

**CONSTITUTION OF
THE MELKBOS BAPTIST
FELLOWSHIP**

The Fellowship
Baptist

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1 **NAME:**

The name of the fellowship is the Melkbos Baptist Fellowship, hereinafter referred to as THE FELLOWSHIP .

2 **FELLOWSHIP HEADSHIP:**

The Fellowship recognises Jesus Christ as its supreme Head and undertakes to manage its affairs according to New Testament teaching, believing that as the Body of Christ it is equipped by His Spirit to act, decide and direct as set out herein.

3 **THE OBJECT OF THE FELLOWSHIP SHALL BE:**

- 3.1 To glorify the Lord Jesus, the Head of the Church.
- 3.2 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.
- 3.3 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).

4 **STATEMENT OF FAITH:**

4.1 **The Fellowship believes:**

- 4.1.1 In the Scriptures of the Old and New Testament in their original writings as fully inspired of God and accepts them as the final authority for faith and life.
- 4.1.2 In one God eternally existing in three persons - Father, Son and Holy Spirit.
- 4.1.3 That Jesus Christ was begotten by the Holy Spirit, born of the virgin Mary, and is true God and true man.
- 4.1.4 That God created man in His own image; that man sinned and thereby incurred the penalty of death, physical and spiritual; and that all human beings inherit a sinful nature; which issues (in the case of those who have reached moral responsibility) in actual transgression involving personal guilt.
- 4.1.5 That the Lord Jesus died for our sins, a substitutionary sacrifice, according to the Scriptures, and that all who believe in Him are justified on the grounds of His shed blood.
- 4.1.6 In the bodily resurrection of the Lord Jesus Christ, His ascension into heaven, and His present life as our High Priest and Advocate.
- 4.1.7 In the personal return of the Lord Jesus Christ.

- 4.1.8 In the personality of the Holy Spirit, His regenerating work, and abiding presence in the true believe.
- 4.1.9 That all who receive the Lord Jesus Christ by faith, are born again of the Holy Spirit and thereby become children of God.
- 4.1.10 That all Christians are called to a life of holiness, devotion to the Lord Jesus Christ and service for Him.
- 4.1.11 In the resurrection both of the just and the unjust, the eternal blessedness of the redeemed, and the eternal banishment of those who have rejected the offer of salvation.
- 4.1.12 That God has ordained marriage as a heterosexual relationship between a natural man and a natural woman.

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; consisting 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 Elders whose primary function is to lead in a spirit of servanthood, 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 (Elders, Deacons and Pastors), 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 Fellowship structure or organisation which is in conflict directly or indirectly with one or more of the stated Baptist Principles will be invalid unless approved by at least 75% of the members present and entitled to vote at a duly constituted Special Fellowship meeting of which at least one months' notice has been given.

5

MEMBERSHIP:

The membership shall consist of:

- 5.1 Those whose names are on the Fellowship register at the date of adoption of this Constitution and Bye-laws.
- 5.2 Those who, desiring membership, have given evidence of their personal salvation through faith in the Lord Jesus Christ, and have been baptised by immersion, and have fulfilled the criteria for new members as established by the Elders, and according to Clause 5.3.
- 5.3 **Admission of Members:**
 - 5.3.1 Every application for membership shall be dealt with by the Elders.
 - 5.3.2 An application shall be made in the first instance to the Elders through the Fellowship Secretary. The Elders shall make careful enquiry regarding the candidate's qualification and shall place all the applicants' names in the Fellowship Notices for two successive weeks for comment by Fellowship members. Any comments may

be forwarded to the Fellowship Secretary in writing by the Fellowship members during the two weeks' notice period. Having received any comments and given them due consideration, the Elders shall have the power to receive any applicants into membership.

5.4 Termination of Membership:

- 5.4.1 The Elders shall review the Fellowship membership rolls annually and if it is felt necessary and expedient, they shall remove the names of such members from the Fellowship roll who have not been in fellowship during the year. Such terminations of membership shall occur only after the Elders have made a careful investigation into the reasons why a member has failed to fulfil the privileges and responsibilities of the Fellowship membership.
- 5.4.2 Termination of membership may also be affected in terms of Clause 13.

5.5 Privileges and Responsibilities of Members:

Every member has the privilege and responsibility of:

- 5.5.1 Attending worship services regularly, partaking in communion services and supporting mid-week meetings.
- 5.5.2 Attending all Fellowship Business Meetings.
- 5.5.3 Actively involving themselves in the life of the Fellowship by using their spiritual gifts and abilities to do everything possible to extend the kingdom of God and build up the Church.
- 5.5.4 Systematically supporting the Fellowship financially in the giving of tithes and offerings.

6 THE PASTORATE:

- 6.1 If and when it is necessary to appoint a pastor, the procedure shall be as follows: -
 - 6.1.1 The Elders will make the necessary enquiries and will then make a recommendation to the Fellowship. The Elders shall put before the Fellowship only one name at a time.
 - 6.1.2 The Elders recommendation shall be considered at a Fellowship Business Meeting called for that purpose and no invitation to a Pastor shall be sent forward unless at least 75% of the members present when the matter is considered, vote in favour. Any invitation shall be contingent upon the prospective minister being a baptised believer and his accepting in writing the provisions of the Fellowship Constitution and Bye-laws, copies of which shall be supplied for his / her perusal.

- 6.2 Any engagement between the Fellowship and a pastor shall be terminable by three months' notice on either side, unless otherwise agreed upon.
- 6.3 The pastor shall become a member of the Fellowship as soon as convenient after his appointment in accordance with Clause 5.

7 ELDERS AND DEACONS:

- 7.1 The Fellowship shall, from its membership of the age of twenty-one years and over and who have been in membership for at least 12 months, elect elders and when necessary, deacons.
 - 7.1.1 The Elders shall provide overall leadership and oversight, spiritual and organizational, to the Fellowship, and shall bear fiduciary responsibility for the Fellowship. In so doing, the Eldership shall comply with the Congregational Principle.
- 7.2 Elders and Deacons, shall hold office as long as they perform the ministry of an Elder and Deacon (1 Timothy 3:1-7 & Titus 1:5-9). Should they for any reason cease to perform their respective ministry for an extended period, the Elders shall ask for their resignation.
- 7.3 The Fellowship members may submit names of prospective nominees to the Elders. Only the Elders may approach nominees for Elder and Deacon. Any prospective nomination by a Fellowship member must be lodged in writing with the Fellowship Secretary at least 30 days before the Fellowship Business Meeting at which the election is to take place.
- 7.4 The names of the nominees for all elders and deacons shall be given to the Fellowship by the Elders and the Fellowship shall have 30 days in which to bring any objection in regard to the Christian character or ministry of any of those nominated. Each objection shall be thoroughly investigated and if found to be legitimate, the Elders shall withdraw the nomination.
- 7.5 A confidence vote will be taken for each nominee at a constituted Fellowship meeting after the 30-day period without legitimate objections being forwarded. A nominee shall be required to obtain 75% of the votes of those present in order to qualify for election as an elder or deacon.
- 7.6 The Fellowship shall function through the medium of Elders as defined above, and the business of the Fellowship shall be directed and managed by the Elders. The Eldership shall make their decisions by majority vote. The Elders shall be accountable to the

Fellowship for the proper carrying out of their responsibilities, reporting annually to members in Business Meetings.

8 **FELLOWSHIP BUSINESS MEETINGS:**

- 8.1 The Fellowship business year shall end every year on last day of February. An Annual Fellowship Business Meeting shall be held as soon as is practicable in the third quarter of the year, when reports and audited statements shall be submitted by the Fellowship Secretary and Treasurer and by all departments of the Fellowship.
- 8.2 A Special Fellowship Business Meeting may be called to consider urgent business provided a 30-day notice is given:
 - 8.2.1 by the Elders, as required, and cannot be postponed or cancelled, except by mutual agreement.
 - 8.2.2 when such a meeting is requested in writing and signed by not less than ten members, provided the subject matter be submitted in writing so that it may be considered by the Elders, prior to the Fellowship Business Meeting. Such Special Fellowship Business Meetings shall be called within one month of the receipt by the Fellowship Secretary of a valid request.
- 8.3 Every matter of a Fellowship Business Meeting shall be decided by a majority of the votes cast at a properly called Fellowship Business Meeting, subject to the following conditions:
 - 8.3.1 that voting shall normally be by a show of hands, but if ten members present so request, voting shall be by ballot.
 - 8.3.2 all matters for submission to the Fellowship Business Meetings shall, where possible, be considered by the Elders. If any matter is brought forward at a Fellowship Business Meeting, without prior Eldership consideration and five members present so request, the matter shall be postponed for consideration at a future meeting.
 - 8.3.3 twenty percent (20%) of the Fellowship Membership shall constitute a quorum for all Fellowship Business Meetings. In the event of no quorum, the meeting shall be postponed for seven days and at that meeting, business shall proceed irrespective of the number present.
- 8.4 Participation in discussion and voting in Fellowship Business Meetings shall be by members only. However, other persons invited by the Elders for specific reasons may address the meeting and participate in discussion.

- 8.5 Attendance at Fellowship Business Meetings may be limited to members only at the discretion of the Chairman (refer to clause 9).
- 8.6 Notice of Fellowship Business Meetings:
- 8.6.1 Notice of Fellowship Business Meetings shall be given at the services on at least two Sundays immediately prior to the proposed date of the meeting. When giving notice of Special Fellowship Business Meetings, the business for which the meeting is called shall be clearly set out in the announcements.
- 8.6.2 The majority of members present shall have the right to condone short notice of emergency meetings recommended by the Elders.
- 8.7 Without limiting the ambit of clause 8, the following decisions are specifically reserved for members in Business Meetings:
- 8.7.1 Changes to the Constitution.
- 8.7.2 The addition or removal of a name from the Membership Roll due to misconduct as per clause 13.
- 8.7.3 The appointment or removal from office of a pastor.
- 8.7.4 The appointment or removal of an Office-bearer, an Elder or a Deacon.
- 8.7.5 The acquisition, sale or mortgaging of fixed property.
- 8.7.6 The procurement of or entering into any unsecured loan.
- 8.7.7 The approval of any decision having financial implications that exceed the amount decided by members from time to time.
- 8.8 Minutes shall be kept of all Fellowship Business Meetings.

9 CHAIRMAN:

- 9.1 The Senior Pastor shall preside at all meetings of the Elders and the Fellowship except:
- 9.1.1 Whenever he shall elect to vacate the chair.
- 9.1.2 When any question affecting his own position (e.g. stipend) is under discussion.
- 9.1.3 When he is absent or under Clause 5, in which case one of the Elders or a suitable member of the Fellowship shall be appointed by the meeting to act as Chairman at that particular meeting.
- 9.1.4 When a situation arises in which the Senior Pastor and the Fellowship agree that a moderator be appointed by the Fellowship to act as Chairman.
- 9.2 The Chairman at any meeting shall have a deliberative vote only.

- 9.3 The Senior Pastor shall ex-officio be a member of all Fellowship committees.

10 FELLOWSHIP OFFICE-BEARERS, ORGANISATIONAL AND DEPARTMENTAL LEADERS:

- 10.1 Other appointees may be made by the Elders, for specific purposes, at such times and for such periods as the Elders deem necessary. This includes, amongst others, the roles of Fellowship Secretary (who shall be one of the Elders) and Treasurer.
- 10.1.1 The Fellowship Secretary shall be the key representative of the members in all Fellowship internal administration and shall uphold the Fellowship Constitution and the Bye-laws.
- 10.1.2 The Treasurer shall be responsible for liaising with and keeping the Elders informed of the Fellowship's financial circumstances.
- 10.2 All appointments made by organisations and departments connected with the Fellowship, excluding independent Non-profit Organisations, shall be submitted to the Elders for confirmation.
- 10.3 All organisations and departments, excluding independent Non-profit Organisations, shall be subject to the Elders.
- 10.4 The appointment of all organisational and departmental leaders, excluding independent Non-profit Organisations, shall be reviewed annually by the Elders.

11 FINANCE:

- 11.1 The Fellowship shall be supported by the voluntary contributions of members and friends of the Fellowship by means of offerings at the services, tithes, gifts, thank offerings and donations, or by any other method decided upon by the members at a Fellowship Business Meeting, provided this is not in conflict with the spirit and teaching of the Holy Scriptures.
- 11.2 An Honorary Auditor (or Auditors) shall be appointed by the Fellowship on an annual basis.
- 11.3 In cases involving movable and immovable property, signing powers shall vest in any three (3) unconnected members of the Elders.
- 11.4 The Fellowship does not have as an object the acquisition of gain for itself or for any of its Members or office-bearers, and no Members or office-bearers, solely by virtue of their being members or office-bearers, has or shall have any rights in the property or

- other assets of the Fellowship. The Fellowship's income and property are not distributable to its members or office-bearers, except as reasonable compensation for services rendered. No money comprising the Fellowship Funds may be distributed to any person, other than in the course of undertaking any public benefit activity. The Fellowship must not pay any remuneration to any employee, Member, office bearer or any other person that is excessive, having regard to what is generally considered reasonable in the sector in which the Fellowship operates, and in relation to the service rendered.
- 11.5 The financial transactions of the Fellowship will be conducted by means of a bank account with a bank registered in terms of the Banks Act, 1990 (Act 94 of 1990), or with a mutual bank registered in terms of the Mutual Banks Act, 1993 (Act 124 of 1993).
- 11.6 The Fellowship Funds must be used solely for the Objects of the Fellowship; any money comprising the Fellowship Funds which is not immediately required to meet the costs of achieving the Object of the Fellowship, must be invested:
- 11.6.1 With a financial institution as defined in the Financial Institutions Act.
- 11.6.2 In securities listed on a stock exchange as defined in Stock Exchanges Control Act.
- 11.7 The Fellowship must not carry on any business undertaking or trading activity unless specifically permitted in terms of the Income Tax Act.
- 11.8 The financial year-end of the Fellowship will be the last day of February of each year.
- 11.9 The Fellowship's audited accounting records must be submitted to the Director of Non-profit organisations within six months of the financial year-end.
- 11.10 The Fellowship may not make a loan to any Member, Employee, Overseer, or any other person.
- 11.11 At least three (3) of the Elders, having fiduciary responsibility for the Fellowship, will not be connected persons in relation to each other, and no single person will directly or indirectly control decision making powers of the Fellowship.
- 11.12 The Elders must ensure that any books of account, records or other documents relating to the Fellowship, are retained and carefully preserved after completion of the transactions, acts or operations to which they relate as per the Income Tax Act.

12 **LEGAL STATUS AND POWERS:**

- 12.1 The Fellowship shall be a corporate body with an identity and existence distinct from its members or office-bearers, with a continued existence notwithstanding changes in the composition of its membership or office-bearers, capable of suing and being sued in its own name, and of acquiring rights and incurring obligations distinct from its members.
- 12.2 Members or office-bearers do not become liable for any of the obligations and liabilities of the Fellowship solely by virtue of their status as members or Office-bearers of the Fellowship, except to the extent that any Member may expressly assume liability for any debt of the Fellowship. Office-bearers are not personally liable for any loss suffered by any person as a result of an act or omission which occurs in good faith while the office-bearer is performing functions for or on behalf of the Fellowship.
- 12.3 The Fellowship may exercise any and all of the powers and authorities it may require as a corporate body, to pursue and achieve the Purpose and Objectives of the Fellowship, but subject always to the terms of this Constitution.

13 **FELLOWSHIP DISCIPLINE:**

- 13.1 In the unhappy event of any allegation of unworthy conduct or erroneous belief being brought against a member, the Eldership shall make enquiry into the matter. If, after enquiry in camera, the Eldership deems such a course necessary, they shall present a report to a Fellowship Business Meeting, at which meeting the membership may be revoked or any further action shall be determined after prayerful consideration.
- 13.2 In purely personal matters, members shall be expected to act in accordance with the Lord's injunction recorded in Matthew 18: 15 - 17.

14 **ORDINANCES:**

The Fellowship shall observe, in their New Testament simplicity, the two ordinances: Baptism and the Lord's Supper, as enjoined upon His followers by the Lord Jesus Christ.

- 14.1 Baptism:
In addition to those desiring to join the Fellowship, in accordance with Clause 4.2, the pastor shall be free to baptise any who so desire to confess the Lord Jesus Christ, provided he, the pastor, has satisfied himself regarding their personal salvation.

- 14.2 Communion:
The Lord's Supper shall, as far as possible, be observed at least on one morning of the Lord's Day in each month. Participation at the Lord's Table shall be open to all who have received the Lord Jesus as their own personal Saviour.

15 MOVABLE AND IMMOVABLE PROPERTY:

- 15.1 In terms of clause 12.3, the Fellowship shall be entitled to acquire movable and immovable property of whatever kind and shall have full powers to deal therewith in any manner such as mortgage, pledge, or alienation by sale, donation or otherwise, and shall be empowered to invest and borrow money with or without security. Signing powers for property transactions shall be vested in three unconnected members of the Elders.
- 15.2 The Elders shall manage the property as fiduciaries for the benefit of the Fellowship and all immovable property shall be registered in the name of Melkbos Baptist Fellowship.
- 15.3 It shall not be competent for the Elders to purchase or lease immovable property, to mortgage, hypothecate or otherwise alienate in any manner whatever, any immovable property unless authorised and empowered to do so by a 75% majority of those present at a Fellowship Business Meeting specially convened for the purpose.
- 15.4 The Fellowship may, if so desired by a majority at the relevant meeting, consult with the Baptist Union of Southern Africa.

16 INDEMNITY CLAUSE:

The Elders, Deacons, Pastors and all Officers of the Fellowship 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 duty, except such as they shall incur by their own wilful neglect or wrongful act.

17 REVISIONS OF CONSTITUTION AND BYE-LAWS:

- 17.1 The Constitution and Byelaws may be amended, at a Fellowship Business Meeting duly convened for the purpose, provided one months' notice of motion has been given. No change shall be made unless at least 75% of the members present at such meeting vote in favour of the suggested alteration either in its original form or with such amendments as the meeting itself may make.
- 17.2 Any proposed changes must be available to members for the one month prior to such meeting.

- 17.3 The Fellowship must submit to the relevant Government Institutions a copy of any amendment to this Constitution.
- 17.4 No amendment may be passed which would have the effect of altering the Objects of the Fellowship from those of an association for ecclesiastical, charitable or educational purposes of a public character as is associated with a church.

18 DISSOLUTIONS:

- 18.1 Members in a Business Meeting may dissolve the Fellowship provided that 75% of members present vote in favour of the resolution. Should such a resolution be passed by the members then the Elders, and failing the Elders, other persons appointed by the members at their meeting, shall take the necessary steps to wind up the affairs of the Fellowship.
- 18.1.1 Examples of grounds upon which members might resolve to dissolve the Fellowship include: public worship services have been discontinued for a period of twelve consecutive calendar months, or the number of members has dropped below 2.
- 18.1.2 When the Fellowship is wound up or dissolved, any assets remaining after all its liabilities have been met, must be transferred to another church non-profit organisation having similar objectives and beliefs.
- 18.2 The Fellowship may, at any time, revoke its membership of the Baptist Union of Southern Africa by a resolution approved by at least 75% of the members present at a Fellowship Business Meeting, provided one months' notice of motion has been given.

SIGNED at MELKBOSSTRAND this _____ day of _____

AS WITNESS:

AS ELDERS, DULY AUTHORIZED:

The Fellowship
Baptist