

**WESTERN SUBURBS COMMUNITY BIBLE CHURCH  
INCORPORATED**

**RULES**

**August 2005**

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# WESTERN SUBURBS COMMUNITY BIBLE CHURCH INCORPORATED

## RULES

### PREAMBLE

An incorporated association, Western Suburbs Community Bible Church Incorporated, has been established under the *Associations Incorporation Act 1987* (WA) to run the affairs of the Western Suburbs Community Bible Church. The following rules describe the way in which the incorporated association is governed.

### PART 1 PRELIMINARY

#### 1 Interpretation

(1) In these rules:

*exercise a function* includes perform a duty.

*financial year* means the year ending on 31 December.

*function* includes power, authority and duty.

*general meeting* means a general meeting of the association.

*member* means a member, however described, of the association, who is recorded in the register of members and does not include any person who is not recorded, or who has been removed from, the register of members.

*mission* means the mission of the association set out in rule 4.

*pastor* means the senior pastor and staff members who are appointed as pastors.

*postal ballot* means a postal ballot conducted in accordance with Appendix 2 to these rules.

*register of members* means the written record of members of the association, maintained by the secretary.

*secretary* means the secretary of the association, or any person nominated to act as secretary.

*special resolution* has the meaning given by rule 39 (2).

*statement of beliefs* means the beliefs set out in rule 3.

*the Act* means the *Associations Incorporation Act 1987*.

*the administration committee* means the administration committee of the association.

*the association* means Western Suburbs Community Bible Church Incorporated.

*the church* means the Western Suburbs Community Bible Church, except in the statement of beliefs.

*the Regulation* means the *Associations Incorporation Regulations 1988* or any regulation made in substitution for that Regulation.

*the selection panel* means the selection panel appointed in accordance with rule 19.

*treasurer* means the treasurer of the association.

- (2) The provisions of the *Interpretation Act 1984* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act, except that where the words “man”, “he” or “his” are used in these rules in reference to the senior pastor or any member of the selection panel, those instances of the words “man”, “he” and “his” are not to be understood to include “woman”, “she” or “her” but are understood to refer exclusively to males.

## **2 Statement of purpose**

- (1) The association is established for the principal purpose of conducting the affairs of the church.
- (2) The association is not carried on for the object of trading or securing pecuniary gain for its members.
- (3) The assets and income of the association shall be applied solely in furtherance of the purpose stated in sub-rule (1) and no portion shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

## **3. Statement of beliefs**

### **3.1 The fundamental beliefs of the WSCBC about God**

- (a) There is one eternal God, who exists in an everlasting loving relationship of Father, Son and Spirit: that is, one God in three persons.
- (b) God is sovereign in all things, including creation, revelation, redemption,

judgement and the establishing of his kingdom.

- (c) As sovereign loving creator and redeemer, he is worthy of all glory, honour and praise.

### **3.2 The fundamental beliefs of the WSCBC about humanity**

- (a) Men and women are created in the image of God, and therefore enjoy a unique dignity in creation and a unique relationship with God.
- (b) Men and women were created to share in dominion over the created order.
- (c) Human beings are universally sinful since the Fall and each person is guilty of having rebelled against God's rightful rule. This leaves each person under the just wrath and condemnation of God.
- (d) We are unable, without the prior regenerative work of God through his Spirit, to turn ourselves to God.

### **3.3 The fundamental beliefs of the WSCBC about Jesus Christ**

- (a) Jesus was conceived by the Holy Spirit and born of the virgin Mary.
- (b) He is both fully God and truly human. He entered fully into human existence and experience. He endured temptation, and he suffered and died. At all times Jesus has been perfectly obedient to God his father.
- (c) Jesus died and was buried, in so doing taking on himself the wrath of God directed towards human sin and rebellion against God's rule. On the third day he rose from the dead bodily and is now exalted as Lord and Ruler over all creation.
- (d) Jesus will come again in glory to judge the living and the dead and bring eternal life for his people.

### **3.4 The fundamental beliefs of the WSCBC about the Bible**

- (a) There is no other way to know God except that he reveals himself to us. God reveals himself to us in Jesus, the incarnate Word of God. We learn about & meet Jesus in the written Word of God, the Bible.

- (b) The words of the Bible as originally given are divinely inspired and infallible, and have supreme authority in all matters of faith, conduct and experience.
- (c) The Word of God as spoken in the Bible is necessary and sufficient for knowing God, and for salvation, Christian growth and Christian living. The Bible is not only central to the wellbeing of the church but is able to thoroughly equip the Christian community for life and godliness.

### **3.5 The fundamental beliefs of the WSCBC about salvation**

- (a) To be saved is to enjoy the benefits of union with Christ, including escape from the power and penalty of sin and an eternal relationship with God as a child in his family and an heir of his kingdom.
- (b) There is only one name under heaven by which a person can be saved: the name of Jesus, who is the Christ.
- (c) Salvation comes only through the sacrificial death of Jesus Christ as our representative and substitute, who bore the wrath of God on our behalf. In that death, God demonstrates his love for all people most perfectly and establishes his victory over Satan and all his foes.
- (d) The work of the Holy Spirit is necessary to make the death of Jesus effective in an individual's life. The Spirit enables the sinner to repent and to trust in Jesus Christ, so that salvation is entirely of God's grace and not of human merit or works.
- (e) Although we enjoy now the blessings of union with Christ and a secure relationship with God, we await the final consummation of our hope with the return of Jesus Christ, the resurrection of our bodies and life with God the Father, God the Son and God the Spirit eternally.

### **3.6 The fundamental beliefs of the WSCBC about the Spirit in the believer's life and the life of the church**

- (a) The Spirit is co-equal with the Father and the Son, and indwells all who trust in Jesus Christ.
- (b) The Spirit speaks only what he hears from God the Father, never of his own initiative, and his role is to bring glory to Jesus Christ.
- (c) The Spirit works to illuminate believers' minds to understand and obey God's

word, producing in them his fruit, granting them his gifts and empowering them for service.

- (d) The Spirit grants his gifts to be used in the service of building the body of Christ, not for self-indulgence or personal gain. Use of the gifts is determined by this purpose, and not by personal desire for fulfilment, or satisfaction. Not every gift of the Spirit is given to the church at every moment of its life, only those necessary for building the body of Christ.

### **3.7 The fundamental beliefs of the WSCBC about the church**

- (a) The Church is people who have been saved by God, gathered to meet with God in his Word.
- (b) The Church is a familial community of people intended by God to glorify him in all that it does, and to work with God in his mission, bearing witness to him and actively seeking the extension of his rule until Jesus returns in glory.
- (c) Within its community both men and women are to seek proper expression of their gifts as they work to build the church and each other in love.
- (d) The Bible makes clear that in church leadership the roles of men and women are not interchangeable, reflecting the perfect relationship within the Trinity where the roles of the Father, Son and Spirit (each of whom are distinct persons yet equally God) are ordered and not interchangeable. We are committed to expressing the differences in the roles of men and women through ordered relationships of mutual dependence that seek to reflect the perfect relationship within the Trinity.

## **4 Statement of mission**

The mission of the association is to make mature disciples of Christ by proclaiming him according to God's Word the Bible.

## **PART 2      MEMBERSHIP**

### **5      Membership qualifications**

A person is qualified to be a member if:

- (a) the person, being not less than 18 years of age:
  - (i) professes faith in, and submission toward, Jesus Christ as Lord, Saviour and God, and
  - (ii) agrees with the statement of beliefs set out in Rule 3, and
  - (ii) has been in attendance at meetings of the church for a continuous period of not less than 3 months, and
  - (iii) has applied for membership in accordance with rule 6 (1), and
  - (iv) is not a member of another church, except where the administration committee determines that extenuating circumstances apply, and
  - (v) has been approved for membership of the association by the administration committee, or
- (b) the person is a pastor.

### **6      Application for membership**

- (1) An application by a person for membership of the association must be made in writing to the administration committee and must include a declaration that the applicant:
  - (a) professes his or her faith in, and submission toward, Jesus Christ as Lord, Saviour and God, and
  - (b) agrees with the statement of beliefs set out in Rule 3, and
  - (c) agrees to promote the mission of the association.
  - (d) is not, and will not become, a member of or actively involved in another church, except where the administration committee determines that extenuating circumstances apply,
- (2) As soon as practicable after receiving an application for membership, the administration committee is to determine whether to approve or to reject the application.
- (3) The secretary is to notify the applicant of the decision.
- (4) The secretary is to enter the applicant's name in the register of members if the application is approved.

- (5) The applicant becomes a member once his or her name is entered in the register.

## **7 Membership entitlements not transferable**

A right, privilege or obligation that a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

## **8 Cessation of membership**

A person ceases to be a member of the association (apart from death) if the person:

- (a) resigns from membership of the association, or
- (b) is removed from membership of the association by the administration committee.

## **9 Resignation and removal of membership**

- (1) The administration committee will not accept a resignation from membership of the association except in accordance with this rule.
- (2) A member may resign from membership of the association by giving notice in writing to the administration committee of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (3) The administration committee is to remove a person from membership of the association if a person ceases to be in regular attendance at meetings of the church for a period of not less than 6 continuous months, unless the administration committee determines that extenuating circumstances apply.
- (4) The administration committee may remove a person from membership if the person:
  - (a) professes that he or she no longer has faith in, or submission toward, Jesus Christ as Lord, Saviour and God, or
  - (b) no longer agrees with the statement of beliefs set out in Rule 3, and
  - (c) no longer agrees to promote the mission of the association.
  - (d) maintains an active involvement in any other church, where the administration committee has not determined that extenuating circumstances apply.

- (5) If a person ceases to be a member, the secretary is to make an appropriate entry in the register of members recording the date on which the member ceased to be a member, and is to notify or seek to notify the person of the action taken.

## **10 Register of members**

- (1) The secretary must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable time.

## **11 Fees**

No entrance fee or annual membership fee is payable to the association.

## **12 Members' liabilities**

A member of the association is not liable to contribute towards the payment of debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.

## **PART 3      THE SENIOR PASTOR**

### **13      Senior pastor**

- (1)      The senior pastor must:
  - (a)      be a man who qualifies as an overseer according to 1 Timothy 3:1-7 and be known for his maturity of faith and Christian character, and
  - (b)      have demonstrated by his life and teaching that he is well qualified to lead and teach the church in accordance with the mission of the association and statement of beliefs, and
  - (c)      teach and uphold the statement of beliefs, and
  - (d)      promote the mission of the association.
- (2)      The senior pastor is authorised and has responsibility:
  - (a)      to lead and teach the church in accordance with the mission of the association and the statement of beliefs, and
  - (b)      for the oversight of all such matters as he determines are vital to the spiritual welfare of the church, including the ministries of the church.
- (3)      The senior pastor, by virtue of his office, is the chairman of:
  - (a)      the administration committee (and he may delegate the right to preside at meetings of the administration committee to another member of the administration committee), and
  - (b)      any general meetings (and he may delegate the right to preside at general meetings to another member), and
  - (c)      any sub-committee appointed by the administration committee (and he may delegate the right to preside at meetings of the sub-committee to another member).
- (4)      The senior pastor is authorised and has responsibility to appoint or remove other staff.
- (5)      The senior pastor is to be employed by the association without specifying any length of tenure.
- (6)      The terms of remuneration for the senior pastor are to be set by the administration committee.
- (7)      On incorporation of the association, Matthew Greenwood is taken to have been appointed in accordance with these rules as the senior pastor.

#### **14 Vacancy and appointment of senior pastor**

- (1) For the purposes of these rules, a vacancy in the office of the senior pastor occurs (apart from death), if the senior pastor:
  - (a) resigns from office, or
  - (b) is removed from office pursuant to rule 18, or
  - (c) becomes a bankrupt under administration within the meaning of the Bankruptcy Act .
- (2) A person, qualified in accordance with rule 13 (1), may be appointed as acting senior pastor:
  - (a) by the senior pastor, during the temporary absence or incapacity of the senior pastor, or
  - (b) by the selection panel, when the position of senior pastor is vacant because of:
    - (i) the death of the senior pastor, or
    - (ii) a circumstance referred to in subrule (1) (a), (b) or (c), or
    - (iii) the inability of the senior pastor, by illness or incapacity, to appoint an acting senior pastor.
- (3) An acting senior pastor, during the period in which he acts as senior pastor, has all the powers provided by these rules to the senior pastor (except the powers described in rule 13 (4)).

#### **15 Functions of selection panel in appointing a senior pastor**

- (1) When the position of senior pastor is vacant, or the existing senior pastor has given notice of his resignation, the selection panel is to seek the appointment of a new senior pastor.
- (2) The selection panel:
  - (a) is to conduct whatever discussions, investigations and interviews are necessary until a majority of the selection panel agree on one person to be approached, and
  - (b) must consult with the board of reference in accordance with rule 57 (1).
- (3) The selection panel is to communicate privately with the person to ascertain whether he would be willing for his name to be placed before the association.

#### **16 Appointment of nominee**

- (1) For a person who is willing for his name to be placed before the association to

be appointed as the senior pastor, a special resolution for the appointment must be passed.

- (2) If the required majority vote is not obtained at any stage, the procedure under this rule is to be repeated until that vote is obtained.

## **17 Commissioning of senior pastor**

- (1) As soon as practicable after his appointment, the senior pastor is to be commissioned as senior pastor at a meeting of the church.
- (2) At his commissioning, the senior pastor is to publicly declare his agreement:
  - (a) to teach and uphold the statement of beliefs, and
  - (b) to promote the mission of the association.

## **18 Removal and retirement of senior pastor**

- (1) The grounds for removal of a senior pastor are:
  - (a) gross misconduct that brings the Christian faith or the church or the association into disrepute, or
  - (b) persistent and wilful teaching of that which is contrary to the statement of beliefs, or
  - (c) persistent unwillingness to promote the mission of the association, or
  - (d) irreversible mental or physical incapacity leaving him incapable of fulfilling his responsibilities, as certified by 2 suitably qualified medical practitioners who are not members of the association, or
- (2) The senior pastor can not be removed except upon the passing of a special resolution.
- (3) Despite the other provisions of these rules, the chairman of a meeting at which a special resolution for the removal of the senior pastor is or is to be moved may not be the senior pastor, but must be a member of the selection panel appointed by the members present at the general meeting.
- (4) If a decision has been reached to remove the senior pastor:
  - (a) the chairman of the meeting must declare the position of senior pastor immediately vacant, and
  - (b) the selection panel may appoint an acting senior pastor in accordance with rule 14 (2) (b), and
  - (c) the association must:
    - (i) provide payment within one calendar month of any outstanding annual leave, any study leave and any long service leave, and

- (ii) honour any relevant conditions prescribed in the senior pastor's contract of employment with the association.
- (5) On attaining the age of 65 years, the senior pastor must retire, but may remain in office from year to year, after that age, if he receives a majority of the votes cast by the members present and voting at the annual general meeting of the association.

## **PART 4      THE SELECTION PANEL**

### **19      Composition of selection panel**

- (1)      The selection panel is to comprise not less than 3 and not more than 5 men.
- (2)      A man is qualified for election or appointment to the selection panel only if he:
  - (a)      qualifies as an overseer according to 1 Timothy 3:1-7 and is known for his maturity of faith and Christian character, and
  - (b)      agrees to teach and uphold the statement of beliefs, and
  - (c)      agrees to promote the mission of the association, and
  - (d)      has been a either member of the association for at least 18 months, and is a current member at the time of his election, or is a current member of the board of reference, and
  - (e)      is not a staff member.
- (3)      A duly qualified man may be elected to the selection panel at the annual general meeting or at any other general meeting of the association.
- (4)      Any member may nominate to the secretary, in writing, the name of a man who is qualified in accordance with subrule (2) for election to the selection panel.
- (5)      The names of all nominees must be submitted to the members at least 14 days before:
  - (a)      the annual general meeting, or
  - (b)      in the case of a general meeting called to constitute the selection panel, the general meeting called for the purpose, or
  - (c)      in the case of a nominee who is nominated to fill a vacancy that occurs in the office of a member of the selection panel, the general meeting called for the purpose of filling the vacancy.
- (6)      A man becomes a member of the selection panel if his appointment is agreed to by a 70% majority vote of the members of the association present and voting at a general meeting.
- (7)      If there are more nominees than vacancies, each member of the association is to be asked to vote on the following question put separately in relation to each nominee in alphabetical order of surname:

"Do you agree to the nomination of (the name of the nominee) as a member of the selection panel?"

The nominee who receives, or the nominees who receive, the highest number of votes of not less than 70% of the votes of the members who cast a vote is, or are, to fill the vacancy or vacancies.

- (8) If the requisite number of members of the selection panel is not agreed to, the secretary is to appoint the date of a subsequent general meeting and call for nominations in accordance with subrule (4). Subrules (5), (6) and (7) apply in relation to the subsequent general meeting.
- (9) If after a subsequent general meeting the requisite number of members of the selection panel is not agreed to, the senior pastor may appoint a duly qualified man or duly qualified men to fill the vacancy or vacancies.

## **20 Term of office**

- (1) A member of the selection panel holds office, subject to this rule, until the conclusion of the second annual general meeting following the date of his election or appointment as a member of the selection panel and, if otherwise qualified, is eligible to hold office for subsequent terms.
- (2) For the purposes of this rule, a vacancy in the selection panel occurs (apart from death) if the member:
  - (a) ceases to be a member of the association, or
  - (b) resigns from office, or
  - (c) is removed from office under this rule, or
  - (e) becomes a bankrupt under administration within the meaning of the Bankruptcy Act.
- (3) The association in general meeting may by resolution remove a member of the selection panel from the office of such a member before the expiration of the member's term of office.
- (4) The only grounds for removal of a member of the selection panel are:
  - (a) gross misconduct that brings the Christian faith or the church or the association into disrepute, or
  - (b) persistent and wilful teaching of that which is contrary to the statement of beliefs, or
  - (c) persistent unwillingness to promote the mission of the association, or
  - (d) irreversible mental or physical incapacity leaving him incapable of fulfilling his responsibilities as a member of the administration committee, as certified by 2 suitably qualified medical practitioners who are not members of the association.
- (5) A member of the selection panel can not be removed before there has been a 70% majority vote of the members of the association present and voting at a general meeting.

## **21 Voting and decisions**

- (1) Every effort should be made by the selection panel to reach significant consensus when making decisions.
- (2) When the selection panel is satisfied that such consensus can not be reached, questions arising at the meeting of the selection panel are to be determined by a majority of the votes of members for the time being of the selection panel.
- (3) Each member present at a meeting of the selection panel (including the person presiding at the meeting) is entitled to one vote.

## **PART 5 THE ADMINISTRATION COMMITTEE**

### **22 The administration committee**

The administration committee is the committee (within the meaning of the Act) of the association.

### **23 Responsibilities of the administration committee**

The administration committee, subject to the Act, the Regulation and these rules:

- (a) is authorised and has responsibility to determine and administer the financial affairs of the association, including the setting of an annual budget, and
- (b) is authorised and has responsibility to manage the real and personal property of the association, and
- (c) is authorised and has responsibility to perform all such acts and do all such things not elsewhere regulated by these rules as appear to the administration committee to be necessary or desirable for the proper management of the affairs of the association.

### **24 Constitution and membership**

- (1) The administration committee is to consist of 4 members, being:
  - (a) the senior pastor, and
  - (b) 3 persons who are approved by the members in accordance with rule 25 or who are appointed in accordance with subrule (4).
- (2) On incorporation of the association, the first members of the association, and the first members of the administration committee, are taken (despite rule 25 (2) (a)) to be:
  - (a) Matthew Greenwood, as the senior pastor, and
  - (b) James Cooper, Kathryn Roach and John Dingle.
- (3) A member of the administration committee holds office, subject to these rules, until the conclusion of the second annual general meeting following the date of his or her approval or appointment as a member of the administration committee and, if otherwise qualified, is eligible to hold office for subsequent terms.
- (4) In the event that a member of the administration committee vacates office otherwise than by the completion of his or her term of office, the administration committee may appoint a member of the association to fill the

vacancy. The member so appointed holds office, subject to these rules, until the conclusion of the annual general meeting following the date of his or her appointment.

## **25 Approval of members of the administration committee**

- (1) A member of the administration committee, other than the senior pastor, must be a man or woman:
  - (a) who agrees to uphold the statement of beliefs, and
  - (b) who agrees to promote the mission of the association.
- (2) A member of the administration committee, other than the senior pastor:
  - (a) must have been a member of the association for at least 12 months, and be a member at the time of his or her election.
  - (b) must not be a member of the paid staff.
- (3) The administration committee may nominate members of the association who are qualified for appointment as members of the administration committee and whose nominations are approved by not less than 75% of the votes of the members of the administration committee.
- (4) The names of all nominees must be submitted to the members at least 28 days before the annual general meeting.
- (5) A person becomes a member of the administration committee if his or her appointment is agreed to by a 70% majority vote of the members of the association present and voting at a general meeting.
- (6) If there are more nominees than vacancies, each member of the association is to be asked to vote on the following question put separately in relation to each nominee in alphabetical order of surname:

"Do you agree to the nomination of (the name of the nominee) as a member of the administration committee?"

The nominee who receives, or the nominees who receive, the highest number of votes of not less than 70% of the votes of the members who cast a vote is, or are, to fill the vacancy or vacancies.
- (7) If the requisite number of members of the administration committee is not agreed to, the administration committee is to repeat the process under subrules (4) and (6) and call a subsequent general meeting.
- (8) If after a subsequent general meeting the requisite number of members of the administration committee is not approved, the senior pastor may appoint a duly qualified person or persons to fill the vacancy or vacancies.

## **26 Office-bearers of the association**

The office-bearers of the association are:

- (a) the senior pastor (who is to hold the office of president under the Act),
- (b) the secretary,
- (c) the treasurer.

## **27 Secretary**

- (1) The administration committee is to appoint a member of the association (who may or may not be a member of the administration committee) to the office of secretary of the association.
- (2) The secretary is to keep minutes of:
  - (a) all elections and appointments of members of the administration committee and pastors, and
  - (b) the names of:
    - (i) the persons present at meetings of the administration committee, and
    - (ii) the members present at a general meeting, and
  - (c) all proceedings at meetings of the administration committee and general meetings.
- (3) Minutes of proceedings at a meeting must be approved at the next succeeding meeting and signed by the person presiding at the next succeeding meeting.
- (4) The secretary is to note in the register established and maintained under rule 10 (1) the date on which a person ceases to be a member.
- (5) The secretary may, with the prior approval of the senior pastor, appoint a member to fulfil the obligations of the secretary during any absence, for any reason, of the secretary.

## **28 Treasurer**

- (1) The administration committee is to appoint a member of the administration committee to the office of treasurer of the association.
- (2) The treasurer is:
  - (a) to collect and receive all money due to the association and make payments authorised by the association, and
  - (b) to keep correct accounts and books showing the financial affairs of the association with full details of all receipts and expenditure connected

with the activities of the association, and

- c to present financial statements of the association to the administration committee as required by the administration committee but not less frequently than quarterly, and
  - (d) to prepare, for approval by the administration committee, the annual budget of the association.
- (3) The treasurer is to present the budget, as approved by the administration committee, to the members at a general meeting for the purpose of enabling the budget to be received by them.

## **29 Vacancies**

- (1) For the purposes of these rules, a vacancy in the administration committee occurs (apart from death) if the member:
- (a) ceases to be a member of the association, or
  - (b) resigns from office, or
  - (c) in the case of a member of the administration committee, other than the senior pastor, is removed from office under rule 30, or
  - (e) becomes a bankrupt under administration within the meaning of the Bankruptcy Act.
- (2) On attaining the age of 65 years a member of the administration committee, other than the senior pastor who remains in office after that age, must retire, but may remain in office from year to year, after that age, by annual vote of the association.

## **30 Removal of members of the administration committee**

The association in general meeting may remove a member of the administration committee from office before the expiration of the member's term of office on a majority of the votes of the members of the association present and voting at the general meeting.

## **31 Administration committee meetings and quorum**

- (1) The administration committee is to meet at least 4 times in each calendar year at such place and time as the administration committee may determine.
- (2) Oral or written notice of a meeting of the administration committee is to be given by the secretary to each member of the administration committee at least 48 hours (or such other period as may be unanimously agreed on by the members of the administration committee) before the time appointed for the

holding of the meeting.

- (3) Notice of a meeting given under subrule (2) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business that a majority of the administration committee members present at the meeting agree to treat as urgent business.
- (4) Three of the members of the administration committee, which must include the senior pastor, or the person nominated by the senior pastor, constitute a quorum for the transaction of the business of a meeting of the administration committee.

### **32 Delegation by administration committee to sub-committee**

The administration committee may delegate the exercise of its functions, other than:

- (a) this power of delegation, and
- (b) a function that is imposed on the committee of an association by the Act or by any other law of Western Australia,

to such person or persons as the administration committee thinks fit.

### **33 Voting and decisions**

- (1) Every effort should be made by the administration committee to reach significant consensus when making decisions.
- (2) When the administration committee is satisfied that such consensus can not be reached, questions arising at the meeting of the administration committee are to be determined by a majority of the votes of members of the administration committee present and voting at the meeting.
- (3) Each member present at a meeting of the administration committee (including the person presiding at the meeting) is entitled to one vote, except the senior pastor or the person nominated by the senior pastor, has a second or casting vote in the event of a tied vote.
- (4) Despite subrule (3), a decision cannot be made by the administration committee concerning such matters as are vital to the spiritual welfare of the church, without the approval of the senior pastor or the person nominated by the senior pastor.
- (5) The senior pastor may not vote on any question of remuneration of paid staff.
- (6) The administration committee may act despite any vacancy on the administration committee.
- (7) Any act or thing done or suffered, or purported to have been done or suffered,

by the administration committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the administration committee.

- (8) This rule applies to a committee or sub-committee appointed by the administration committee in the same way as it applies to the administration committee.

## **PART 6      GENERAL MEETINGS**

### **34      Annual general meetings—holding of**

- (1)      The association must, at least once in each calendar year and within the period of 4 months after the expiration of each financial year of the association, convene an annual general meeting of its members.
- (2)      This rule has effect subject to any extension or permission granted by the Commissioner of the Department of Consumer and Employment Protection.

### **35      Annual general meetings—calling of and business at**

- (1)      The annual general meeting of the association is, subject to the Act and to rule 34, to be convened on such date and at such place and time as the administration committee thinks fit.
- (2)      In addition to any other business that may be transacted at an annual general meeting, the business of an annual general meeting is:
  - (a)      to confirm the minutes of the last preceding annual general meeting and of the last general meeting held since that meeting, and
  - (b)      to receive from the administration committee reports on the activities of the association during the last preceding financial year, and
  - (c)      to approve members of the administration committee, and
  - (d)      to approve members of the selection panel, and
  - (e)      to receive and consider the financial statement that are required to be submitted to members under section 26 of the Act, and
  - (f)      to receive and approve the budget of the association for the current financial year, unless the budget has been received and approved at a previous general meeting.
- (3)      An annual general meeting must be specified as such in the notice convening it in accordance with rule 37.
- (4)      An annual general meeting is to be conducted in accordance with the provisions of this Part.

### **36      General meetings—calling of**

- (1)      The administration committee may, whenever it thinks fit, convene a general meeting of the association.
- (2)      The administration committee must, on the requisition in writing of not less

than 20% of the total number of members, convene a general meeting of the association within 1 month.

- (3) A requisition of members for a general meeting:
  - (a) must state the purpose or purposes of the meeting, and
  - (b) must be signed by the members making the requisition, and
  - (c) must be lodged with the secretary, and
  - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.

### **37 Notice**

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting notify the members of the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, notify the members of the matters required in subrule (1) specifying, in addition, the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business that may be transacted pursuant to rule 35 (2).
- (4) A member who wishes to bring any business before a general meeting must give details in writing of that business to the administration committee who may include that business in the next notice calling a general meeting given after receipt of the notice from the member.

### **38 General meetings—procedure and quorum**

- (1) No item of business is to be transacted at a general meeting unless a quorum of members is present during the time the meeting is considering that item.
- (2) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, 20% of the current members on the register, present in person, constitute a quorum for the transaction of the business of a general meeting.
- (3) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, 50% of the current members on the register, present in person, constitute a quorum.

- (4) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting stands adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (5) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the business to be dealt with at the meeting, except business requiring a special resolution, will be dealt with by the next administration committee meeting.

### **39 General meetings—resolutions**

- (1) The following business requires a special resolution of the association at a general meeting:
  - (a) a change in the name of the association,
  - (b) an alteration of these rules,
  - © the appointment of a senior pastor in terms of Rule 16 (1).
  - (d) the removal of a senior pastor in terms of Rule 18 (2).
  - (e) any other business for which a special resolution is required by or under the Act.
- (2) A resolution of the association is a special resolution if it is passed by a majority of at least 75% of the votes cast by the members at a general meeting in accordance with the Act or is otherwise passed in accordance with that section.
- (3) Any other business at a general meeting does not require a special resolution.
- (4) The administration committee, or the person presiding at a general meeting, may determine other business requiring resolution by members at a general meeting if the business has been specified in the notice convening the general meeting.

### **40 Presiding member**

- (1) If the senior pastor or his representative is absent from the general meeting, the secretary is to preside at the meeting.
- (2) If the conditions in subrule (1) cannot be met, the meeting is adjourned as described in rule 38 (4).

### **41 Adjournment**

The person presiding at a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

#### **42 Voting and making of decisions**

- (1) A member of the association is not entitled to vote on any question arising at a general meeting of the association unless the member has been a member for at least 3 months.
- (2) Subject to sub-rule (3), on any question arising at a general meeting of the association a member has one vote only.
- (3) In the case of an equality of votes on a question at a general meeting, the person presiding is entitled to exercise a second or casting vote.
- (4) A question requiring resolution, according to rule 39, at a general meeting of the association is, except as provided by subrule (5), to be determined on a show of hands and unless a ballot is demanded, a declaration by the person presiding that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (5) At a general meeting of the association, a ballot may be demanded by the person presiding or by not less than 3 members present at the meeting and entitled to vote.
- (6) If a ballot is demanded at a general meeting, the ballot is to be taken in such manner and at such time before the close of the meeting as the person presiding directs, and the resolution of the ballot on the matter is taken to be the resolution of the meeting on that matter.

#### **43 Proxies**

- (1) No proxy voting is permitted, unless otherwise determined by the administration committee.
- (2) If proxy voting is permitted by the administration committee, each member is entitled to appoint another member as proxy by notice given to the secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed.
- (2) The notice appointing the proxy is to be in the form set out in Appendix 1.

#### **44 Postal ballots**

- (1) Despite any other provision of these rules, the administration committee may determine that any of the following matters may be decided by a postal ballot of the members of the association instead of by a vote of the members at a general meeting of the association:
  - (a) approval of the appointment of a member of the administration committee,
  - (b) removal of a member of the administration committee,
  - (c) appointment of the senior pastor,
  - (d) a change to these rules.
- (2) If a postal ballot is held in respect of a resolution that, under these rules, is required to be passed by a majority of at least 70% of the members who are present and voting at a general meeting, the resolution is taken to be passed:
  - (a) if at least 50% of the members of the association cast a vote (formally or informally) in the postal ballot, and
  - (b) if it receives at least 70% of the votes cast (formally or informally) in the postal ballot.
- (3) Voting by postal ballot is to be conducted in accordance with Appendix 2.

## **PART 7 MISCELLANEOUS**

### **45 Resolution of internal disputes**

Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to the board of reference constituted under Part 8 of these Rules for mediation.

### **46 Staff members**

- (1) In this rule, *staff member* means a person who is appointed as a member of the staff of the association (not being the senior pastor) and who is paid remuneration by the association.
- (2) A staff member must:
  - (a) profess faith in, and submission toward, Jesus Christ as Lord, Saviour and God, and
  - (b) agree with, teach and uphold the statement of beliefs, and
  - (c) promote the mission of the association.
- (3) A staff member is to work under the direction of the senior pastor in accordance with the mission and statement of beliefs of the association.
- (4) The terms of remuneration for all staff members are to be set by the administration committee.

### **47 Funds**

- (1) The funds of the association are to be derived from donations and, subject to any resolution passed by the association in general meeting, such other sources as the administration committee determines.
- (2) All money received at meetings of the church must be counted and attested by the signature of 2 members, who are unrelated and who are not pastors, at least one being authorised to do so by the administration committee.
- (3) All money received by the association must be deposited as soon as practicable and without deduction to the association's bank account.
- (4) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the association or employees of the association, who are not pastors, and who have been authorised to do so by the administration committee.
- (5) All funds, real property and personal property of the association must be used in pursuance of the mission of the association in such a manner as the administration committee determines.

**48 Alteration of objects and rules**

The objects of the association and these rules may be altered, rescinded or added to only by a special resolution of the association.

**49 Common seal**

- (1) The common seal of the association is to be kept in the custody of the secretary.
- (2) The common seal must not be affixed to any instrument except by the authority of the administration committee.
- (3) The affixing of the common seal must be attested by the signatures of 2 members of the administration committee.

**50 Custody of books**

Except as otherwise provided by these rules, the secretary must keep in his or her custody or under his or her control all records, books and other documents relating to the association.

**51 Inspection of books**

The financial records, register of members, and minutes of general meetings of the association must be open to inspection by a member of the association without cost at any reasonable hour.

**52 Service of notices**

- (1) For the purpose of these rules, a notice may be served by or on behalf of the association:
  - (a) on all members—by the making of an announcement at all meetings of the church on at least 2 Sundays before the date of the matter to which the notice relates, or
  - (b) on an individual member—either personally or by sending it by post to the member at the member's address shown in the register of members.
- (2) If a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document is, unless the contrary is proved, taken for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

## **PART 8      BOARD OF REFERENCE**

### **53      Board of reference**

There is to be a board of reference to support the association in pursuing the mission of the association.

### **54      Membership of the board**

- (1) The founding members of the board of reference are to be Peter Bolt, Simon Gillham, David Gold, Andrew Heard, Michael Orpwood, Peter Smith, Brian Telfer, Judy Telfer, Jane Tooher.
- (2) The members of the board of reference for the time being may at any time appoint duly qualified persons to be members of the board so that the membership of the board is not less than 5 persons.
- (3) Each person on the board of reference must:
  - (a) be known for his or her maturity of faith and Christian character, and have demonstrated, in his or her own context, a commitment to pursuing the mission of the association, and
  - (b) agree to uphold the statement of beliefs of the association, and
  - (c) agree to support the association in pursuing the mission of the association, and
  - (d) not be a member of the association (except in the case of the founding members of the board ).

### **55      Vacancies**

A vacancy in the office of a member of the board of reference occurs (apart from death) if the member:

- (a) resigns from office, or
- (b) is absent without the consent of the board from 3 consecutive meetings of the board, or
- (c) attains the age of 70 years.

### **56      Notification of membership at annual general meeting**

The names of all persons on the board of reference are to be provided to the association at each annual general meeting.

**57 Matters on which the board must be consulted**

- (1) The administration committee must consult with the board of reference when:
  - (a) the association is selecting a new senior pastor, or
  - (b) there is a dispute over the continuing employment of the senior pastor, or
  - (c) the administration committee proposes to remove the senior pastor from office, or
  - (d) the association is considering changes to the statement of beliefs or the mission of the association, or
  - (e) the administration committee promotes or is aware of any proposal to alter these rules.
- (2) The administration committee may consult with the board of reference on other matters as it sees fit.

**58 Consultation with senior pastor**

Any member of the board of reference may consult with the senior pastor or administration committee, on matters relating to the association, as he or she sees fit.

**59 Entitlement of the board to call a general meeting of the association**

- (1) The administration committee must, on the requisition in writing of the board of reference, convene a general meeting of the association within one month.
- (2) A requisition of the board of reference for a general meeting:
  - (a) must state the purpose or purposes of the meeting, and
  - (b) must be lodged with the secretary.

**60 Annual meetings between the board and the administration committee**

The board of reference, or members of the board, should meet with the administration committee at least once each year. Any such meeting between the board of reference and the administration committee may take place by telephone conference if required.

**61 Meetings of the board**

Meetings of the board of reference:

- (a) are to be held at such times as are determined by the members of the board, and

- (b) are to be presided over by a member of the board chosen by the members of the board, and
- (c) are to be conducted in accordance with such procedures as the members of the board determine.
- (d) may take place by telephone conference if required.

**APPENDIX 1**

**FORM OF APPOINTMENT OF PROXY**

(Rule 43)

I,

\_\_\_\_\_

of

\_\_\_\_\_

being a member of Western Suburbs Community Bible Church Incorporated, hereby appoint

\_\_\_\_\_

of

\_\_\_\_\_

being a member of that incorporated association, as my proxy to vote for me on my behalf at the general meeting of the association (annual general meeting or special general meeting, as the case may be) to be held on the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

and at any adjournment of that meeting

*(Add, if desired)*

My proxy is authorised to vote in favour of/against *(delete as appropriate)* the motion *(insert details)*

Signature of member appointing proxy \_\_\_\_\_

Date \_\_\_\_\_

NOTE: A proxy vote cannot be given to a person who is not a member of Western Suburbs Community Bible Church Incorporated.

## **APPENDIX 2**

### **POSTAL BALLOT**

(Rule 44)

1. The administration committee is to determine:
  - (a) the form of a ballot paper, and
  - (b) the form of any question to be determined by a postal ballot, and
  - (c) whether any information (in addition to the instructions necessary to enable a member to cast a valid postal vote) is to accompany a ballot paper and, if so, the nature and content of the information.
  
2. The secretary is to send to each member of the association, not less than 14 days before the close of the ballot:
  - (a) a ballot paper, initialled by the secretary, and
  - (b) the instructions necessary to enable a member to cast a valid postal vote, and
  - (c) the address to which, and the date and time by which, the ballot paper is to be returned to the secretary.
  
3. A vote is informal if it is not made in accordance with the instructions necessary to enable a member to cast a valid postal vote.
  
4. At a contested election, each candidate is entitled to appoint a scrutineer.
  
5. The secretary is to announce the result of a postal ballot at all meetings of the church on the Sunday following the close of the ballot.