

INDEX

1. Article 1: Name .....	3
2. Article 2: Definitions .....	3
3. Article 3: Objects .....	3
4. Article 4: Powers .....	4
5. Article 5: No Pecuniary Gains Or Profits .....	4
6. Article 6: Office .....	5
7. Article 7: Membership .....	5
8. Article 8: Limitation Of Activities .....	5
9. Article 9: Directors .....	5
10. Article 10: Finances .....	5
11. Article 11 Voting Powers Of Association Members .....	6
12. Article 12: Meeting Of The Membership .....	6
13. Article 13: Administration .....	7
14. Article 14: Board .....	7
15. Article 15: General Officers .....	8
16. Article 16: Common Seal .....	12
17. Article 17: Councils & Committees .....	12
18. Article 18: Ministerial Status .....	12
19. Article 19: Ministerial Certificates .....	14
20. Article 20: Insurance .....	16
21. Article 21 Bylaws .....	16
22. Article 22: Establishment & Operation Of Member Churches .....	16
23. Article 23: Disciplinary Action And Disputes .....	17
24. Article 24 Disputes .....	18
25. Article 25 Inspection Of Records .....	20
26. Article 26 Publication By Council Members Prohibited .....	21
27. Article 27 Amendments To The Articles And Bylaws .....	21
28. Article 28: Winding Up .....	21

**BYLAWS**

1. By-Law 1 Foursquare Member Churches .....	22
2. By-Law 2 Name .....	23
3. By-Law 3 : Objects .....	23
4. By-Law 4: No Pecuniary Gains Or Profits .....	23
5. By-Law 5 Starting .....	23
6. By-Law 6: Qualifications, Selection, Removal & Duties Of Pastors .....	26

7.	By-Law 7: Organisation Of Member Churches.....	28
8.	By-Law 8: Qualifications Of Church Officers.....	29
9.	By-Law 9: Administration Of Foursquare Churches.....	32
10.	By-Law 10 Winding Up.....	33
11.	By-Law 11 Amendments To Constitution.....	33

**1. ARTICLE I: NAME**

The name of this Association is Church of the Foursquare Gospel in Australia.

**2. ARTICLE 2: DEFINITIONS**

- 2.2 "Act" means the Associations Incorporation Act (WA) 2015.
- 2.2 "Annual General Meeting" means a general meeting of the members convened each year as prescribed by the Act and in accordance with Articles 12.1.
- 2.3 "Board" or "Board of Directors" means the committee appointed in accordance with Article 14 to manage the business of the Church.
- 2.4 "Church" means the Church of the Foursquare Gospel in Australia.
- 2.5 "General meeting" means a meeting of the Member Churches convened in accordance with Article 12.
- 2.6 "Director" means a person elected or appointed as a member of the Board.
- 2.7 "Member" or "Member Church" means a Member Church of the Church.
- 2.8 "Register" means the Register of Churches which the Church is required to keep and maintain in accordance with the Act.
- 2.9 "Regulations" means any regulations made under the Act.
- 2.10 "Secretary" means the person appointed in Article 15.3
- 2.11 "Senior Minister" means the person appointed to act in that capacity in accordance with Article 18
- 2.12 "Supervisor" means the person referred to in Article 15.1
- 2.13 "Treasurer" means the person appointed in accordance with Article 15.4
- 2.14 A reference in the Act to:
- 2.14.1 "Association" or "Incorporation Association" shall be construed as a reference to "Church" and
- 2.14.2 "Committee" shall be construed as a reference to "Board".
- 2.15 Words or expressions contained in these Rules shall be interpreted in accordance with the Interpretation Act 1984 (WA) and the Act and any modification or replacement thereof.

**3. ARTICLE 3: OBJECTS**

The purposes for which this Association is formed are:

- 3.1 To propagate the Gospel of our Lord Jesus Christ as presented in the Declaration of faith.
- 3.2 To enable Christian worship.
- 3.3 To license and/or ordain ministers of the gospel and missionaries for the furtherance of the work of this association both in Australia and overseas in accordance with such regulations for ordination as shall be promulgated by the Board.
- 3.4 To establish and accept Churches and religious organisations for the propagation of the gospel in Australia, which are to subject at all times to the oversight of this Association.
- 3.5 To establish, maintain, and conduct missionary endeavours for the furtherance of the Gospel in Australia and overseas, according to the regulations promulgated by the Board.

- 3.6 To undertake such public benevolent works in Australia as this Association or its Directors may decide for relief of poverty, sickness, destitution, distress or misfortune, or for assistance to persons in necessitous circumstances and without restrictions based on race, belief or the like of any person to whom such relief or assistance may be given.
- 3.7 To establish any College or School and for that purpose to acquire or construct and maintain any buildings.
- 3.8 To establish any camp facilities for furthering any of the purposes of this association and for that purpose to acquire or construct and maintain any buildings.
- 3.9 To establish any fund or funds for any of the foregoing purposes.
- 3.10 To do all things necessary for the accomplishment of our purposes, as specified
- 3.11 This Association will maintain a close cooperative relationship with the International Church of the Foursquare Gospel.

#### 4. ARTICLE 4: POWERS

In addition to and not in substitution for the powers set out in the Act, the Church (in the attainment of the Objects) shall have the power:

- 4.1 To establish and maintain such departments and programs as may be required for the attainment of the Objects;
- 4.2 To solicit, accept and collect funds, gifts and other contributions and to purchase, lease, hire, occupy, sell, hold in trust or otherwise acquire, deal with or dispose of property, real or personal;
- 4.3 To borrow, lend and invest moneys and mortgage, charge or encumber the assets of the Church and give security for loans;
- 4.4 To construct and maintain buildings and other structures owned, leased or occupied by the Church;
- 4.5 To make donations for religious, educational, charitable or benevolent purposes;
- 4.6 To appoint, employ, remove or suspend such pastoral and non-pastoral staff as may be necessary or convenient for the purposes of the Church' and
- 4.7 To do all such other things as are incidental or conducive to the attainment of the Objects and the exercise of the powers of the Church.

#### 5. ARTICLE 5: NO PECUNIARY GAINS OR PROFITS

- 5.1 The property and income of the Church must be applied solely towards the promotion of the Objects or purposes of the Church and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those Objects or purposes.
- 5.2 A payment may be made to a member out of the funds of the Church only if it is authorised under Clause 5.3
- 5.3 A payment to a member out of the funds of the Church is authorised if it is -
  - 5.3.1 The payment in good faith to the member as reasonable remuneration for any services provided to the Church, or for goods supplied to the Church, in the ordinary course of business; or
  - 5.3.2 The payment of interest, on money borrowed by the Church from the member, at a rate not greater than the secured lending rate of the financial institution with which the Church conducts its financial affairs.
  - 5.3.3 The payment of reasonable rent to the member for premises leased by the member to the Church; or

5.3.4 The reimbursement of reasonable expenses properly incurred by the member on behalf of the Church.

**6. ARTICLE 6: OFFICE**

The Registered office of this Association shall be at 111 Bluegum Road, Beechboro, Western Australia, 6063 or such other address as is subsequently approved by the Board.

**7. ARTICLE 7: MEMBERSHIP**

**7.1** Members in this Association shall consist of the following:

7.1.1 Officers and Directors.

7.1.2 Licensed Ministers holding current credential cards issued under the provisions of this Constitution.

7.1.3 Churches in good standing established and organised under the provisions of this Constitution and its By-laws.

7.1.4 Such other persons who have rendered significant service to the Association who may be appointed as Honorary Life Members.

**7.2** Eligibility for Membership

A Church may become a Member Church of the Church upon the approval by the Board in accordance with the procedures set forth in the By-Laws.

**7.3** The Secretary or appointed Administrator shall maintain a Register in which shall be recorded details of each Member Church including their contact details and the date of acceptance as a Member Church and the date membership ceased.

Separate Registers are to be maintained for Officers and Directors, and for Licenced Ministers.

**7.4** Each Member Church shall contribute such sum as shall be determined by the Board from time to time.

**8. ARTICLE 8: LIMITATION OF ACTIVITIES**

This Association shall not, as a substantial part of its activities, carry on propaganda for, or participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office. This article shall not prevent the proper expression of individual views on matters of public concern subject to the direction of any Church pastor or membership.

**9. ARTICLE 9: DIRECTORS**

The powers of the Church shall be exercised, and its affairs conducted by the Directors, referred to herein as "Board".

**10. ARTICLE 10: FINANCES**

**10.1 GENERAL FUNDS**

The Church funds shall be kept in such financial institution/s as may be designated by the Board. Disbursements from such funds shall be made after the Board approval and upon the signatures of two approved officers or other persons authorised or designated by the Board to sign.

**10.2 SPECIAL FUNDS.**

The Board shall have power to set up special funds, as it may deem desirable for the achievement of the Association's objects and purposes. There shall be the following permanent special funds:

- 10.2.1 The Missions Fund shall consist of Missionary offerings received from Foursquare Churches and other donors and shall be used for the propagation of the Gospel for world missions including general administrative expenses.
- 10.2.2 The General Extension Fund is the tithe from the Churches. This income shall be used to cover expense in relation to administration, including the creating of new districts, salaries, superannuation, travel, and such other expenses as may be incurred.
- 10.2.3 The Ministerial Benevolent fund shall consist of such proportion of the fees received for issuance of credential cards as shall be determined by the Board and shall be disbursed at the discretion of the Board in the form of gifts for emergency aid and assistance to Foursquare Ministers and/or spouse in the case of sickness, accident or death.
- 10.2.4 The Emerging Leaders Development fund.
- 10.2.5 The Special Approved Projects Offering fund shall consist of offerings received for special projects approved by the Board.
- 10.3 The Board shall arrange for a financial report and auditors report to be prepared in accordance with Australian Accounting Standards and presented to the Annual General meeting.
- 10.4 The financial year of the Church shall conclude on 30th June each year or such other period as the Convention may determine.

## **11. ARTICLE 11 VOTING POWERS OF ASSOCIATION MEMBERS**

Active members of this Association who are in 'good standing', shall be entitled to vote at Annual and Special General Meetings

- 11.1 Officers and Directors of the Church of the Foursquare Gospel in Australia
- 11.2 Licensed Ministers of the Church of the Foursquare Gospel in Australia holding active status under the provision of this Constitution whose Credential Fees are paid current at the time the convention convenes.
- 11.3 One delegate from each Foursquare Church of good standing for each 30 members or fraction thereof.

## **12. ARTICLE 12: MEETING OF THE MEMBERSHIP**

### **ANNUAL AND SPECIAL GENERAL MEETING NOTICE.**

- 12.1 Once each year the Supervisor or Board shall cause to be called a meeting of the members. Association Business sessions are open to all subject to the determination of the Chair of the meeting.
- 12.2 In cases of urgent necessity, the Supervisor or Board may call a special meeting of the members.
- 12.3 A Special General Meeting may be convened upon the written request of 10% of the members of the Church, such request setting out the specific purpose of the meeting. The Supervisor shall, within 60 days of receiving such a request, cause notice to be given to the Church that a Special General Meeting will be held not later than 28 days of such notice.
- 12.4 A written notice of each meeting shall be presented to each Member at least two weeks in advance of the meeting.
- 12.5 Each Member Church shall be entitled to one accredited delegate for each thirty active members, or fraction thereof.
- 12.6 All active Licensed Ministers in 'good standing' shall be delegates-at-large.
- 12.7 Each accredited Church delegate and delegate-at-large shall be entitled to one vote at any General Meeting.

- 12.8** There shall be no voting by proxy at any General Meeting.
- 12.9** All Church delegates and delegates-at-large shall register with an authorised representative before being entitled to vote at any Association Business Session.
- 12.10** The quorum for any Annual or Special General Meeting shall be representatives of 50% of Member Churches.
- 12.11** All elections shall be by written ballot.
- 12.12** The Supervisor shall cause to be counted all votes received and the results reported to the Meeting body. Ballots used in connection with voting shall be retained 30 days after the report of the results.
- 12.13** In order for a resolution to be declared approved it must be so approved by a majority of those present and entitled to vote.
- 12.14** The Supervisor, when present, shall preside over all Association Meetings. In the absence of the Supervisor, the Assistant Supervisor or a Board member, appointed by the Supervisor, shall preside. At the Annual General meeting, reports from the following shall be submitted:
- Supervisor.
  - Treasurer
  - Director of Missions.
  - Such committees whose reports may require Association action.
  - Other Departmental reports

### **13. ARTICLE 13: ADMINISTRATION**

The Board may appoint such general officers, councils and/or committees as it sees fit with such powers, duties and functions as the Board approves.

### **14. ARTICLE 14: BOARD**

#### **14.1 APPOINTMENT AND TENURE OF OFFICE**

- 14.1.1** The number of Directors shall not be less than five or more than eight. Each of whom shall be an active member in 'good standing' of a Foursquare Member Church.
- 14.1.2** The Board shall consist of:  
Not more than seven elected Directors, a Supervisor and Assistant Supervisor, who oversee the Associations operations and corporate administrative operations of the Church as and when appointed as per this Constitution.
- 14.1.3** The election or appointment, of the Directors shall be as follows:  
Elected Directors. Members as nominated by the Board or by licensed ministers who are also senior ministers of member churches and who are members in 'good standing' and approved by the Board and elected by delegates at a General Meeting to serve for a term of 2 years.
- 14.1.4** In event of any vacancy by reason of death, resignation, or removal, the Supervisor, with the Board's approval, may appoint another director to serve for the unexpired term.
- 14.1.5** Candidates nominated for the Board must have demonstrated a distinct and proven ministry.
- 14.1.6** Board members shall be eligible for re-election or re-appointment.
- 14.1.7** No Director may be elected to serve more than three consecutive terms of office.
- 14.1.8** All Directors shall enjoy the same rights and privileges, including the power to vote on all matters presented to the Board; however, a Director may not vote on any matter which where there is a

conflict of interest. A person invited to attend all, or part of a Board meeting shall not vote and may only speak on a matter when so invited.

#### **14.2 POWERS AND DUTIES OF THE BOARD.**

For the furtherance of the Association objects and purposes, the Board shall have powers and duties as follows:

- 14.2.1 To call General Meetings.
- 14.2.2 To control, supervise, and direct the general management of the Association affairs in accordance with all relevant laws and in accordance with the provisions of this Constitution and By-Laws.
- 14.2.3 To make or authorise such financial arrangements as may be necessary for the good management of its affairs.
- 14.2.4 To buy, sell, exchange, encumber, and generally deal in real properties, improved and/or unimproved.
- 14.2.5 To license and ordain ministers and to provide guidelines for remuneration.
- 14.2.6 To fix salaries and/or compensation of such Association office and/or employees as are to receive salary or compensation for their services.

Acts authorised by the Board shall be in the form of specific resolutions adopted by a majority of the Board at a duly convened meeting.

#### **14.3 MEETINGS OF THE BOARD.**

- 14.3.1 Meetings of the Board shall normally be held at least once each month at such time and place as shall be determined by the Supervisor or by a majority of Board at the meeting immediately prior thereto. The Board shall have the power to dispense with any single meeting.
- 14.3.2 The Supervisor or a majority of the Board may call a special meeting at such time and place as the Supervisor or Board may designate giving notice of such meeting to each Director at least 24 hours in advance.
- 14.3.3 A majority of the members of the Board shall constitute a quorum of the Board for the transaction of business. Every act or decision made by a majority of the Board present at a meeting held at which a quorum is present, shall be regarded as an act of the Board.

#### **14.4 PAYMENT TO BOARD MEMBERS**

A Director is entitled to be paid out of the funds of the Church for any travel or other out-of-pocket expenses incurred in connection with the business of the Church.

### **15. ARTICLE 15: GENERAL OFFICERS**

The following general officers may be appointed:

- Supervisor.
- Assistant Supervisor.
- Treasurer
- Secretary
- Pastoral Overseers
- Coordinator of Missions.
- Coordinator of Training and Development.

Youth Coordinator.

The powers and duties of the respective members shall be as follows:

**15.1 SUPERVISOR.**

The Supervisor is the chief executive officer of the Church of the Foursquare Gospel in Australia and has appointive powers, subject to this Constitution and the approval of the Board. The Supervisor shall be responsible for supervision and direction of the Church and shall be a member of the Board with full voting rights. The Supervisor shall be an ex officio member of all committees. Following the election or appointment of the Supervisor a representative of the Board shall inform the candidates of the result privately and then advise the delegates at a General Meeting.

- 15.1.1 The Board shall appoint a representative, the Returning Officer, to receive nominations for the position of Supervisor from members of the Appointment Committee, which consists of the Board and licensed ministers, who are also senior ministers of member churches in good standing. A minimum of two accepted nominations that are approved by the Board shall be presented to the Appointment Committee to elect the Supervisor. In the event that only one nominee remains before the election, nominations will be reopened and the process repeated: In the event that only one nominee remains standing a second time, that nominee is elected unopposed. Should there be no accepted nominee, the Supervisor may serve a further term of four years. The Supervisor serves for a term of four years. If not an elected member of the Board, the Supervisor shall become when elected a member of the Board with full voting rights and shall be an ex officio member of all committees. Following the election of the Supervisor, a representative appointed by the Board shall inform the candidates of the result privately, and then the election results to the meeting.
- 15.1.2 Each nominee shall have
- demonstrated faithfulness to Foursquare mission, doctrine and polity as set forth in these Articles, this Constitution and 'The Declaration of Faith'.
  - a proven ability to understand, appreciate and lead within the Foursquare movement.
  - a reputation as a person of maturity, integrity and good moral character.
  - a proven pastoral heart, Foursquare missions vision, evangelistic fervour and servant leadership.
  - a record of long-term and proven ministry.
- 15.1.3 The Supervisor shall preside at all Annual General Meeting or Special General meetings, at all Board meetings and meetings of councils and committees or designate some other person so to act.
- 15.1.4 The Supervisor shall have the power to employ, upon the Board's approval, such persons as may be necessary or proper for the carrying out of the Association's objects and purposes.
- 15.1.5 The Supervisor shall be in direct charge of the activities of all Pastoral Overseers who may be appointed.
- 15.1.6 The Supervisor shall be devoted to the building up of the Churches through all the districts and shall further the objects and purposes of Association and shall exercise authority of a Pastoral Overseer in territory wherein no district has been created or in any district wherein no Superintendent is then acting as such.
- 15.1.7 The Supervisor shall perform other duties as may be required and have other powers granted by the Board, which are not inconsistent with other expressed provisions of this Constitution.
- 15.1.8 The Supervisor shall visit the Churches and pastors and occasionally the Church Council for the purpose of inspiration, fellowship, and mutual understanding. The Supervisor shall have the privilege of meeting with any or all members of the Church Council.
- 15.1.9 The Supervisor may appoint districts with such representatives as are needed to serve when called upon.

- 15.1.10 The Supervisor shall submit to the Board for appointment missionaries, representatives, cabinets, Councils, committees and, where appropriate its Chair and District Superintendents.
- 15.1.11 Upon the decease, resignation, or retirement or termination of the Supervisor, or in the event the Supervisor is unable to serve, the Board shall select another person from its number to serve as Supervisor in a temporary capacity pending a new appointment by the Appointment Committee.
- 15.1.12 In the event the Supervisor is not functioning in such a manner as to provide for the best interest of the Church, the Board shall have the power to terminate his/her office and appoint another.

## **15.2 ASSISTANT SUPERVISOR.**

- 15.2.1 The Assistant Supervisor shall assist the Supervisor as required and shall be the Supervisor's representative in his/her absence.
- 15.2.2 The Assistant Supervisor shall be appointed by the Board, upon the recommendation of the Supervisor, for a two-year term.
- 15.2.3 The Assistant Supervisor shall become a member of the Board ex-officio and without voting rights.

## **15.3 SECRETARY**

- 15.3.1 The Secretary shall be appointed by the Board, upon the recommendation of the Supervisor.
- 15.3.2 The Secretary shall perform all the usual and ordinary duties of Secretary of a religious association.
- 15.3.3 The Secretary shall keep or cause to be kept accurate minutes of all General Meetings and Board meetings.
- 15.3.4 The Secretary shall be the custodian of association records, books, documents and communications except such books of account as are required to be kept in the Treasurer's custody.
- 15.3.5 The Secretary shall receive and preserve all reports rendered to the association by officers and committee chair.
- 15.3.6 The Secretary shall attest signatures of the other association officers whenever necessary.
- 15.3.7 The Secretary shall perform such other duties not inconsistent with that office which the Board may require.
- 15.3.8 The Secretary shall cause to be maintained a Register of Members such records to include the contact address, date of appointment and cessation.
- 15.3.9 The Secretary shall maintain a Record of Directors and Seal Holders as required under the Act.

## **15.4 TREASURER**

- 15.4.1 The Treasurer shall be appointed by the Board from amongst its Members, upon the recommendation of the Supervisor.
- 15.4.2 The Treasurer shall cause to be kept true and accurate books of account of the Association's financial proceedings in such form authorised and directed by the Board.
- 15.4.3 The Treasurer shall be custodian of the Association's funds and books of account and shall preserve same in the place and manner approved by the Board.

15.4.4 The Treasurer shall disburse the Association's moneys by either general or special authorisation of the Board.

15.4.5 The Treasurer shall render at each Annual Convention and at Board meetings when requested a report of the Association's financial condition and financial transactions since the last preceding report.

15.4.6 The Treasurer shall make such other reports and statements as may be required by law.

#### **15.5 PASTORAL OVERSEERS.**

15.5.1 Pastoral Overseers may be appointed by the Board, upon the recommendation of the Supervisor, for a two-year term. They shall not be members of the Board by reason they are Pastoral Overseers.

15.5.2 The Pastoral Overseers shall work as a planning committee with the Supervisor.

15.5.3 Each Pastoral Overseer shall be devoted to the up building of the Churches to which he/she is appointed, including the calling of meetings with assigned pastors.

15.5.4 Each Pastoral Overseer shall be directly accountable to the Supervisor and report when requested.

15.5.5 During the Pastoral Overseer's term of office, in the event he/she is not functioning in such manner as to provide the best interest of the association the Supervisor, on the approval of the Board, shall have power to terminate his/her office.

#### **15.6 CO-ORDINATOR OF MISSIONS.**

15.6.1 The Co-ordinator of Missions may be appointed by the Board, upon the recommendation of the Supervisor, for a term of two years. The Co-ordinator of Missions shall not become a member of the Board.

15.6.2 The Co-ordinator of Missions, on behalf of the Board, shall be responsible for all missionary personnel and mission activities.

15.6.3 The Co-ordinator of Missions shall be devoted to the building up of the missionary field in accordance with the Articles and this Constitution.

15.6.4 The Co-ordinator of Missions shall present the needs of international missionary fields and make recommendations regarding same to the Board.

15.6.5 The Co-ordinator of Missions shall carry out the Board's instructions in connection with all international activities.

15.6.6 During the Co-ordinator of Missions' term of office, in the event the Co-ordinator of Missions is not functioning in such manner as to provide for the best interests of the Association, the Board shall have the power to terminate his/her office and appoint another to fill the vacancy of the unexpired term.

#### **15.7 CO-ORDINATOR OF TRAINING & DEVELOPMENT.**

15.7.1 The Co-ordinator of Training & Development shall be appointed by the Board, upon the recommendation of the Supervisor, for a two-year term. The Co-Ordinator of Training & Development shall not become a member of the Board.

15.7.2 The Co-ordinator of Training & Development shall be devoted to the up building of current ministers to ensure a "learning for life" attitude is consistently maintained.

- 15.7.3 The Co-ordinator of Training & Development shall liaise with training providers, making recommendations regarding the same to the Board.
- 15.7.4 The Co-ordinator of Training & Development shall carry out the Board's instructions in connection with all training activities.
- 15.7.5 During that term of office, in the event the Co-ordinator of Training & Development is not functioning in such manner as to provide for the best interests of the Association, the Board shall have the power to terminate his/her office and appoint another to fill the vacancy of the unexpired term.

#### **15.8 YOUTH CO-ORDINATOR.**

- 15.8.1 The Youth Co-ordinator shall be appointed by the Board, upon the recommendation of the Supervisor, for a two-year term. The Youth Co-ordinator shall not become a member of the Board.
- 15.8.2 The Youth Co-ordinator, on behalf of the Board, shall direct combined youth activities within the organisation.
- 15.8.3 The Youth Co-ordinator shall be devoted to the building up of Youth Groups within the organisation.
- 15.8.4 The Youth Co-ordinator shall present the needs of the Youth Ministry and make recommendations regarding the same to the Board.
- 15.8.5 The Youth Co-ordinator shall carry out the Board's instructions in connection with Youth activities.
- 15.8.6 During that term of office, in the event the Youth Co-ordinator is not functioning in such a manner as to provide for the best interests of the Association, the Board shall have the power to terminate his/her office and appoint another to fill the vacancy of the unexpired term.

#### **16. ARTICLE 16: COMMON SEAL**

- 16.1 The Common Seal of this Association shall be affixed to any instrument only by the authority of the Directors, any two of whom shall sign such instrument.

#### **17. ARTICLE 17: COUNCILS & COMMITTEES**

There shall be selected from the membership, as defined in these Articles, such councils and committees and its personnel, powers, and duties as it considers will advance the objects of the Church and its

##### **17.1 MISSIONARY COMMITTEE.**

The Missionary Committee shall be appointed by the Supervisor (and/or Missions Coordinator) with the approval of the Board.

The Missionary committee shall:

- 17.1.1 Authorise such missionary activities and qualifications for missionaries as will best honour and extend the Kingdom of God in the missionary field.
- 17.1.2 Appoint such missionary applicants as it shall deem qualified to act as missionaries of the Foursquare Gospel in the fields where such are, in the opinion of the committee, needed.
- 17.1.3 The Missionary Committee shall meet upon the call of the Coordinator of Missions.

#### **18. ARTICLE 18: MINISTERIAL STATUS**

##### **18.1 MINISTERS OF THE FOURSQUARE GOSPEL.**

Ministers of the Church of the Foursquare Gospel in Australia, are persons who are licensed by the Church of the Foursquare Gospel in Australia; who have a current Credential Card; who are in 'good standing' and are active members in a Member Church; in compliance with this Constitution and in compliance with 'The Declaration of Faith' and the 'Minister's Code of Ethics'.

18.1.1 The Supervisor shall keep a register of ministers of the Foursquare Gospel Churches who have been recognised by the Board and who are currently engaged in a ministry recognised by the Board.

18.1.2 There shall be three categories of license issued: Ministerial Licence, Provisional license and Minister (honorary life member).

18.1.3 The minimum provisional period, at the discretion of the Supervisor and the Board, shall be one year if the person has a nationally recognised Certificate 4, or higher, in Ministry and/or Theology. 2 years for those applicants who do not have a minimum nationally recognised Certificate 4 in Ministry and/or Theology or equivalent (or higher).

## 18.2 MINISTERIAL STANDING

**Active status:** to have 'Active Status' as a Minister of the Church of the Foursquare Gospel in Australia, a minister must carry current credentials with the Church of the Foursquare Gospel in Australia., and must satisfy one of the requirements of Foursquare appointment or authorised non-Foursquare appointment as follows:

18.2.1 A Foursquare licensed minister appointed, engaged and sponsored by, or serving with the permission of the Board as a Director, officer, administrator, supervisor, missionary, chaplain, teacher in an accredited Bible College or other ministry.

18.2.2 A Foursquare licensed minister engaged and sponsored by a local Foursquare Church as a pastor, evangelist, staff minister, teacher in an accredited training institution, or other ministry or a local Foursquare Church.

18.2.3 A recognised retired or honorary minister.

**Inactive status:** A person claiming to be a minister of the Church of the Foursquare Gospel in Australia, not under current Foursquare ministry appointment, or authorised by non-Foursquare appointment, or a recognised retiree, under the provisions above, shall be considered 'inactive'.

## 18.3 LAPSED LICENSES.

A minister who has not been engaged in a recognised ministry for a period of twelve months or longer shall not remain licensed, but may re-apply for registration upon resumption of a ministry the Board recognises.

## 18.4 MINISTERS' CODE OF ETHICS.

As a prerequisite to licensing each and every minister shall subscribe and adhere to the Ministers' Code of Ethics, as follows:

18.4.1 As an ordained or licensed minister or Christian worker, I subscribe in full to the contents of the Declaration of Faith, the creedal statement of the International Church of the Foursquare Gospel, and declare myself in harmony with and bind myself to the objects, purposes and provisions of the Constitution, Bylaws and Policies of the Church of the Foursquare Gospel in Australia.

18.4.2 I dedicate myself to the faithful performance of the ministry to which I have been called and will at all times strive for harmony, Christian unity and accord.

18.4.3 Should I desire to publish books, tracts, or literature, etc., bearing the Foursquare name, I will first obtain the approval of the Board.

## 18.5 GOOD STANDING

All ministers, to be in 'good standing' must carry current credential cards received upon payment of annual credential fees.

## **19. ARTICLE 19: MINISTERIAL CERTIFICATES**

### **19.1 ISSUANCE.**

Upon recognition of a minister, the Board shall issue the appropriate ministerial certificate signed by the Supervisor.

### **19.2 ANNUAL RENEWAL.**

Upon the payment of a fee, fixed by the Board, each minister shall be issued with a credential card for the current year and shall be eligible to participate in the Ministerial Benevolent Fund.

### **19.3 SECESSION.**

Any minister who voluntarily withdraws from membership in the Church shall be regarded as having seceded.

### **SUSPENSION**

At the discretion of the Board, the credentials of any Foursquare minister may be suspended. The credential may be suspended whilst any of the following exist:

- 19.3.1 The minister is estranged and separated from a spouse or is involved in proceedings of divorce or legal separation.
- 19.3.2 The minister is involved in legal action against this the Church.
- 19.3.3 The minister is under investigation by the corporation for having committed any of the grounds of revocation of credentials set forth in this Constitution, Bylaws and Policies.
- 19.3.4 The minister is under investigation by a Government authority.
- 19.3.5 The minister is in violation of this Constitution.
- 19.3.6 The Board has the authority, in certain circumstances, to issue an immediate notice of suspension.

19.3.6.1 The Supervisor must provide verbal notice to the affected minister 28 days before the Board meeting in which the proposed suspension will be discussed.

### **SUSPENSION PROCESS**

- 19.3.7 The Secretary must give the Foursquare minister written notice of the proposed suspension at least 28 days before the board meeting at which the proposal is to be considered by the Board.
- 19.3.8 The notice given to the member must state – where and when the Board meeting is to be held; and the grounds on which the proposed suspension is based; and that member is encouraged to attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed suspension.
- 19.3.9 At the Board meeting, the Board must – give the member a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed suspension and give due consideration to any submissions so made; and decide whether or not to suspend the Foursquare minister's credential and , if the decision is to suspend the membership, the period of suspension; or whether or not to revoke the foursquare minister's licence.
- 19.3.10 A decision of the Board to suspend the Foursquare minister's credential takes immediate effect.

19.3.11 The Board must give the member written notice of the Board's decision, and the reasons for the decision, within 7 days after the Board meeting at which the decision is made.

19.3.12 A Foursquare minister whose credential is suspended may, within 14 days of receiving notice of the Board's decision under sub clause (6), give written notice to the Secretary requesting the matter be referred for reconsideration.

#### **19.4 REVOCATION.**

Any minister's credentials may be revoked by a resolution of a majority of the Board if in the Board's opinion that minister's lifestyle is not in accordance with Christian principles or whose teaching is wilfully heretical, including and not limited to:

19.4.1 Heresy.

19.4.2 Unchristian conduct

19.4.3 Wilful failure or refusal to comply with the provisions of the Declaration of Faith and/or this Constitution, and the Ministers Code of Conduct.

19.4.4 Wilful neglect of ministerial duties.

19.4.5 Illegal, immoral, or fraudulent conduct.

19.4.6 Remarriage after divorce whilst having a living, former spouse (however, this ground shall be subject to waiver by the Board upon appropriate findings and a recommendation by an ethics committee appointed by the Board).

19.4.7 At the discretion of the Board, the credentials of a Foursquare minister may be revoked during involvement in divorce proceedings.

19.4.8 Conspiring to divide either the Association or any Foursquare Church.

19.4.9 Uniting with or forming any other organisation having purposes similar to this Association without the approval of the Board.

19.4.10 Accepting ordination or licensing from any other similar organisation, other than a Foursquare Association Church, without prior Board approval.

#### **19.5 METHOD OF DETERMINATION OF CAUSE FOR REVOCATION AND REMOVAL**

The Board shall have the power to remove from a previously authorised Foursquare appointment, any minister licensed by the Church of the Foursquare Gospel in Australia whom it has found to have violated this Constitution or the Ministerial Code of Conduct. The Board may refer charges against a licensed Foursquare minister where ecclesiastical rules or beliefs have been, or are being violated, to an ethics committee appointed by the Board, for investigation and written recommendation.

The Supervisor must provide verbal warning to the affected minister 28 days before the Board meeting in which the revocation will be discussed.

19.5.1 A record of all testimony shall be made and forwarded to the Board, together with the committee's recommendation as to action.

19.5.2 The Board, as an alternative to revoking Foursquare credentials, may impose suspension or discipline in an effort to achieve restoration.

- 19.5.3 In the event a minister is not satisfied with the committee's recommendation, that minister shall have the right to appeal to the Board. At the Board meeting, the Board must give the member a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed revocation and give due consideration to any submissions so made; and decide whether or not to revoke the Foursquare minister's credential. In the event a minister is not satisfied, that minister shall have the right to appeal to the Board.
- 19.5.4 The Secretary must give the Foursquare minister written notice of the proposed revocation of credentials at least 28 days before the Board meeting at which the proposal is to be considered by the Board.
- 19.5.5 The notice given to the member must state when and where the Board meeting is to be held; and the grounds on which the proposed revocation is based; and that the member is encouraged to attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed revocation.
- 19.5.6 A decision to revoke the Foursquare minister's credential takes immediate effect.
- 19.5.7 The Board must give the member written notice of the Board's decision, and the reasons for the decision, within 7 days after the Board meeting at which the decision is made.
- 19.5.8 A Foursquare minister whose credential is revoked, may, within 14 days of receiving notice of the Board's decisions under sub clause (7), give written notice to the Secretary requesting the matter be referred for reconsideration.

#### **19.6 REINSTATEMENT.**

Any minister who has had credentials suspended or revoked and who seeks reinstatement as a minister of the Church of the Foursquare Gospel in Australia shall make written application to the Board. Upon proper proof of repentance, restitution and correction, the Board may restore credentials at its sole discretion.

#### **20. ARTICLE 20: INSURANCE**

**20.1** The Board shall ensure that the following insurance cover is in place for:

- 20.1.1 Professional Indemnity
- 20.1.2 Public Liability
- 20.1.3 Property
- 20.1.4 Officers and Directors
- 20.1.5 Workers Compensation
- 20.1.6 Voluntary Workers

**20.2** Every minister of a Foursquare Gospel Church shall seek to ensure that insurance cover has been taken out for:

- 20.2.1 Motor vehicle insurance to the value as determined by the Board from time to time.
- 20.2.2 Where an employee uses a personal vehicle for Church purposes, the employee's insurance policy is noted accordingly.

#### **21. ARTICLE 21 BYLAWS**

The Church shall establish Bylaws for the better administration of its affairs. Such Bylaws shall be approved by the Convention by a 50% favourable vote. The bylaws shall include Rules for the operation of its Member Churches.

#### **22. ARTICLE 22: ESTABLISHMENT & OPERATION OF MEMBER CHURCHES**

The Church of the Foursquare Gospel in Australia is hereby empowered to establish, own, and operate Foursquare Church organisations in countries other than Australia. Such organisation is to operate in accordance with the laws of its country of residence as well as the Objects of the Association.

## **23. ARTICLE 23: DISCIPLINARY ACTION AND DISPUTES**

### **23.1 Suspension or removal from membership**

23.1.1 The Supervisor in consultation with the Board may decide to suspend a member's membership or remove a member's membership of the Church if —

- the member contravenes any of this constitution; Bylaws or Policies or
- the member acts detrimentally to the interests of the Church; or
- The member by its, his or her conduct or lifestyle fails to reflect values consistent with the Foursquare Declaration of Faith.

23.1.2 The secretary must give the member written notice of the proposed suspension or removal at least 28 days before the Board meeting at which the proposal is to be considered by the Board.

23.1.3 The notice given to the member must state —

- when and where the Board meeting is to be held; and
- the grounds on which the proposed suspension or removal is based; and
- that the member is encouraged to attend the meeting and will be given a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed suspension or removal.

23.1.4 At the Board meeting, the Board must —

- give the member a reasonable opportunity to make written or oral (or both written and oral) submissions to the Board about the proposed suspension or removal; and
- give due consideration to any submissions so made; and
- decide —  
whether or not to suspend the member's membership and, if the decision is to suspend the membership, the period of suspension; or whether or not to remove the member from the membership roll of the Church.

23.1.5 A decision of the Board to suspend the member's membership or to remove the member from the membership roll of the Church takes immediate effect.

23.1.6 The Board must give the member written notice of the Board's decision, and the reasons for the decision, within 7 days after the Board meeting at which the decision is made.

A member whose membership is suspended or who is removed from the Church membership roll may, within 14 days after receiving notice of the Board's decision under sub clause (6), give written notice to the secretary requesting the matter be referred for re-consideration.

23.1.7 In any matter being considered under this clause, the privacy of the member, the good name of the Church, and the ministry of the Church, as followers of Jesus Christ, shall be given appropriate consideration.

### **23.2 Consequences of suspension**

23.2.6 During the period a member's membership is suspended, the member loses any rights (including voting rights) arising as a result of membership.

23.2.7 When a member's membership is suspended, the secretary must record in the register of members.

- that the member's membership is suspended; and
- the date on which the suspension takes effect; and
- the period of the suspension.

**23.3** When the period of the suspension ends, the secretary must record in the register of members that the member's membership is no longer suspended.

## 24. ARTICLE 24 DISPUTES

**24.1** The Church is committed to fairly dealing with complaints, disputes and grievances. The following clauses outline the processes involved in dispute/grievance resolution that can arise in such cases as:

- 24.1.1 Divorce or misconduct in the ministry;
- 24.1.2 Discipline and restoration of ministry leaders;
- 24.1.3 Disputes within a church fellowship.

Scripture identifies many ways a dispute can be addressed between the parties concerned, always with the objective of achieving reconciliation. If the parties are unable to find resolution between themselves the matter may be referred to the Board.

An informal meeting of the parties in dispute should be held to attempt resolution within a 2 week period. Either party can initiate this meeting.

**24.2** When the respondent to the dispute/grievance:

- 24.2.1 Is a licensed Minister: The Supervisor and Board will receive and facilitate dispute/grievance process. If the allegation alleges criminal activity, Policies and Procedures of the Church of the Foursquare Gospel in Australia will be applied.
- 24.2.2 Is a Board member: If there is no conflict of interest, the Supervisor and other Board members will receive and facilitate dispute/grievance process. If a conflict of interest exists; the dispute/grievance will go to an external Christian professional body appointed by the Supervisor and Board. If the allegation alleges criminal activity, Policies and Procedures of the Church of the Foursquare Gospel in Australia will be applied.
- 24.2.3 Is the Supervisor: The dispute/grievance will go to an external Christian professional body appointed by the Board of directors. If alleged criminal actions are involved, the Policies and Procedures of the Church of the Foursquare Gospel in Australia will be applied.
- 24.2.4 Is a member of a local Foursquare Church: If no conflict of interest exists, the Senior Minister and elders will facilitate the dispute/grievance process. If a conflict of interest exists, the Senior Minister and elders OR the Supervisor and Board will appoint an independent Foursquare Member person to facilitate the dispute/grievance process.
- 24.2.5 Is not a member of a Foursquare Church: If the dispute/grievance is against a member of the Foursquare Church or a Minister, the dispute/grievance process will be overseen by the Supervisor and Board appointed persons.

**24.3** The procedure to be followed is set out below:

- 24.4 Making of a formal complaint of dispute/grievance by the complainant is to be in writing, outlining relevant information.
- 24.5 In a local church dispute. Send to Senior Minister and/or elders.
- 24.6 In a dispute within the denomination. Send to the Supervisor and Board.
- 24.7 Receipt of a dispute/grievance complaint by the authority responsible. All formal complaints of dispute/grievance are to be responded to within 2 weeks.
- 24.8 By a local church Senior Minister or church leadership for local church disputes/grievances
- 24.9 By the Supervisor or Board for disputes/grievances within the denomination

- 24.10** A dispute/grievance resolution meeting: A meeting will be convened which acknowledges the complaint and disputed issue. The notice of the meeting's date & time is to be supplied to complainant and respondent by the person authorised to receive the dispute/grievance: This meeting is to be held within 4 weeks of receipt of dispute/grievance complaint.
- 24.11** In a local church, by arrangement at an agreed, suitable time.
- 24.12** With the Supervisor and Board, by arrangement at an agreed, suitable time and location.
- 24.13** Notice to all parties that records of formal dispute/grievance complaints will be kept by the local church administration or the WA Office.
- 24.14** Further dispute/grievance meetings will be arranged at this initial meeting if no resolution is found.
- 24.15** Confidentiality:
- 24.15.1 Confidentiality of the complainant and respondent is required according to Policy and Procedure of the Church of the Foursquare Gospel in Australia.
  - 24.15.2 Confidentiality of those involved in the dispute/grievance is expected according to the Policy & Procedure of the Church of the Foursquare Gospel in Australia
  - 24.15.3 Confidentiality by those facilitating dispute/grievance resolution is expected as part of professional conduct.
- 24.16** Training in dispute/grievance resolution: The Church of The Foursquare Gospel in Australia will provide training in dispute/grievance processes for Ministers and authorised persons as required.
- 24.16.1 At a local church level: An annual training will be offered to Senior Ministers and/or an appointed delegate.
  - 24.16.2 At a Board level: An annual training will be offered to Board members and/or appointed delegates.
  - 24.16.3 To persons appointed by the Supervisor and Board as required.
  - 24.16.4 Training may be facilitated by external contractors.
  - 24.16.5 Training may need to be provided by suitably trained and experienced Christian personnel from outside the denomination if none is available within the denomination.
- 24.17** Conflict of interest: This determines who can facilitate a dispute/grievance resolution process. No person with an actual or perceived conflict of interest can be part of facilitating a dispute/grievance resolution process.
- 24.17.1 A conflict of interest can be by biological, marital or close relationship.
  - 24.17.2 A conflict of interest can be related to the structure of authority in a ministry relationship.
  - 24.17.3 A conflict of interest can be related to financial management or information shared.
- 24.18** The process of dispute/grievance:
- 24.19** Dispute/grievance resolution meetings will be convened on agreed dates and times at a suitable, private location.
- 24.20** In a local Church, this may be in a private room when the building is not in use.

- 24.21** When facilitated by the Supervisor and/or Board, these meetings may occur at the WA Office building or a local church by arrangement.
- 24.22** If dispute/grievance allegations against a Senior Minister or the Supervisor involve alleged criminal activity; suspension of public ministry will be required during the dispute/grievance resolution process and The Policies and Procedures of the Church of the Foursquare Gospel in Australia will be applied.
- 24.23** Outcomes of dispute/grievance process.
- 24.24** Upon resolution: Forgiveness and prayer is the appropriate action between the parties. Records are to be kept. Both complainant and respondent are to be sent a copy of what they have agreed to.
- 24.25** On impasse: Records are to be kept and formal Mediation is to be recommended by the Supervisor and/or Board.
- 24.26** If there is refusal to comply by either the complainant or respondent, then the Board will investigate and deliberate, with the option to enact church discipline, according to the Handbook of Policy & Procedure.
- 24.27** Mediation: The Supervisor and Board have the discretion to appoint a professional Christian Mediator if and when appropriate:
- 24.28** Facilitative mediation method is the first option...where this method does not achieve an agreed outcome the following method will be employed.
- 24.29** Evaluative mediation as the second option.
- 24.30** Payment for Mediation will be by complainant and respondent at an amount set by the Supervisor and Board. A Senior Pastor, a Church Council or the General supervisor may call for mediation and payment for mediation services if a member is in violation of the Declaration of Faith, these Articles, Bylaws or Policies or exhibiting wilful unchristian or unscriptural conduct contrary to the best interest of the Church.
- 24.31** Outcome: Where a complainant or respondent will not abide by the recommendations of the Mediator, church discipline in accordance with the Handbook of Policies and Procedures will apply.
- 24.32** Legal Counsel: the Supervisor and Board have the discretion to seek Christian legal counsel in cases of a dispute/grievance where either or both parties are not complying with Foursquare policy and procedures.
- 24.33** An annual dispute/grievance report will be made by the Board and provided in the AGM Report. No identifying information will be released.
- 24.34** Detailed information on dispute/grievance processes are found in the Policy & Procedures Handbook of the Church of the Foursquare Gospel in Australia. Associated Policy & Procedures to this clause includes: Minister's Code of Conduct; Code of Ethics; Confidentiality; Church Discipline.

## **25. ARTICLE 25 INSPECTION OF RECORDS**

- 25.1** A member may, at any reasonable time, inspect without charge, the Constitution, minutes of any General meeting, the membership register, the register of office holders and any reports presented at any General meeting.
- 25.2** The member must contact the Secretary or Administrator to make the necessary arrangements for the inspection at a mutually convenient time.
- 25.3** The member may make a copy of or take an extract from a record or document referred to in subclause 23.1 but does not have a right to remove the record or document for that purpose.

**25.4** The member must not use or disclose information in a record or document referred to in subclause 23.1 except for a purpose that is –

25.4.1 Directly connected with the affairs of the Church or

25.4.2 Related to complying with a requirement of the Act.

## **26. ARTICLE 26 PUBLICATION BY BOARD MEMBERS PROHIBITED**

A Board member must not publish, or cause to be published, any statement about the business conducted by the Church at a general meeting or Board meeting unless –

**26.1** The Board member has been authorised to do so at a Board Meeting; and

**26.2** Board members are encouraged to be open and share the business conducted by the Church at any general meeting or Board meeting, unless the information in question is of a personal, compromising or damaging nature, either to individuals, other organisations or the Foursquare organisation itself.

**26.3** In such instances, the Board members will be specifically requested to keep the matters discussed confidential, the reasons will be clearly defined, and such requests will be noted in the minutes.

## **27. ARTICLE 27 AMENDMENTS TO THE ARTICLES AND BYLAWS**

This Constitution may be amended by a 75% majority vote of the delegates present and entitled to vote in any association business session at an Annual or Special General Meeting properly called for that purpose. Any such amendments shall also be passed in the manner required by the laws of Western Australia.

All proposed amendments to this Constitution and Bylaws are to be submitted, in writing, in reasonable time for the Board to consider said proposals and forward notices of motion to all Churches no less than 21 days prior to an Annual or Special General Meeting.

## **28. ARTICLE 28: WINDING UP**

This Association may be dissolved and wound-up upon a resolution to that effect, passed at a duly convened Annual or Special General Meeting by a 75% majority vote of those present and entitled to vote at such meeting, provided that notice of the proposed resolution shall have been included in the notice convening that meeting.

Unless such resolution otherwise provides, the Board in office immediately prior to such resolution shall be thereby empowered to take all such steps and sign all such documents as shall be reasonably required to effect such dissolution and winding-up.

If upon the winding up of the association there remains after satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members, but to another Incorporated Church having objects wholly or substantially similar to the Church and which has been endorsed by the ACNC as a charity.

A meeting convened under this clause requires 28 days written notice.

In this clause **surplus property**, in relation to the Church, means property remaining after satisfaction of: The debts and liabilities of the Church; and

The costs, charges and expenses of winding up or cancelling the incorporation of the Church but does not include books relating to the management of the Church.

**CHURCH OF THE FOURSQUARE GOSPEL IN AUSTRALIA**

**MEMBER CHURCH BY-LAWS**

**1. BY-LAW 1: FOURSQUARE MEMBER CHURCHES**

**This By-Law is the model approved by the Board as the standard rules for all Member Churches of the Church of the Foursquare Gospel in Australia, no variation or amendment to these Rules may be made without the prior approval of the Board.**

**2. BY-LAW 2: NAME**

The name of this Member Church shall be .....

**3. BY-LAW 3: OBJECTS**

The purposes for which this Church is formed are:

- 3.1 To propagate the Gospel of our Lord Jesus Christ as presented in the Declaration of faith.
- 3.2 To enable Christian worship.
- 3.3 To appoint local ministers of the gospel for the furtherance of the work of this association in Australia in accordance with such regulations as shall be promulgated by the Board.
- 3.4 To establish, maintain, and conduct missionary endeavours for the furtherance of the Gospel in Australia and overseas, according to the regulations promulgated by the Board.
- 3.5 To undertake such public benevolent works in Australia for relief of poverty, sickness, destitution, distress or misfortune, or for assistance to persons in necessitous circumstances and without restrictions based on race, belief or the like of any person to whom such relief or assistance may be given.
- 3.6 To establish any fund or funds for any of the foregoing purposes.
- 3.7 To do all things necessary for the accomplishment of our purposes, as specified.
- 3.8 This member church will maintain a close cooperative relationship with the International Church of the Foursquare Gospel.

**4. BY-LAW 4: NO PECUNIARY GAINS OR PROFITS**

- 4.1 The property and income of the Church must be applied solely towards the promotion of the objects or purposes of the Church and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to any member, except in good faith in the promotion of those objects or purposes.
- 4.2 A payment may be made to a member out of the funds of the Church only if it is authorised under Clause 5.3
- 4.3 A payment to a member out of the funds of the Church is authorised if it is -
  - 4.3.1 The payment in good faith to the member as reasonable remuneration for any services provided to the Church, or for goods supplied to the Church, in the ordinary course of business; or
  - 4.3.2 The payment of interest, on money borrowed by the Church from the member, at a rate not greater than the secured lending rate of the financial institution with which the Church conducts its financial affairs.
  - 4.3.3 The payment of reasonable rent to the member for premises leased by the member to the Church; or
  - 4.3.4 The reimbursement of reasonable expenses properly incurred by the member on behalf of the Church.

**5. BY-LAW 5: STARTING**

**5.1 STARTING.**

- 5.1.1 Foursquare Member Churches shall not be separate entities but shall be members of the Church. Members of a Member Church shall, through their membership of the local church, enjoying the privileges and benefits of that status.

5.1.2 Foursquare Member Churches may only be started or relocated with the formal prior approval of the Board, acting upon the recommendation of the Supervisor.

5.1.3 A Pastor shall be recommended to a Church in compliance with a ministerial call by the Supervisor upon the approval of the Board. Future vacancies shall be filled in the same manner as the original pastorate.

5.1.4 All Churches shall display the name "Foursquare Church" on Church stationery and signage.

## **5.2 CO-OPERATION.**

The following shall be the duty of each Foursquare Member Church:

- i. To cooperate in all corporate programs and events of The Church of the Foursquare Gospel in Australia.
- ii. To receive tithes and offerings for the maintenance and expansion of the Church, exercising sound financial management.
- iii. To receive corporate Foursquare Missions offerings which are to be forwarded promptly to the administrative office.
- iv. To receive special approved projects as initiated by the Board.
- v. To transmit to the administrative office, monthly a tithe of its tithes. This fund shall be used by the central offices for operations and ministry advancement.
- vi. To prepare monthly and annual reports, in such form as prescribed by the Board which shall be verified by the Pastor and another authorised person.

## **5.3 CHURCH MEMBERSHIP.**

5.3.1 In order to be entitled to membership, in a Member Church an applicant must show:

- i. Evidence of a genuine born-again experience and godly Christian life.
- ii. Must have been baptised in water by immersion.
- iii. Must be 18 years of age.
- iv. Must subscribe and adhere to the doctrine of the Foursquare Gospel as outlined in the Declaration of Faith.
- v. Must submit to the rules and regulations, which pertain to membership as, set forth in the Constitution and Bylaws.
- vi. Must be willing at all times to comply with the provisions of Constitution and Bylaws.

5.3.2 A person desiring to become a member of a Member Church must:

- i. Comply with the conditions set forth above.
- ii. Be approved by the Pastor and/or Church Council / Management Team.
- iii. Be accepted publicly into the Church membership, signing an application form or membership roll.

- iv. An active member is a member who, in the current year has contributed faithfully to the support of the Church and has given evidence of faithful Church attendance.
- v. A member, who is actively involved in the Church is entitled to participate in all Church activities and is eligible to participate in a Member Church or hold office.
- vi. Membership is to be reaffirmed annually.

5.3.3 Active members of Churches are entitled to:

- i. Participate in all Church activities including the right to vote in Member Church meetings.
- ii. Elect, or ratify the appointment of qualified council members and other elective officers in accordance with the Member Church rules.
- iii. Serve the Church in whatever capacity for which they may be selected.
- iv. Be represented in the affairs of the association under the representative privileges granted in the accordance with the provisions as set forth in these Rules.
- v. Foursquare members shall serve the Church by their faithfulness in fellowship, perseverance in prayer, generosity in giving, diligence in missions, dedication in devotion, readiness in responsibility, always working for the best interest of their Church individually and collectively.
- vi. Members in good standing of a Foursquare Church who desire to transfer their membership to another Church shall be entitled to receive a letter of transfer signed by an officer of the Church.

Any member of a Foursquare Church after Scriptural counselling may be dismissed from membership if, in the opinion of the Pastor, Church leadership, or the Supervisor, that member is in violation of any of the following:

- vii. Wilful failure or refusal to comply with the provisions of the Declaration of Faith, the Constitution or these Rules.
- viii. Wilful unchristian or unscriptural conduct.
- ix. Appears to be functioning contrary to the best interests of the Church.

## 5.4 STANDING

A person's membership status may be 'active', 'inactive', 'suspended', or 'terminated'.

- i. Active membership: In order to be considered 'active' and entitled to vote, a member shall have signed the membership roll and shall have:
  - regularly contributed to the support of the Church
  - regularly attended Church services if physically able to do so.
- ii. Inactive membership: A member who does not fulfil the requirements of active members is an inactive member.
- iii. Suspension of membership: pending a hearing with the Church Council on a proposed dismissal a member may be suspended upon the recommendation of the pastor and a majority vote of the Church Council. The pastor and Church Council, having received proper proof of repentance and restitution, may reinstate a suspended member.
- iv. Termination of membership: Membership in a Foursquare Church shall be terminated only upon one of the following:

Withdrawal of membership  
Transfer of membership as specified in these bylaws.  
Absence of a least 1 year, without response to Church attempts to re-establish relations.  
Death  
Dismissal from membership as outlined in these Bylaws.

## 5.5 CHURCH MEMBERSHIP MEETINGS

### 5.5.1 ANNUAL MEETING

- i. During the month preceding the Annual Convention, a Senior Pastor shall call an Annual Church Membership meeting, upon not less than two weeks' notice to all members in good standing.
- ii. The notice of the meeting shall identify the time, date and place of the meeting.
- iii. The Senior Pastor shall preside at such an annual meeting, and all elective offices of the Church shall be chosen at this meeting by a majority vote of those present.
- iv. Vacancies on the Church Council/Management team shall be filled by either a vote of, or ratification for an appointment by a majority of the members present.
- v. Any member, who for legitimate reasons as approved by the Church council, finds it necessary to be absent from the annual church membership meeting may mail an absentee vote to the Church Secretary prior to the meeting date.

### 5.5.2 SPECIAL MEETINGS

- i. When necessary for the welfare of the Church, special membership meetings shall be called, with not less than one week's notice. The purpose of a special meeting shall be stated in the notice of meeting.
- ii. The Supervisor, Board or a majority of the Church council may call a special membership meeting.
- iii. The pastor
- iv. The majority of the members of the Church Council after receiving prior permission for such meeting from the Supervisor, who shall preside at the meeting, or who shall name a representative to preside.
- v. The Board, or Supervisor: the Supervisor or a Board member will preside at such a meeting.

**5.5.3 QUORUM:** The quorum for a members meeting shall be twenty five percent (25%) of the active members of the Church. No meeting is to be conducted unless a quorum is present.

In the case where 25% of a member church is not achieved, another meeting will be called. In the event the 2<sup>nd</sup> meeting doesn't achieve 25% quorum, the church council corresponds with the Board for ratification of decisions.

## 6. BY-LAW 6: QUALIFICATIONS, SELECTION, REMOVAL & DUTIES OF PASTORS

### 6.1 QUALIFICATIONS.

6.1.1 The Pastor of a Foursquare Church

- i. shall be a licensed minister of the Church of the Foursquare Gospel or shall be approved by the Board upon the recommendation of the Supervisor.
- ii. Shall subscribe and adhere to the Minister's Code of Ethics.

## **6.2 SELECTION.**

When a Foursquare Church is in need of a pastoral change, the Supervisor shall recommend to the Board to appoint a pastor after meeting with the Church Council. All appointments shall be confirmed by the Board and shall continue upon the recommendation of the Supervisor and the approval of the Board.

## **6.3 REVIEW.**

Each Pastor shall appear before the Board, at its discretion or when deemed necessary, to review his/her vision and future ministry.

## **6.4 REMOVAL.**

6.4.1 In event it shall appear that the Pastor of a Foursquare Church is not functioning in the best interests of the Church, the Church Council, may request a meeting with the Supervisor and pastor to resolve the issue. If the issue cannot be resolved satisfactorily, then the Supervisor may submit a report to the Board with a recommendation concerning whether to terminate the pastoral appointment. The final decision on the Supervisor's recommendation shall be made by the Board.

- i. The Supervisor's duty to intervene: Notwithstanding action or inaction by the Church Council, the Supervisor may investigate a problem relating to any pastor and, after consultation with the Board, take action based upon its findings. The pastor shall have a right to appeal to the Board.
- ii. The Board may discipline, suspend or remove the pastor from his/her appointment. In cases involving removal, the Supervisor shall proceed in the selection of a new pastor as set forth in these Bylaws.

## **6.5 PASTORAL DUTIES.**

A Pastor of a Foursquare Church shall serve as the executive officer of the Church and with the members of the Church Council, have general responsibility for the Church. The pastor shall be the chairperson of the Church Council and shall be responsible for its compliance with these Bylaws and other applicable regulations.

6.5.1 The pastor should strive for the salvation of souls, to equip the saints, and minister to the Church by preaching, teaching, conducting services, and administering ordinances, including marriage only between a man and a woman according to policy outlined in these bylaws as follows: Marriage is a biblical covenant relationship between a male (born male) adult and a female (born female) adult, established initially by God.

6.5.2 To serve as chairperson of the Church Council and preside at membership meetings.

6.5.3 To encourage financial support of the Church through tithes and offerings so that all obligations may be met. Any loan payments contracted by the church shall have first priority on such funds after payment of District Tithe.

6.5.4 To appoint certain Church officers, as described in these articles.

6.5.5 To be signatory of all Church funds, with the Treasurer and if deemed advisable, with one or two other designated persons; one of which shall be the Pastor or Treasurer, shall sign or authorise all disbursements of church funds. In organised churches, such disbursements shall have the approval of the Church Council.

6.5.6 To execute such other documents as may be required of a Pastor. The Pastor shall sign no real estate transaction agreements or contracts except the words "subject to the final approval of the Board, Church of the Foursquare Gospel in Australia" be written in and signed by both parties.

6.5.7 To cause to be kept written records of all active and inactive members.

6.5.8 To endeavour to attend all Convention Meetings.

6.5.9 Pastors are responsible to report to the Supervisor and/or Board changes to their status:

- Legal
- Ethical
- Moral

6.5.10 Pastors have a responsibility to engage in regular Professional Development; including, but not limited to:

- Formal theological or ministry training
- Attendance at conferences & seminars

6.5.11 Pastors have a responsibility to the Church, the Board and to themselves to monitor and maintain personal self-care: mental and physical and to report significant risks to the Church Council, Board, or Supervisor.

6.5.12 Upon termination of a pastorate, the outgoing pastor shall leave the incoming pastor a complete record of members, activities and business matters of the Church.

6.5.13 A Pastor's remuneration after appointment to a local church is determined by the Church Council. That Pastor shall do no other work nor perform services for which additional compensation is expected from the church, except upon the prior approval of the Church Council

## **7. BY-LAW 7: ORGANISATION OF MEMBER CHURCHES**

In circumstances where the Church has no Council, the Pastor shall function under the oversight of the Supervisor or the Supervisor's delegate.

7.1 When it shall be deemed that a Church has advanced to the place where it is ready to be formally recognised as a Church by acquiring an ABN and opening a bank account, a meeting of the membership shall be called for to formalise matters in consultation with the Supervisor.

7.2 The membership shall determine by vote/ratification, the number and personnel of the Church Council who shall be responsible for the administration of the Church.

7.3 The offices of an 'organised' Foursquare Church must include a Church Council comprised of:

- Chairperson (Senior Pastor)
- Treasurer
- Secretary
- Church Council members.
- Facility Safety Officer
- Child Safety Officer

And may include other officers as deemed necessary:

- Pastoral leadership team/elders
- Youth Leader.
- Counsellors.
- Deacons.
- Ordinary Council Members

Up to a maximum of three Council Members

Filling of Offices.

7.4 The Pastor shall be appointed in compliance with his/her ministerial call by the Supervisor upon the approval of the Board.

7.5 At the organisation meeting, the Church membership shall determine by vote, the number and personnel of the Council. One half of the Council members shall be elected to serve until the next annual meeting and one half to serve until the second annual meeting. Thereafter, at the annual meeting the church membership shall elect successors of the Council members whose term has expired. All officers and other Council members other than the Senior Pastor shall hold office for two years and then shall retire but be eligible for re-election. The number of ordinary Council members may be varied by resolution of the Council from time to time. A Council member may succeed themselves for a third term upon written permission of the Supervisor.

7.6 The Secretary and Treasurer shall be chosen by the Church Council.

7.7 The filling of all other offices shall be by the appointment of the Pastor.

**8. BY-LAW 8: QUALIFICATIONS OF CHURCH OFFICERS**

In order to hold any office in a Foursquare Church a person must be a member in good standing of such Church and have received the baptism in the Holy Spirit or be an earnest seeker thereof.

The affairs of the Church shall be managed by the Church Council.

**8.1 MEMBERS OF CHURCH COUNCIL.**

Every Foursquare Church shall have a Church Council. Until a Church is 'organised', the Supervisor shall exercise the authority and discharge the duties of a Church Council. While the senior pastor is ultimately responsible for the spiritual life of the Church, the Church Council shares with the senior pastor, the stewardship of the financial assets and property of the local Church.

Selection, removal, and filling of vacancies:

- i. Each Church shall have a Council consisting of not less than three, nor more than nine members including the Pastor, who shall be chair thereof. Each member shall be elected/appointed for a term of two years and be eligible for re-appointment. At its annual meeting, the membership shall determine the number and personnel of the Council. Each member shall be at least 21 years of age.
- ii. Members of the Church Council shall be either elected/appointed by the Church membership; appointed by the pastor in conjunction with the current Council; and then ratified by the membership.
- iii. In the event a Council or any member fails to function in conformity to this constitution, the Declaration of Faith, or causes dissatisfaction or dissension in the Church, the Pastor and Council shall confer with the Supervisor. In absence of a satisfactory solution, the membership at a specially called meeting shall have the power, by a majority vote, to remove any or all Council members and elect replacements. The Supervisor or an appointed representative shall preside at such special membership meeting.
- iv. Filling of vacancies in Council. In event of death or resignation of any Council member the Pastor shall, subject to the approval of the remaining Council members, appoint another to fill such member's unexpired term.
- v. Churches that have insufficient members to comply with the provisions of this Bylaw, shall be managed, as determined by the Supervisor and local Pastor.

**8.2 Meetings of the Council:**

- 8.2.1 The Council shall meet as often as necessary to care for the business of the Church, and at a minimum, every two months.
- 8.2.2 A quorum of the Council shall consist of a majority of the Council members and the Pastor. No official action of the Council shall be valid unless a quorum is present at the meeting at which such action is taken.
- 8.2.3 The Supervisor may attend any meeting of the Council – either at his/her initiative or at the invitation of the Council. Where there is no pastor, Council meetings may be held upon giving notice to each Council member and the Supervisor.
- 8.2.4 In the case of a Pastor-less Church, Council meetings may be held upon giving notice to each Council member and the Supervisor. No other meeting shall be held however, nothing prohibits unofficial meetings between the Supervisor and Council members.

**8.3 The powers and duties of the Council shall be:**

- 8.3.1 To exercise sound financial management in all matters concerning the Church.
- 8.3.2 To designate the Pastor and Treasurer and, one or two other persons who shall be signatories for bank accounts. Two of these designated persons, one of which shall be the Pastor or Treasurer, shall sign all cheques/authorise transaction for disbursements of Church funds.
- 8.3.3 To receive reports, transact such other business as may arise.
- 8.3.4 To act in an advisory capacity to the Pastor concerning the welfare and betterment of the Church.
- 8.3.5 To advise the membership concerning Church finances.
- 8.3.6 To appoint the Secretary and Treasurer of the Church.
- 8.3.7 To facilitate the filling of vacancies.
- 8.3.8 To determine, in accordance with the guidelines provided by the Board: The method and amount of the Pastor's remuneration.
- 8.3.9 To appoint a safety officer whose responsibility shall be to regularly inspect the Church grounds and properties. The safety officer shall observe activities to identify any unsafe conditions or practices and shall make recommendations to the Council for corrective measures.
- 8.3.10 To appoint a child safety officer. The safety officer and Council shall closely oversee the wellbeing of children and the prevention of the occurrence of child abuse on Church properties or at Church services. If necessary, the Council can act in this capacity.
- 8.3.11 To authorise the furnishing to the Board or Supervisor full written reports of the proceedings of any Council or Church membership meeting upon request.
- 8.3.12 To appoint, with the Pastor's approval, one or more delegates to represent the Church at the annual or interim convention in such number as may be authorised in the Constitution.
- 8.3.13 After the Pastor's approval, to engage the services of such assisting ministers as may be required and fix the amount of their remuneration.
- 8.3.14 After the Pastor's approval, to employ such other persons as the Church may need to carry out its objects and purposes, and to fix the amount of their remuneration.

28.2.15 To secure proper insurance coverage as hereinafter set forth under the subject of insurance.

#### **8.4 SECRETARY**

8.4.1 The Secretary shall be chosen by Church Council.

8.4.2 In the event a Secretary fails to carry out his/her duties, that Secretary may be removed by a majority vote of the Council.

Powers and duties of Church Secretary:

8.4.3 To ensure true and accurate record of all meetings are kept.

8.4.4 To be custodian of all records except the books of account, which are required to be kept in the Treasurer's custody.

8.4.5 To prepare and transmit reports concerning Church business.

8.4.6 To countersign or attest any Church documents upon which the Secretary's signature shall be required.

8.4.7 To perform such other secretarial duties as the Pastor or Council may require.

8.4.8 The Council may appoint assistant secretaries to assist in the performance of aforesaid duties, with the exception of countersigning documents.

8.4.9 Keep, or cause to be kept accurate records of members, dedications, baptisms and other statistical information required for reports.

8.4.10 To maintain a Register of the membership of the Church, including their contact address, date of admission and date membership ceased.

#### **8.5 TREASURER.**

8.5.1 The Treasurer shall be chosen by the Council.

8.5.2 In the event a Treasurer fails to carry out these duties, that Treasurer may be removed by a majority vote of the Council.

8.5.3 The Treasurer shall have power to perform or cause to be performed the following duties:

8.5.4 To be responsible for the receipts and disbursements of all Church funds and keep a strict account thereof in a substantial and permanent record. All records shall be available to the Pastor and Council upon request.

8.5.5 To deposit or cause to be deposited all Church funds in an account or accounts in the name of the local Foursquare Church as approved by the Church Council. Withdrawal of said Church funds shall be in accordance with the Constitution and Bylaws.

8.5.6 To make payments upon said account or accounts only upon prior authorisation by the Council.

8.5.7 To segregate and remit to the proper Association offices such funds as are elsewhere specified in the Constitution and any other Monies due these offices.

8.5.8 To make monthly financial reports to the Council, and upon request, to the Pastor, Supervisor, or Church membership.

8.5.9 To submit to the Pastor an annual report of all transactions of that office and to forward a copy of said report to the Association Treasurer.

8.5.10 To submit to the Pastor or the Association Secretary, special reports when requested so to do.

8.5.11 In event of incapacity, permanent absence, or refusal of the Pastor or Treasurer to make payments of duly authorised disbursements, it is hereby specifically provided that, for the period of such emergency only, the Supervisor is empowered to perform the duties of said Pastor or Treasurer in connection with authorised disbursements, or to designate another so to act, without further authority.

## **9. BY-LAW 9: ADMINISTRATION OF FOURSQUARE CHURCHES**

### **9.1 GENERAL AND SPECIAL FUNDS**

**9.1.1 Funds.** All funds received by the Church shall be deposited in a bank account in the name of the Church.

**9.1.2 Special funds.** In event of abandonment of a project or purpose for which any fund was created, the monies in said fund shall, with the consent of the donors, be appropriated by the Council for other Church purposes. In cases where this fund exceeds \$20,000, Board approval is required.

### **9.2 PROPERTY AND EQUIPMENT**

#### **9.2.1 Acquisition and Sale.**

Any property and/or equipment acquired by any Foursquare Church by purchase or gift shall be secured and held in the name of the Association. Such property and/or equipment shall remain in possession of the acquiring Church for their use. The form of any deed, conveyance, or declaration of trust under which any property and/or equipment is so held shall be approved by the Board.

#### **9.2.2 Insurance.**

The Association (including Churches operating under this Constitution) shall procure insurance covering such property and risks and for such amounts and with such insurers as the Board may determine from time to time. Including, but not limited to: Officers and Directors, Public Liability, Property, Contents, Professional Indemnity, Worker's Compensation.

#### **9.2.3 Erection of buildings.**

Each building project shall be adequately covered with property insurance, including public liability and worker's compensation.

All plans and specifications must be submitted to the Board for approval prior to commencement.

#### **9.2.4 Procedure for purchase or sale of property.**

Should the Church desire to purchase property and should it be deemed advisable to encumber property by any means, the procedure therefore shall be as follows:

The Council shall notify the Board of their desire to purchase property and obtain written consent to investigate.

There shall be a resolution authorised by a two-thirds majority vote of the Church membership present at a properly called meeting.

The final purchase or sale of property must receive approval of the Board. Any contract signed must include "subject to the final approval of the Board, Church of the Foursquare Gospel" and be written and signed by both parties.

Any borrowings in relation to a property purchase need to be arranged and approved by the Board.

#### **9.2.5 Inactive Churches.**

If a Church ceases to function and if the Board decides that the Church building or other property should be sold, an appraisal shall be secured with the Supervisor's recommendation. The Board shall have power to approve the sale of the property. After all indebtedness and costs have been

satisfied, the net proceeds of the sale shall be deposited to the credit of the Association for further Church development.

#### 9.2.6 Merger

No Pastor shall discuss or take steps toward merging with another Church without prior counsel with the Supervisor and the written consent of the Board. After such consent there shall be a resolution passed by the Council pursuant to the prior authorisation by a two-thirds majority vote of the Church membership present at a properly called meeting.

#### 9.2.7 Secession.

No Church, section of a Church, or any individual leaving or seceding from the association shall have any claim upon the property or finances of the Church.

### 9.3 FINANCIAL LIABILITY

9.3.1 No Church shall enter into a financial arrangement involving loan of funds, either as lender or borrower, without the prior consent of the Board.

9.3.2 In order to prevent foreclosure, because of delinquent payments on Church property, which would result in the congregation forfeiting its equity, after proper notification to the Church, the Board may make such disposition of property necessary to pay any and all balance(s). After encumbrances are satisfied any balance(s) shall be held for the re-establishment of the Church facilities. Should the Church cease to function, such balance(s) shall be deposited to the credit of the Association.

### 10. BY-LAW 10: WINDING UP

This Member Church may be dissolved and wound-up upon a resolution to that effect, passed at a duly convened member meeting by a 75% majority vote of those present and entitled to vote at such meeting, provided that notice of the proposed resolution shall have been included in the notice convening that meeting and the Board has given prior approval.

Unless such resolution otherwise provides, the Board shall be thereby empowered to take all such steps and sign all such documents as shall be reasonably required to effect such dissolution and winding-up.

If upon the winding up of the Member Church there remains after satisfaction of all debts and liabilities any property whatsoever, the same shall not be paid or distributed amongst the members, but shall become the property of the Church of the Foursquare Gospel in Australia.

A meeting convened under this clause requires 28 days written notice.

In this clause **surplus property**, in relation to the Member Church, means property remaining after satisfaction of:

The debts and liabilities of the Church; and

The costs, charges and expenses of winding up or cancelling the incorporation of the Church but does not include books relating to the management of the Church.

### 11. BY-LAW 11: AMENDMENTS TO CONSTITUTION

In the event the Church wishes to amend these Rules the proposed amendment must first be approved by the Council on the recommendation of the Supervisor and then approved by a 75% majority vote of those present and voting at the Member Church meeting. Prior written notice of the proposed amendment must first be given to all active members.



