

CONSTITUTION OF THE WESTPOINT BAPTIST CHURCH

1. NAME

- 1.1. The name of the church shall be Laudium Baptist Church trading as Westpoint Baptist Church (hereinafter referred to as 'The Church'). Legal documents and registrations in the name of Laudium Baptist Church in existence at the time of accepting this constitution will remain in that name. Thereafter, all documents, registrations, and accounts will be in the name of Westpoint Baptist Church.
- 1.2. The Church is located at 58 Taj Street, Laudium, Pretoria.

2. BAPTIST UNION OF SOUTHERN AFRICA

- 2.1. The Church, as and when fully constituted, shall seek and maintain membership with the Baptist Union of Southern Africa but shall be independent of any control by it save as hereinafter provided. Having become a member, the Church shall remain in membership unless a minimum of 90% (ninety percent) of the members of the Church resolve otherwise by a vote cast at a properly constituted meeting of members.

3. CHURCH GOVERNMENT AND OBJECTS

- 3.1. The Church recognises Jesus Christ as its supreme Head, and undertakes to manage its affairs according to the Principles of Scripture, believing that as the Body of Christ it is equipped by His Spirit to act, decide and direct as set out in Article 8.1.
The Church will carry out its objects in a non-profit manner with selfless intent.

3.2. The object of the Church shall be:

- 3.2.1. To glorify the Lord Jesus, the Head of the Church.
- 3.2.2. 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.
- 3.2.3. 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)

3.3 Legal Personality

The church is an entity distinct from the members forming it, which means that:

- 3.3.1 It has an identity and existence distinct from its members or office-bearers;
- 3.3.2 It is capable of instituting legal proceedings, and being sued, in its own name;
- 3.3.3 It has perpetual succession in the sense that it has a continued existence notwithstanding changes in the composition of its membership or office-bearers.
- 3.3.4 It has the capacity of acquiring rights and incurring obligations independently of its members, most importantly the capacity to own property.

4. STATEMENT OF FAITH

4.1. The Church believes:

- 4.1.1 That the Holy Scriptures consist of the 66 books of the Old and New Testaments in their original writing; that the Spirit of God so influenced the authors that these writings are the Word of God; that because of the divine origin and inspiration of its words, the Scriptures are true in all that they affirm and are trustworthy and without error; that these Scriptures are the complete and only written revelation of God to people; that every translation that is faithful to the originals and responsibly interpreted clearly reveals those truths necessary for our salvation, godly living, and maturity in Christ; and that Scripture alone is our sufficient and final authority in all matters of belief and practice.
- 4.1.2 In one God who eternally exists in three co-equal persons – the Father, the Son, and the Holy Spirit; that though each divine person is fully and equally God, they differ in relationship towards each other and their work in the world; that this triune God is perfect and infinite in His being and attributes – an all-holy, all-loving, and all-wise Sovereign;

that from before creation, God determined to save sinners through the sacrifice of His Son, to govern all history according to His sovereign plan and to finally bring all things under one head, even Christ; and that all things exist from Him, through Him, and for Him, and are created to display the glory of His wonderful Name.

4.1.3 That in the beginning God sovereignly created all things visible and invisible and took delight in it all; that He created humankind male and female as his image bearers, endowing each with a dignity of equal worth and calling to govern and care for His creation; that human life is sacred to God and begins at conception, and should not be unnecessarily terminated at any stage; that God created marriage to be an exclusive and lifelong union between a natural man and a natural woman, giving the man the responsibility of loving leadership and the woman the role of compatible support; that the first man Adam sinned and thereby incurred the penalty of death, physical and spiritual, for all people, and as a consequence of his sin, all humans inherit a sinful nature, which results in actual transgression and personal guilt.

4.1.4 That when the time was right, the eternal Son of God took on human nature, and was made like us in every way, yet without sin; that, after being conceived by the Holy Spirit, He was born of the virgin Mary, was named Jesus (meaning 'God saves'), and from conception was and always will be fully God and fully man in one person; and that He is, therefore, the perfect and only mediator between God and people.

4.1.5 That the Lord Jesus Christ lived a sinless life, was perfectly obedient to His Father in every way, and ushered in the promised Kingdom of God in all His words and deeds; that, for the joy set before Him, He offered up Himself as the perfect substitutionary and atoning sacrifice for sinners, triumphing over sin, death, and all the forces of evil, and purchasing for Himself a people out of every tribe, language, and

nation; that on the cross the Son of God received in His person the due penalty of God's wrath against our sin, and that His shed blood is the sole basis for our salvation and the greatest revelation of the glory of the grace of our God.

4.1.6 That the Lord Jesus was crucified, buried, and on the third day was resurrected bodily from the dead and glorified as the first-fruits of God's new creation; that he ascended into heaven, where He is seated at the right hand of the Father as ruler over all things; that He presently intercedes as High Priest and Advocate for all who draw near to God through Him; and that He will return personally, visibly, and gloriously to judge the living and the dead.

4.1.7 That the Holy Spirit is the Lord, the giver of life, who formed the world, empowered certain individuals for God's purposes, and who speaks in the Holy Scriptures; that God anointed Jesus Christ with the Spirit for his ministry and that the Spirit was given to the Church at Pentecost to indwell, lead, and unite believers, gifting each of them for various works of service; that the Holy Spirit glorifies Christ, gives understanding of the Word, convicts people of their sin, unites believers to Jesus, and forms the character of Christ within them; and that the Spirit pours the love of God into our hearts, enables prayer and witness, and seals the believer for the day of the redemption of their bodies.

4.1.8 That through the call of God in the Gospel message, all who receive Christ Jesus as Saviour and Lord are born again by the Holy Spirit, becoming a new creation in Christ; that through faith in Him, sinners have the forgiveness of sins and are declared righteous on the grounds of His shed blood; that repentance is a condition of this salvation and the first sign of that holiness without which no one will see the Lord; that by virtue of their union with Christ, believers share in all the benefits of grace that are in Him, including the adoption as sons and

the gift of the Holy Spirit; and that all who turn from their sin, trusting Christ, may have the assurance that they will be kept and accepted by Him.

4.1.9 That the Church is the whole company of those who have been redeemed by Jesus Christ, regenerated by the Holy Spirit, reconciled to the Father, and thereby to each other; that this Church is the people of God, the body of Christ and the temple of the Holy Spirit, through whom God's purpose in history is made known; that the local church, as a manifestation of the universal Church, is a community of believers in a particular place where God's Word is preached and practiced, the two ordinances are observed, and church discipline is exercised; that in the local church both men and women are called to serve equally, and male headship should be evidenced; and that each local church is ruled by Jesus Christ, governed by its members, led by its shepherds, and served by its deacons.

4.1.10 That the Lord Jesus Christ appointed two ordinances – Baptism and the Lord's Supper – to be observed as acts of obedience and as witnesses to the primary facts of the Christian faith; that Baptism is the immersion of a professing believer in water as a confession of identification with Christ in His death, burial, and resurrection; and that the Lord's Supper is the partaking of the bread and the cup, signifying our participation in the Saviour's body and shed blood in remembrance of His death until He comes.

4.1.11 That the mission of the Church is to make disciples of all people groups in all places through the truth of the Gospel of Jesus Christ, and to plant and establish local churches to obey all that Jesus taught the Apostles; that in loving our neighbour as ourselves, compassionately, practically and wisely, we image the love of God to all; and that we should do all this according to the Scriptures, under the shadow of the Cross and in the power of the resurrection.

4.1.12 In the bodily resurrection of both the righteous and the unrighteous; that all people will appear before God's judgement seat to receive their due for the things done while in the body; that those whose names are written in the Lamb's book of life will enter into eternal life, but the unrighteous into eternal condemnation; and that according to God's promise we look forward to a new heaven and a new earth in which righteousness dwells, when we will forever be with the Lord, and He with us: Come Lord Jesus, come! Amen.

4.2. **Statement of Baptist Principles**

The Church further believes in the following distinctive Baptist emphases:

- 4.2.1 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.
- 4.2.2. 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.
- 4.2.3. **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.
- 4.2.4. 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 or Elders) whose primary function is to lead in a spirit of servant hood, to equip and provide spiritual oversight, and Deacons 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.
- 4.2.5 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.

- 4.2.6 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.
 - 4.2.7 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.
- 4.3. 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 a minimum of 90% (ninety percent) of the members of the Church resolve otherwise by a vote cast at a properly constituted meeting of members.

5. **MEMBERSHIP**

The membership shall consist of:

- 5.1. Those whose names are in the church register of members at the time of the adoption of this Constitution.
- 5.2. Those who have given evidence of their personal salvation through faith in the Lord Jesus Christ, have been baptised by immersion as a believer, have accepted this Constitution and who have been admitted to membership in terms of Article 6.2.
- 5.3. 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 6.3.
- 5.4. 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 Westpoint 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 Westpoint Baptist Church.

6. ADMISSION OF MEMBERS

- 6.1. Every application shall be decided on at a General Meeting.
- 6.2. Application for church membership under Article 5.2 shall be made in the first instance to the Pastor or Secretary. The Executive shall make careful enquiry regarding the applicant's spiritual experience, their successful completion of the Church Membership Course, and submit their recommendation to the General Meeting.
- 6.3. Application for church membership under Article 5.3 shall be made in the first instance to the Pastor or Secretary. The Executive 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 once the applicant has successfully completed the Church Membership Course.

7. TRANSFER OF MEMBERS

- 7.1. 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.
- 7.2. 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.
- 7.3. A General Meeting shall be advised of any transfers.

8. PRIVILEGES AND OBLIGATION OF CHURCH MEMBERSHIP

- 8.1. 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.
- 8.2. 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.
- 8.3. 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 - by conscientious giving as God's provision enables and by introducing strangers to the Church.

9. **CHURCH DISCIPLINE**

- 9.1 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 Executive shall make enquiry. Should no satisfactory response result; the Executive may submit a recommendation to a General Meeting.
- 9.2 In the event of any allegation of unworthy conduct or erroneous belief against any member, the Executive shall, if careful enquiry makes such a course necessary, report to a General Meeting for appropriate action.
- 9.3 The suspension or expulsion of any member shall be resorted to only if all efforts at restoration prove unsuccessful.
- 9.4 In purely personal matters, members shall be expected to act in accordance with the Lord's injunction in Matthew 18:15-17.

10. **THE ORDINANCES**

10.1. **Baptism**

In addition to those desiring to join the Church in accordance with Article 5.2 the Pastor shall be free to baptise by immersion any believer who desires thus to confess the Lord Jesus.

10.2. **The Lord's Supper**

The Lord's Supper shall be observed - as far as possible - on the first Sunday of the month - or at such times as the Church shall decide. Attendance shall be open to all who love the Lord Jesus as Lord and Saviour.

11. **GENERAL MEETINGS**

11.1. Annual General Meeting

- 11.1.1. The Church business year shall end on 31 December and the Annual General Meeting shall be held as soon thereafter as possible, but not later than 31 March.

11.1.2. Reports and audited/**approved** financial statements shall be submitted by the Secretary and Treasurer, respectively. **Refer Article 18.4.**

11.1.3. Reports shall be submitted by all departments of the Church.

11.1.4. The Annual elections of Deacons shall take place.

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

11.2. Ordinary (or Quarterly) General Meeting

11.2.1. Ordinary (or Quarterly) General Meetings shall be held each quarter of the year save for the first quarter when the AGM shall be held.

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

11.3. Special General Meeting

11.3.1. Special General Meetings shall be convened -

11.3.1.1. As required in this Constitution

11.3.1.2. On the initiative of the Executive

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

11.3.2. Notice of a Special General Meeting shall be issued/distributed to all members at least fourteen days prior to the meeting, clearly specifying the matters to be submitted for consideration.

11.4. Quorum

11.4.1. At least 30% of the total membership of the Church shall be present when a meeting proceeds to business, to constitute a quorum.

11.4.2. 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.

11.5. Notice of Meetings

11.5.1. Notice of all General Meetings shall be given at both services on two Sundays preceding the date of the meeting and as required by (11.1.5) (11.3.2).

11.5.2. The non-receipt of the notice by any member as required by 11.1.5 and 11.3.2 shall not invalidate the proceedings at the meeting.

11.6 Voting

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

11.6.2. Only members in membership at the time of the meeting shall be entitled to vote.

11.6.3 Members who have been inactive from the church in attendance for a period of six months or longer without valid reason shall be deemed ineligible to vote.

11.6.4. Unless otherwise required elsewhere in this Constitution all matters shall be decided by a consensus of two-thirds (66%) of members, or the majority vote of those present where consensus could not be reached.

11.6.5. Voting shall be by show of hands unless

11.6.5.1. otherwise required elsewhere in this Constitution

11.6.5.2 one member requests a ballot

11.6.5.2. There shall be no postal or proxy voting.

11.7 Minutes

11.7.1 The Secretary shall record the minutes of all meetings in a minute book which shall be kept at the church and always have them on hand for members to consult.

12. **CHAIRMAN**

12.1. The Pastor, or in the event of there being more than one, the Senior Pastor, shall be ex-officio Chairman of all General and Executive meetings, except when his own position is under consideration or when he may elect to vacate the Chair.

12.2. In the absence of the Pastor, the Assistant/ Associate Pastor shall act as Chairman with the same exception as in 12.1.

12.3. When 12.1 or 12.2 do not apply the meeting shall elect a Chairman for that particular meeting.

- 12.4 The Chairman shall have a deliberative and a casting vote.
- 12.5 If one third of members present and entitled to vote object to any matter brought up without proper prior notice, the Chairman shall rule that it be referred to a future General Meeting.

13. **THE EXECUTIVE**

- 13.1. The Pastor or Pastors, together with Deacons, and Elders, if any, shall constitute the Executive.
- 13.2. The Executive 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 it, and for the proper administration of all Church funds.
- 13.3. The Executive shall meet at least once monthly if possible.
- 13.4. 50% of the Executive shall constitute a Quorum.
- 13.5. At its first meeting after the Annual General Meeting, the Executive shall appoint from its own number a Secretary and Treasurer, these appointments to be confirmed at the next General Meeting.
- 13.6 In the event of the church not being able to meet its criteria with regard to Clause 13.1 and Clause 14.2, Clause 13.1-5 shall be suspended for not more than a year at a time and an interim Leadership Team of not less than five persons (members) shall be elected, comprising respected people in the church who have the confidence of at least 60% of those present and entitled to vote. A Chairperson shall be appointed by the Leadership Team.

14. **DEACONS**

- 14.1 The Church may, from its membership, elect deacons, who, at the time of election, will be:
 - 14.1.1. over 21 years of age,
 - 14.1.2. in membership not less than six months.
- 14.2. The number of Deacons shall not be less than four.
- 14.3. A Deacon shall hold office for two consecutive years, but shall be eligible for nomination for re-election for a further consecutive two-year period.

- 14.4. Nomination for the office of Deacon shall be submitted in writing to the Church Secretary duly signed by the nominee, proposer and seconder not later than eight days prior to the date of the meeting when the election shall take place.
- 14.5. The names of all nominees shall be made known at both services on the Sunday prior to the date of the meeting at which the election shall take place.
- 14.6. In the event of a vacancy occurring in the office of Deacon such vacancy may be filled in the aforesaid manner at a General Meeting, but only for the unexpired period of the previous incumbent's term of office.
- 14.7. Voting shall be by ballot.
- 14.8. Only nominees receiving more than two thirds of the votes of members present shall be declared elected to fill any vacancies.

15. **ELDERS**

- 15.1. As stated in the Congregational Principle (clause 4.2.4), it is the function of elders to provide spiritual leadership in the church (the terms elders, pastors and overseers all refer to the same office). It is most desirable, therefore, that the church should appoint suitable persons, who satisfy the requirements as detailed in Timothy and Titus, as elders. They shall consult with and assist the pastor/s in the caring ministry and spiritual oversight of the church.
- 15.2. After having also considered any suggestions from Church members the Executive shall recommend to a General Meeting such person/persons from its membership of maturity, good standing in the Faith, and in the secular world, as it considers suitable for appointment to this office. The name/s of the person/s to be recommended shall be made known at the time notice of the meeting is given, the nominees prior consent having been obtained.
- 15.3. The initial appointments of each recommended candidate shall be on the favourable ballot vote of two thirds of the members present.
- 15.4. Elders shall hold office for a period of five years, but will be eligible for re-election for another five-year term provided that they remain in good standing in the faith and with the church.
- 15.5. Elders shall be members of the Executive. In purely spiritual matters, e.g. reception of new members, disciplinary issues, etc., the Executive may delegate these tasks to the elders.
- 15.6. The number of elders deemed desirable shall be decided from time to time at a General Meeting on the recommendation of the Executive.

16. THE PASTORATE

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

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

16.2.1 A General Meeting shall appoint not less than four members to serve with the Executive as a Call Committee.

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

16.2.3. The invitation shall be contingent upon the following:

16.2.3.1. At least two thirds of members present shall vote in favour by ballot.

16.2.3.2. The prospective Pastor/Pastors shall have been baptised by immersion and shall accept in writing this Constitution.

16.2.3.3 The Pastor and his wife shall become members of the Church upon assuming the pastorate.

16.2.3.4 The prospective Pastor's name shall preferably be on one of the Ministerial lists of the Baptist Union of S.A

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

16.2.3.6 "The Code of Pastoral Ethics" of the Baptist Union of Southern Africa shall be accepted and signed by the Pastor.

16.2.3.7 A letter of call including the duties of the Pastor and the conditions of service shall be prepared and upon acceptance, signed by the Pastor/Pastors.

16.2.3.8 "A Pastoral Committee" shall be elected by the Church to draw up a letter of call which contains the terms and conditions of service; to liaise with the Pastor, to affirm and to address grievances and problems relating to the ministry; and to bring recommendations, when necessary, to the leadership of the Church.

Only a properly constituted Church meeting shall have the power to dismiss a pastor. (In accordance with Clause 11.3)

16.2.3.9 The normal retirement age of a Pastor shall be upon turning 70 years of age. Thereafter the Church may wish to extend the Pastor's ministry on an annual basis.

17. **DEPARTMENTS**

17.1. The appointed leaders of all departments shall be approved by the Executive before being appointed.

17.2. The leader appointed by each department shall be approved by the Executive and notified at a General Meeting.

17.3. Each department shall appoint its own committee. All appointments should be approved by the leadership.

17.4. The Family Bible Hour/Sunday School shall appoint its own staff. All appointments should be approved by the leadership.

18. **FINANCE**

18.1. The Church shall be supported by voluntary giving.

18.2. The methods of voluntary giving shall be decided upon by the Executive. No donation will be accepted which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation.

18.3. Proper books of account shall be maintained by the treasurer. The Church's financial transactions must be conducted by means of a banking account in the name of the Church. In the case where the recipient of the funds doesn't have a bank account a signed receipt shall be given to the church for the cash received.

18.4 The members shall appoint annually an Auditor 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 (see 11.1.2). Such report shall refer to the existence of the securities and the adequacy of and compliance with the church's accounting system of the records maintained and shall express an opinion on the accuracy of the accounts presented.

- 18.5 The Church's income and property may not be distributed to its members or office-bearers, except as reasonable compensation for services rendered. No remuneration will be paid to any employee, office bearer, member or other person, which is excessive, having regard to what is generally considered reasonable in the sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.
- 18.6 Members or office-bearers have no rights in the property or other assets of the Church solely by virtue of their being members or office-bearers.
- 18.7 The Church's accounting records and reports must be ready and handed to the Director of Non-profit Organisations, in as far as is possible, within six months of the financial year end. The Church will submit the required returns by the South African Revenue Service together with the relevant supporting documents.
- 18.8 To comply with the requirements of the South African Revenue Service for Tax Exemption, at least 85% of the Church's activities, measured either in cost or time spent, will be carried out for the benefit of persons in the Republic.

19. **FINANCIAL TRANSACTIONS**

- 19.1. 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 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.
- 19.2. The funds of the Church will be used solely for the objects for which it was established, or shall be invested with a financial institution as defined in section 1 of the Financial Services Board Act, 1990 (Act No. 97 of 1990) or in any financial instrument of a company contemplated in paragraph (a) of the definition of a 'listed company'.

20. IMMOVABLE PROPERTY

- 20.1. All immovable property acquired by the Church in any manner shall be registered in the name of the Trustees of the Church.
- 20.2 All immovable property owned by the Church at the time of acceptance of this constitution shall remain in the name of the Laudium Baptist Church.
- 20.2. The Trustees will be the Trustees of the Church. They shall act as required by the provisions of the Trust Property Control Act, 57 of 1988 as amended and resolution of a General Meeting of the Church.
- 20.3. 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.
- 20.4. 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 90% majority vote of the members present.

21. SALE OF PROPERTY

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.

22. 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.

23. DISSOLUTION

- 23.1. The church may be dissolved by a resolution of at least 90% of the total membership of the church, at a Special General Meeting duly convened for that purpose. Notice of such meeting of at least 30 days shall be given in writing to all members of the church.
- 23.2. In the event a resolution in terms of 23.1, such meeting shall thereupon authorise the Executive 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 of Southern Africa - (see 23.4)

- 23.3. Should the number of Deacons be less than required by Clause 14.2, the meeting shall appoint and authorise any other person or persons to comply with the requirements of 23.2 above.
- 23.4 In the event of the Church at any time ceasing to exist as a Baptist Church in fellowship with the Baptist Union of Southern Africa, 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 3.
- 23.5. The Church shall be deemed to have ceased to exist-
- 23.5.1. when dissolution shall have been resolved in accordance with 23.1.
- 23.5.2 when public worship shall have been discontinued for a consecutive period of six calendar months.
- 23.5.3. when the number of members whose names and full addresses are known, has dropped to below 10.
- 23.5.4 when this Constitution is replaced or modified or changed in such a way that it is no longer Baptist; meaning that one or more Baptist Principles are so altered or removed such that the beliefs and practices of the congregation are no longer Baptist.
24. **MODIFICATION OF THE CONSTITUTION**
- 24.1. Any proposal to change this Constitution may be submitted by way of Notice of Motion to any General Meeting.
- 24.2. 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 24.1.
- 24.3 Proposed changes shall require the approval of at least 90% (ninety percent) of the members of the church. Voting shall take place at a properly constituted meeting convened in accordance with 24.2 above.
- 24.4 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.
- 24.5 Notwithstanding anything to the contrary hereinbefore contained, no modification of this Constitution may be made which has the effect directly or

indirectly of modifying the principle outlined in Clause 3.1 (the nature of the Church) and Clause 8.1 (final authority resting with membership).

24.6. It shall be understood that Clauses 3.1, 8.1 and 24.6 are entrenched, and may not be revoked, amended or amplified.

24.7. The Statement on Baptist Principles contained in Clause 4.2 is an entrenched provision and may not be revoked or amended save on a 90% 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.

24.8. 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.

25. **RESOLUTION OF DIFFERENCES / AREAS OF CONCERN**

25.1. In the 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 Executive, or
- As between the Executive 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 Executive Committee or of any ten Church members to either:

25.1.1 Call for a special meeting of the Executive Committee 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 Chairman of the meeting or meetings.

25.1.2 It shall be the obligation of the disputants and of the Church membership as a whole to afford the Church Executive 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.

25.1.3 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 25.1.5 etc below.

OR

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

25.1.5 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.

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

25.2 Since an Assembly has ruled that divorce constitutes a major, though not insurmountable obstacle to inclusion on the Ministry List, and in the serious light in which the Church views divorce, the Church shall, in the event of the Pastor becoming divorced, seek to consult and work with the National Leadership Council of the Baptist Union of SA in order to facilitate spiritual recovery and wise judgment. This process must consider the guidelines as laid out in section 5.4 of the REGULATIONS GOVERNING RECOGNITION FOR MINISTRY (As revised by the 2023 Assembly).

26. **CONFIRMATION/ACCEPTANCE OF THE CONSTITUTION**

The Constitution as printed above was adopted at a business meeting of the Westpoint Baptist Church, called in terms of the Constitution, and held on 19 May 2024

CHAIRMAN

SECRETARY