Statement of Faith constitutes an inherent requirement for membership of the Claremont Baptist Church. They consent to the fact that should any member violate such principles he/she may be required by the leadership of the church either to accept their counsel and discipline or to forfeit his/her membership of the Claremont Baptist Church.

7. ADMISSION OF MEMBERS:

7.1. Every application for membership of the church shall be decided on at a General Meeting.

7.2. Application for church membership under Article 6.2 shall be made in the first instance to the Trustees or the Pastors. The Eldership and Board of Trustees shall make careful enquiry regarding the applicant's spiritual experience, and submit their recommendation to the General Meeting.

7.3. Application for church membership under Article 6.3 shall be made in the first instance to the Trustees or the Pastors. The Eldership and Board of Trustees shall satisfy itself concerning the applicant's spiritual experience with a view to applying for a letter of transfer for submission to a General Meeting.

8. TRANSFER OF MEMBERS:

8.1. Any member in good standing who desires to join another Baptist Church shall be given a letter of transfer upon application from the church

concerned.

8.2. Any member in good standing who desires to join a Protestant Church other than Baptist shall be given a letter of commendation upon application of the church concerned.

8.3. A General Meeting shall be advised of any transfers.

9. PRIVILEGES AND OBLIGATION OF CHURCH MEMBERSHIP:

9.1. Under the divine Headship of the Lord Jesus Christ the final authority and responsibility in all matters touching the life and service of the church rests with the membership. Each individual member has the responsibility and right to participate fully in the church's life and government, including the appointment of its leadership.

9.2. Every member shall be entitled and expected to attend General Meetings, unless prevented by some reasonable cause, and to exercise his/her vote for the welfare of the whole church, in a spirit of prayer and love.

9.3. Members shall be expected to support the ministry and maintain the fellowship of the church – by prayer, by attendance at services whenever possible, by engaging in some specific service in connection with the church and by conscientious giving as God's provision enables. It is the special privilege and duty of members to seek to win others to the Lord Jesus Christ and to introduce strangers to the church.

9.4. Members shall not be entitled to any financial benefits from the church except the reimbursement of expenses incurred on behalf of the church, the payment of reasonable remuneration for any services

rendered to the church and the payment of occasional small grants to alleviate extreme poverty.

10. CHURCH DISCIPLINE:

10.1. If any member is absent from services of the church and/or neglects to comply with any of the privileges and obligations of membership for a prolonged period without apparent good reason, the Eldership and Board of Trustees shall make enquiry. Should no satisfactory response result, the Eldership and Board of Trustees may submit a recommendation to a General Meeting.

10.2. In the unhappy event of any allegation of unworthy conduct or erroneous belief against any member, the Eldership and Board of Trustees shall, if careful enquiry makes such a course necessary, report to a General Meeting for appropriate action.

10.3. The suspension or expulsion of any member shall be resorted to only if all efforts at restoration prove unsuccessful determined to the satisfaction of the Church Meeting.

10.4. In purely personal matters, members shall be expected to act in accordance with the Lord's injunction in Matthew 18:15 - 17.

11. THE ORDINANCES:

11.1. The church shall observe Baptism and the Lord's supper in their New Testament simplicity, as enjoined upon His followers by the Lord Jesus Christ.

11.2. Baptism:

In addition to those desiring to join the church in accordance with Article 6.2 the Pastor shall be free to baptise by immersion any believer who desires thus to confess the Lord Jesus.

11.3. The Lord's Supper:

The Lord's Supper shall be observed - as far as possible - on the first and third Sundays of the month - or at such times as the church shall decide. Attendance shall be open to all who have put their faith in Christ as Lord and Saviour

12. GENERAL MEETINGS:

12.1. Annual General Meeting:

The church business year shall end on 31st December and the Annual General Meeting shall be held as soon thereafter as possible, preferably within three months but not later than six months after that date.

12.1.2. Reports on the church's work shall be given, audited financial statements of the central church and its branches and auxiliaries shall be submitted and auditors to check the accounts for the ensuing year shall be appointed.

12.1.3. The Annual elections of Trustees shall take place.

12.1.4. The Agenda shall be made available to all members prior to the meeting.

12.2. Quarterly General Meetings:

12.2.1. As far as possible Quarterly General Meetings shall be held at three monthly intervals.

12.2.2. The Agenda shall be made available to members prior to the meeting.

12.3. Special General Meeting:

12.3.1. Special General Meetings shall be convened -

12.3.1.1. As required in this Constitution

12.3.1.2. On the initiative of the Eldership or Board of Trustees

12.3.1.3. Upon written request of at least 10 members (stating the purpose), and within one month of such request.

12.3.2. Notice of a Special General Meeting shall be issued prior to the meeting, clearly specifying the matters to be submitted for consideration.

12.4. Quorum:

12.4.1. Twenty percent of the total membership, present when a meeting proceeds to business, shall constitute a quorum.

12.4.2. If a General Meeting fails to procure a quorum it shall automatically reconvene at the same time and place seven days later, and the members then present shall constitute a quorum.

12.5. Notice of Meetings:

12.5.1. Notice of all General Meetings shall be given on two Sundays preceding the date of the meeting.

12.6. Voting:

12.6.1. Only members who have attained the age of 18 years shall be entitled to vote.

12.6.3. Unless otherwise required elsewhere in this Constitution all matters shall be decided by the majority vote of those present.

12.6.4. Unless otherwise required elsewhere in this Constitution, or six members request a ballot, voting shall be by show of hands.

12.6.5. There shall be no postal or proxy voting.

12.6.6. If one third of members present and entitled to vote object to any matter brought up without proper prior notice, the Chairperson shall rule that it be referred to a future General Meeting.

12.7. Chairperson

12.7.1. The Pastor - or in the event of there being more than one – the Senior Pastor - shall be ex-officio Chairperson of all General Meetings and combined meetings of the Eldership and Board of Trustees - except when his own position is under consideration or when he may elect to vacate the Chair.

12.7.2. In the absence of the Pastor, the Assistant/ Associate Pastor shall act as Chairperson with the same exception as in 12.7.1.

12.7.3. When 12.7.1 or 12.7.2 do not apply the meeting shall elect a Chairperson for that particular meeting.

12.7.4. The Chairperson shall have a deliberative and a casting vote.

12.8 Minutes

Minutes of all general meetings shall be written, approved and stored.

13. CHURCH LEADERSHIP:

13.1. The church shall appoint two leadership bodies as follows: the Eldership and the Board of Trustees.

13.2. These leadership bodies shall act as generally or specifically directed by the church in General Meeting assembled, and shall be accountable to the church for all tasks delegated to them.

13.3. Members of the Eldership or Board of Trustees shall not be entitled to any financial benefits from the church except the reimbursement of expenses incurred on behalf of the church and the payment of reasonable remuneration for any services rendered to the church.

13.4 All elders and trustees shall have been baptized by immersion as a believer. They shall declare their unreserved and wholehearted

agreement with the church's Statement of Faith and Constitution. This they shall do both in public and in writing.

13.5 The Eldership and Board of Trustees shall meet in their separate groups as necessary but not less than once a quarter. They shall also meet together as necessary but not less than once a year.

14. BOARD OF TRUSTEES:

14.1. A Board of Trustees shall be appointed to be responsible for the administration of the church.

14.2. The church shall elect a Chairperson for the Board of Trustees plus not fewer than three other Trustees from its membership who, at the time of election will be:

14.2.1. over 21 years of age

14.2.2. male or female

14.2.3. in membership not less than six months.

14.3. The number of Trustees deemed desirable shall be decided from time to time at a General Meeting on the recommendation of the Eldership and Board of Trustees.

14.4. Each Trustee shall be elected to fill a specific portfolio, the nature of such portfolios being decided at a General Meeting on the recommendation of the Eldership and Board of Trustees.

14.5. Term of office:

14.5.1. A Trustee shall hold office for two consecutive years but shall be eligible for nomination for re-election for further two-year consecutive periods.

14.5.2. After holding office for six consecutive years, a Trustee shall not be eligible for re-election for a period of one year.

14.6. Nomination for the office of Trustee shall be submitted in writing to the Chairperson of the Board of Trustees duly signed by the nominee, proposer and seconder not later than seven days prior to the date of the meeting when the election shall take place.

14.7. The names of all nominees shall be made known on the Sunday prior to the date of the meeting at which the election shall take place.

14.8. Vacancies on the Board of Trustees

14.8.1. In the event of a vacancy occurring on the Board of Trustees such vacancy may be filled in the aforesaid manner at a General Meeting.

14.8.2. Should it not be possible to fill any vacancy for the time being, the Board of Trustees may continue to operate but only until the next Annual General Meeting.

14.9. Voting shall be by ballot.

14.9.1. Only nominees receiving more than half the votes of members present shall be declared elected to fill any vacancies.

14.9.2. In the event of there being more nominees than vacancies, those candidates receiving the greatest number of votes shall be elected, subject to each one receiving at least the minimum number of votes as described in 14.19.1.

14.9.3. In the event of there being more nominees than vacancies, and none of the candidates receive the minimum number of votes required in terms of 14.19.1. then the candidates receiving the lowest number of votes shall be eliminated and a further ballot held.

15. OPERATION OF THE BOARD OF TRUSTEES:

15.1. The Board of Trustees shall meet together on a regular basis, as agreed.

15.2. Fifty percent of the Trustees shall represent a quorum for Board of Trustee meetings.

15.3. The elected Chairperson shall chair the Board of Trustee meetings.

15.4. Each Trustee shall be responsible for their own portfolios but shall give an account of their duties to the Chairperson of the Board.

15.5. The elected chairperson shall be accountable to the church.

15.6. The Senior Pastor shall attend Board of Trustee meetings. Any other members of the Eldership may also attend should they elect to do so, except when issues relating to the Pastors are under discussion, when the Pastors shall excuse themselves and the elected Trustees shall meet on their own.

15.7. Decision making within the Board of Trustees shall be via simple majority; only elected Trustees and the Senior pastor having the right to vote.

15.8. The Chairperson shall have a deliberative vote and a casting vote.

15.9. Authority of the Board of Trustees

15.9.1 The authority of the Board of Trustees is limited – they are an executive, not a ruling body. The Trustees are therefore required to:

15.9.2. alert the church to any issues that need to be addressed, be they of a legal, financial or operational nature;

15.9.3. investigate and research all material issues and

15.9.4. recommend the best course of action to the church, having regard to the merits and demerits of alternatives;

15.9.5. implement the decisions taken by the church.

15.9.6. The Trustees are free to act as they see fit on all decisions of an operational nature.

15.10. Responsibilities of the Trustees

15.10.1. Trustees shall direct the administrative affairs of the church and be responsible for:

15.10.1.1. Maintaining the role of members and promoting membership.

15.10.1.2. Maintaining the church assets.

15.10.1.3. Managing the church finances.

15.10.1.4. Acting as the employer, on behalf of the church, in respect of any paid staff of the church.

15.10.1.5. Taking appropriate actions to ensure the continuation of the spiritual ministries of the church, in the absence of the Senior Pastor.

16. THE ELDERSHIP:

In accordance with the New Testament the church is to be led and shepherded by elders. Christ is the head of the church; the elders lead by his authority as revealed in the Scriptures. The elders are to lead willingly by example and exhortation, not lording it over the flock, who submit to the elders knowing that elders watch for their souls and give account to Christ for their labours.

16.1 The eldership will include those appointed as full time pastors by the church as well as Elders, either male or female, whom the church appoints.

17. THE PASTORATE:

17.1. The ministry is a vocation in which both pastor and congregation endeavour to follow God's leading. Under the Lordship of Jesus, the appointment and support of the pastor are the responsibility of the church membership.

17.2. When an appointment becomes necessary the procedure shall be as follows:

17.2.1 A General Meeting shall appoint not less than four members to serve with the Eldership and Board of Trustees as a Call Committee.

17.2.2 The Call Committee shall recommend only one name to any Special General Meeting of the church.

17.2.3. The invitation shall be contingent upon the following:

17.2.3.1. At least three quarters of members present shall vote in favour by ballot.

17.2.3.2. The prospective Pastor shall have been baptised by immersion.

17.2.3.3. The prospective Pastor's name shall be on one of the Ministerial lists of the Baptist Union of South Africa.

17.2.4 Should the invitation be accepted, appointment shall be contingent upon the following :

17.2.4.1 The prospective Pastor shall accept in writing this Constitution and "The Code of Pastoral Ethics" of the Baptist Union of Southern Africa.

17.2.4.2 The Pastor shall become a member of the church upon assuming the pastorate.

17.2.4.3. Any engagement between the church and the Pastor shall be terminable by three months notice on either side, unless otherwise mutually agreed upon.

17.3 A letter of appointment including the duties of the pastors and the conditions of service shall be prepared by the Board of Trustees and upon acceptance, signed by the Pastor.

17.4. The Board of Trustees shall liaise with the pastors, to affirm them and to address grievances and problems relating to the ministry; and to bring recommendations, when necessary, to the Church.

17.5. Only a properly constituted church meeting shall have the power to dismiss a pastor. (In accordance with Clause 12.3)

17.6. The retirement age of a pastor shall be upon turning 65 years of age. Thereafter the church may wish to extend the pastor's ministry on an annual basis.

18. ELDERS

18.1 Members who exhibit the qualities laid down in Scripture (see 1 Timothy 3:1-7; Titus 1:5-9 and 1 Peter 5:1-4) may be considered for this ministry in the word, shepherding and prayer.

18.2 The nomination of a suitable candidate is to be submitted to the eldership for consideration. Any nominee must be over the age of 21 and have been an active member of the church for at least 2 years.

18.3. The Eldership shall consider any nominations given to them as well as any they would like to make themselves. All nominees need to be interviewed by the senior pastor in order to gauge their spiritual standing

and suitability for such a leadership position. The Eldership shall then recommend to a General Meeting such persons that they feel are suitable. The names of the persons to be recommended shall be made known at the time notice of the meeting is given, the nominee's prior consent having been obtained.

18.4. The initial appointments of each recommended candidate shall be on the favourable ballot vote of three quarters of the members present.

18.5. Each elder shall hold office for three consecutive years, and continuance in office for further periods of three years shall be on the favourable vote of two thirds of the members present at a General Meeting.

18.6. Elders shall be members of the Eldership.

18.7. The number of Elders deemed desirable shall be decided from time to time at a General Meeting on the recommendation of the Eldership and Board of Trustees.

18.8. The Elders shall consult with and assist the pastors in the leadership and development of the ministries of the church, the caring ministry and the spiritual oversight of the church.

19. OPERATION OF THE ELDERSHIP

19.1. The full time Pastor/s together with the Elders shall constitute the Eldership

19.2. The Senior Pastor shall be the chairperson of the Eldership

19.3. The other pastors and elders shall all be accountable to the Senior Pastor.

19.4. The Senior Pastor and the Eldership – through the Senior Pastor - are accountable to the church for leading the church to achieve the objects of the church stated in Clause 4.2.

19.5. The Chairperson of the Board of Trustees shall normally attend the Eldership meetings.

19.6. Decision making within the Eldership shall be via simple majority; only Pastors and elders having the right to vote.

19.7. The Chairperson shall have a deliberative vote and a casting vote.

19.8. Elders are to assist the full time pastors to watch over, guard and take care of the congregation – that is to be spiritual guides and shepherds – and teach the congregation to reach out to the world. Acts 20:28, Eph 4:12

This includes the following:

- a. To determine the spiritual direction – theology, emphasis, moral purity etc (acts 15:22ff) They need to clarify the beliefs of the church, the ethos and the culture of the church.
- b. To help the church to discern the leading and call of Christ for the church and to ensure that the church is fulfilling its calling.
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- c. To watch over the teaching and counselling ministry (Acts 6:4, Titus 1:7-9 1Tim 4)
- d. To pray for the congregation (Acts 6:4)
- e. Visiting the church congregation and especially the sick and those in need in order to exhort and encourage them by prayer and the ministry of the Word of God. (James 5:14)
- f. Ensuring that the outreach and missions are at the centre of church life (Matt 28:19; Acts 13:1-3)
- g. To support the fulltime pastors in their management of the ministries.
- h. Train up other leaders (2 Tim 2:2)

20. DEPARTMENTS, MINISTRY AND WORK GROUPS:

20.1 The church shall at each Annual General Meeting declare the name of all church departments, branches and other ministry groups and work groups.

20.2. The leaders appointed by each department, branch, ministry groups and work groups shall be approved by the Eldership and Board of Trustees and ratified at a General Meeting.

20.3. Every leader of every department, branch, ministry or work group shall be accountable to one of the Pastors or Elders or one of the Trustees.

21. FINANCE:

21.1. The church shall be supported by voluntary giving.

21.2. The methods of voluntary giving shall be decided upon by the Board of Trustees.

21.3. Proper books of account shall be maintained.

21.4. The members shall appoint annually a competent person or persons who shall examine the church securities, audit the Accounts and Financial Records of the church and furnish a report thereon to the members in writing, not less than 14 days prior to the Annual General Meeting. Such report shall refer to the existence of the securities and the adequacy of the records maintained and shall express an opinion on the accuracy of the accounts presented.

22. FINANCIAL TRANSACTIONS:

The church shall have power to buy, sell, donate, let or hire, exchange, transfer, receive by way of donation or otherwise, movable and immovable property and to invest its funds in Government or Municipal stock, mortgage bonds, or on fixed deposit or otherwise, in Banks, Post Offices, or approved organisations and shall further have power to borrow money with or without security in such manner as the church shall think fit, negotiate loans from Bankers or others by overdraft or otherwise and by passing mortgage and notarial bonds for registration with the proper authorities, and to open and operate upon banking accounts, and to make, draw, accept, discount, execute and issue promissory notes, bills of exchange and other negotiable and transferable instruments to guarantee the performance of contracts by any person or duly constituted church having objectives wholly or partly similar to the objectives of this church.

23. IMMOVABLE PROPERTY:

23.1. All immovable property acquired by the church in any manner shall be registered in the name of the church.

23.2. All acquisitions of immovable property in any manner shall require the approval of a General Meeting, due notice having been given of the proposed transaction.

23.3. Any proposal to sell, donate, exchange, mortgage, hypothecate, or otherwise alienate or encumber any immovable property shall have the prior approval of a Special General Meeting by a two thirds majority vote of the members present and confirmed by a subsequent Special General Meeting called for that purpose to be held within one month from the date of the first meeting.

23.4 No members or office bearers shall have any right or title in their personal capacities to any property or other assets held by the church.

24. SALE OF PROPERTY:

24.1. The proceeds derived from the sale or other disposal of any property of the church shall be used in such manner as the church may deem best fitted to secure the furtherance of its objects.

24.2. It shall not be competent for the church to give away or sell for less than market value any of its property whether movable or immovable.

25. INDEMNITY:

The Trustees and all officers of the church shall be fully indemnified against all actions, costs, charges, losses, damages and expenses which they or any of them shall or may incur in the execution of their duties, except such as they shall incur by their own wrongful action done intentionally or with gross negligence.

26. DISSOLUTION:

26.1. The dissolution of the church may be effected by a two thirds majority vote of members present at a Special General Meeting.

26.2. In the event of 26.1, such meeting shall thereupon authorise the Eldership and Board of Trustees to take the necessary steps to wind up the affairs of the church, and in particular to transfer the immovable property in due and proper form to the Baptist Union - (see 26.4)

26.3. Should the number of Trustees be less than required by Clause 15.1, the meeting shall appoint and authorise any other person or persons to comply with the requirements.

26.4. In the event of the church at any time ceasing to exist, all acquired property or rights to property at such time shall ipso facto vest in and become the property of the Baptist Union which shall hold, administer or

deal with it in such manner as the said Union through its Executive Committee may deem best fitted to secure the objects in Clause 5.

26.5. The church shall be deemed to have ceased to exist when -

26.5.1. dissolution shall have been resolved in accordance with 26.1;

26.5.2 public worship shall have been discontinued for a consecutive period of six calendar months;

26.5.3. the number of members whose names and full addresses are known, has dropped to below 10.

27. MODIFICATION OF THE CONSTITUTION:

27.1. Any proposal to change this Constitution may be submitted by way of Notice of Motion to any General Meeting.

27.2. Such Notice of Motion shall be circulated to all members for consideration at a Special General Meeting convened not less than three months after the General Meeting referred to in 27.1.

27.3. Proposed changes shall require the approval of two thirds of the members present at the meeting with the reservation that the number so present shall be not less than ten, regardless of the number of members on the membership roll.

27.4. In that approval of this Constitution by the Executive of the Baptist Union of Southern Africa, is a pre-requisite to membership of such Union, any amendment of this Constitution or any replacement thereof, shall likewise be subject to the approval of such Executive as a condition of continuing membership.

27.5. Notwithstanding anything to the contrary herein before contained, no modification of this Constitution may be made which has the effect

directly or indirectly of modifying the principle outlined in Clause 4.1 (the nature of the church) and Clause 9.1 (final authority resting with membership).

27.6. It shall be understood that Clause 4.1, 9.1, 27.6 and 27.8 are entrenched, and may not be revoked, amended or amplified.

27.7. The Statement on Baptist Principles contained in Clause 5.2 is an entrenched provision and may not be revoked or amended save on a ninety percent majority vote of members present and entitled to vote at a duly constituted special church meeting of which at least three months' notice has been given.

27.8. In the event of the church withdrawing from the Union, all monies made available for the development of the church and its properties by the Baptist Union shall be immediately refunded to the Baptist Union. This clause is entrenched.

28. RESOLUTION OF DIFFERENCES / AREAS OF CONCERN

28.1. In the unhappy event of serious disputation or anxious concern as between a group or groups of members and the remaining membership, or

As between the Pastor and the whole membership or a group or groups within that membership, or

As between a Pastor and his Eldership and Board of Trustees, or

As between the Eldership and Board of Trustees and the membership, or

As between Pastor and Pastor which in the opinion of any one of the disputants abovementioned is impinging on the effective ministry of the church or is seriously threatening its unity, it shall be the right and privilege of any such Pastor or of any four members of the Eldership and Board of Trustees or of any ten church members to either:

28.1.1 Call for a special meeting of the Eldership and Board of Trustees with a view to resolving the differences. They shall invite three persons who are not members of the church, nominated by the Executive of the Association with which the church is in membership, to be present at such a meeting. One of these people shall be nominated to serve as Chairperson of the meeting or meetings.

28.1.2 It shall be the obligation of the disputants and of the church membership as a whole to afford the church Eldership and Board of Trustees and the three Association representatives when so invoked, every reasonable opportunity to assist in bringing about a God-honouring solution. The Association representatives may, if they so elect, submit a written report with appropriate recommendations.

28.1.3 In the unlikely event of these deliberations still not resulting in any satisfactory resolution of the differences or the areas of concern, then the Association representatives shall recommend to the Area Co-ordinator that an independent person be appointed to lead the church through a conflict resolution process as in 27.1.5 etc below

Or

28.1.4 Request the Area Co-ordinator of the Association with which the church is in membership, to recommend from an independent mediator a person to lead the church through a conflict resolution process.

28.1.5 During this process, which will involve a number of meetings and interviews, it shall be the obligation of all members of the church to participate in whatever way may be required of them in order that a satisfactory God-honouring resolution of differences or areas of concern may be achieved.

28.1.6 The person appointed by the Area Co-ordinator shall be recompensed by the church for his/her services and travel.

29 ACCEPTANCE OF THE CONSTITUTION:

The Constitution as printed above was adopted at a business meeting of the

Claremont Baptist Church, called in terms of the Constitution, and held on 22nd September 2004 as amended at church meetings held on 2nd July 2006 and 27th June 2007.

SENIOR PASTOR

CHAIRPERSON OF THE
BOARD OF TRUSTEES

RECORD OF CHANGES

Changes made to be compliant with the requirements of the NPO Act on 2nd July 2006.

Addition of clause 1.2.

Addition of clause 9.4

Addition of clause 13.3

Deletion of the words “in the name of the Trustees” and addition of the words “in the name of the church” in clause 22.1.

Addition of clause 22.4

Changes made to delete the Pastoral Team and substitute Eldership tabled at the AGM on 28th March 2007 and ratified at the Quarterly General Meeting held on 27th June 2007.

Deletion of clause 2.2 – duplication.

Deletion of all references to the phrase “Pastoral Assistants” and substitution of the word “Elders” in every case.

Deletion of all references to the word “Executive” and substitution the phrase “Eldership and Board of Trustees” in every case.

Addition of clauses 13.4 and 13.5

Addition of clauses 16, 18 and 19.
