

RULES OF AN INCORPORATED ASSOCIATION

Belconnen Church of Christ

NAME

Rule 1

The name of the Incorporated Association is "Belconnen Church of Christ Inc" (also known as NationsHeart Christian Community and in these rules called "NationsHeart").

INTERPRETATION

Rule 2

(1) In these Rules, unless the contrary intention appears:-

"Annual General Meeting" means the annual general meeting of the church as required by Rule 14

"Eldership Council" means the Eldership Council of NationsHeart as described in Rule 8.

"Financial Year" means the year ending 30 June.

"General Meeting" means a general meeting of members as described in Rule 15.

"Member" means a person who has satisfied the criteria in Rule 4.

"Ministry Team" means the Ministry Team of NationsHeart as described in Rule 11.

"Ministry Team Leader" means the Ministry Team Leader of NationsHeart as described in Rule 11.

"NationsHeart" means Belconnen Church of Christ Inc (also known as NationsHeart Christian Community).

"The Act" means the *Associations Incorporation Act 1991*.

"The Regulations" means the *Associations Incorporation Regulations 1991*.

(2) Words or expressions contained in these rules shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1958 and the Act as in force from time to time.

OBJECTS AND PURPOSES

Rule 3

- (1) The objects and purposes of NationsHeart are:-
- (a) To operate a local Christian church affiliated with Churches of Christ in Australia.
 - (b) To provide a model of the Kingdom of God, helping sustain people in their following of Jesus Christ.
 - (c) To resource people and release them to serve in their gift areas.
 - (d) To seek to relieve poverty, sickness, suffering, distress, misfortune, disability or helplessness irrespective of race, religion, gender, philosophy, cultural background or other diversity.
 - (e) To seek to establish a Public Benevolent Institution to assist in the provision of such relief.
 - (f) To seek to undertake or support any work, activity or interest directly or indirectly connected with any of the above purposes.

MEMBERSHIP

Rule 4

- (1) Members of NationsHeart shall consist of those persons who support the objects and purposes of NationsHeart and who have had their membership application approved by the Eldership Council. A Member shall have the rights and privileges and liabilities set forth in these Rules.
- (2) An application for membership shall be considered by the Eldership Council who shall thereupon determine upon the admission or rejection of the applicant.
- (3) When an applicant has been accepted for membership the Eldership Council shall give to the applicant notice of this acceptance and the applicant shall become a member of NationsHeart.
- (4) There shall be no joining fees or subscriptions levied on applicants or members.
- (5) A person's membership will roll over from one year to the next by the member completing the renewal form annually.

REGISTER OF MEMBERS

Rule 5

The Eldership Council shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of the name of each member and the register shall be available for inspection by members at the NationsHeart office or at some other place as determined by the Eldership Council from time to time.

CESSATION OF MEMBERSHIP

Rule 6

(1) A person ceases to be a member of NationsHeart if the person:-

- (a) dies; or
- (b) gives notice of resignation from membership of NationsHeart; or
- (c) chooses to transfer membership to another church; or
- (d) fails to renew membership; or
- (d) is expelled from NationsHeart in accordance with Subrule (2).

(2) If any Member:-

- (a) wilfully refuses or neglects to comply with the provisions of the Rules of NationsHeart; or
- (b) shall be guilty of any conduct which in the opinion of the Eldership Council is unbecoming of a member or prejudicial to the interests of NationsHeart; or
- (c) in the opinion of the Eldership Council no longer meets one or more of the qualifications set out above in relation to membership;

the Eldership Council shall have power by resolution to censure, suspend or expel the member from NationsHeart and shall give that person notice of such censure, suspension or expulsion in accordance with Rule 29.

(3) Where a person ceases to be a member of NationsHeart in accordance with Subrule (1), the Eldership Council shall make in the register of members an entry recording the date on which the member ceased to be a member.

MEMBERS' LIABILITIES

Rule 7

The liability of a member to contribute towards the payment of debts and liabilities of NationsHeart in the event of it being wound up is nil.

ELDERSHIP COUNCIL

Rule 8

(1) The business affairs of NationsHeart shall be managed by an Eldership Council constituted in accordance with these Rules.

(2) The Eldership Council:-

- (a) shall manage the business affairs of NationsHeart;

- (b) shall appoint a Public Officer in accordance with the Act;
 - (c) shall appoint an auditor in accordance with the Act;
 - (d) may, subject to these rules, the regulations and the Act, exercise all such powers and functions as may be exercised by NationsHeart other than those powers and functions which are required by these rules to be exercised by general meetings of the members of NationsHeart; and
 - (e) subject to these rules, the regulations and the Act, has power to perform all such acts and things as appear to NationsHeart to be essential for the proper management of the business and affairs of NationsHeart.
- (3) The Eldership Council shall consist of:-
- (a) the Chair;
 - (b) the Ministry Team Leader; and
 - (c) at least four other members.
- (4) All members of the Eldership Council other than the Ministry Team Leader shall be elected under Rule 9.

ELECTION OF ELDERSHIP COUNCIL

Rule 9

- (1) Nominations of candidates for election as members of the Eldership Council:-
- (a) must be made in writing signed by 2 members of NationsHeart and accompanied by the written consent of the candidate (which may be endorsed on the nomination form);
 - (b) must be given to the Chair of the Eldership Council not less than 21 days before the date fixed for the general meeting at which the election is to take place; and
 - (c) shall be considered under a process determined by the Eldership Council who shall determine the acceptance or rejection of the nomination.
- (2) A ballot must be held at a general meeting of the members.
- (3) For a nomination to be confirmed by ballot, a majority of 80% of the voting members present at the ballot needs to be attained.
- (4) Members of the Eldership Council shall remain in office until they resign, save that they may be removed from office after receiving notice in writing from the Eldership Council.
- (5) The Eldership Council shall have power from time to time to appoint a member of the Eldership Council on a temporary basis to fill a casual vacancy until such reasonable time as a general meeting can be convened for the purposes of electing members of the Eldership Council.

- (6) The Eldership Council shall remove a member from the Eldership Council, if the member:-
- (a) is found guilty of an offence under *the Criminal Code 2002 (ACT)*, the *Criminal Code Act 1995 (Cth)* or under a Crimes Act or Criminal Code of any Australian jurisdiction; or
 - (b) becomes insolvent under administration, or makes any such arrangement or composition; or
 - (c) becomes prohibited from being a director of a company by reason of any order made under the Corporations Law; or
 - (d) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the Law relating to mental health; or
 - (e) resigns office by notice in writing to NationsHeart; or
 - (f) ceases to be a member of NationsHeart.
- (7) The Eldership Council may temporarily suspend a member from the Eldership Council who is subject to criminal proceedings until the outcome of those criminal proceedings is determined.

PROCEEDINGS OF THE ELDERSHIP COUNCIL

Rule 10

- (1) The Chair of the Eldership Council shall be appointed by the members of the Eldership Council.
- (2) The Chair of the Eldership Council shall preside over the meetings of the Eldership Council in accordance with Subrule (8).
- (3) The Eldership Council shall meet at least six times in each year at such place and such times as it may determine.
- (4) Special meetings of the Eldership Council may be convened by the Chair, Ministry Team Leader, or by any three of the members of the Eldership Council.
- (5) Notice shall be given to the members of the Eldership Council of any special meeting specifying the nature of the business to be transacted.
- (6) The quorum necessary for the transaction of the business of the Eldership Council shall be a majority of the total Eldership Council.
- (7) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to such other day and at such other time and place as the Eldership Council may determine.
- (8) At meetings of the Eldership Council:-
 - (a) the Chair; or
 - (b) if the Chair is absent, such one of the remaining members of the Eldership Council as may be chosen by the members present;shall preside.

- (9) The Eldership Council of NationsHeart shall nominate a record taker who shall keep a record of the resolutions and proceedings of each general meeting and each Eldership Council meeting with a record of the names of persons present.
- (10) Questions arising at a meeting of the Eldership Council or of any Committee appointed by the Eldership Council shall be decided consensus or by a majority vote.
- (11) The Eldership Council:-
 - (a) shall collect and receive all moneys due to NationsHeart and make all payments authorized by NationsHeart; and
 - (b) shall keep correct accounts and books showing the financial affairs of NationsHeart with full details of all receipts and expenditure connected with the activities of NationsHeart.
- (12) The accounts and books referred to in Subrule (11) shall be available for inspection by members.
- (13) Any decision which relates to the expenditure or commitment of the finances of NationsHeart in excess of 10% of NationsHeart's operating budget must be made unanimously by the Eldership Council.

THE MINISTRY TEAM

Rule 11

- (1) The Eldership Council shall appoint a Ministry Team Leader.
- (2) The Eldership Council may appoint a Ministry Team to support the Ministry Team Leader.
- (3) The Ministry Team including the Ministry Team Leader shall be appointed by the unanimous decision of the members the Eldership Council.
- (4) As members of NationsHeart, the Ministry Team must abide by the membership requirements provided for in these Rules including those of the Eldership Council.
- (5) Any member of the Ministry Team may be dismissed in accordance with guidelines that the Eldership Council prescribes which may include the NSW Churches of Christ Code of Conduct.

DELEGATIONS

Rule 12

- (1) Except as provided in Subrule (2) the Eldership Council may not delegate the power to make financial decisions in excess of 10% of NationsHeart's operating budget to a committee of NationsHeart but may delegate any of its other powers.

- (2) The power to make financial decisions relating to capital works in excess of 10% of NationsHeart's operating budget may be delegated to a committee where the Eldership Council has already unanimously agreed on the commitment of finance and has expressly delegated the power to the committee.

COMMITTEES

Rule 13

- (1) A committee may be made up of members of the Eldership Council and of persons not being members of the Eldership Council. The membership of a committee will be decided by the Eldership Council which may appoint the Chair of the committee. Any Committee so formed shall in the exercise of the power so delegated conform to any of the Rules which may be imposed on it by NationsHeart.
- (2) A committee may meet and adjourn as it thinks proper and exercise its delegated responsibility.
- (3) Despite any delegation under this Rule the Eldership Council may continue to exercise any function delegated.

ANNUAL GENERAL MEETING

Rule 14

- (1) NationsHeart shall in each calendar year convene an annual general meeting of its members within the period of five months beginning at the end of most recently ended financial year.
- (2) The annual general meeting shall be held on such day as the Eldership Council determines.
- (3) The annual general meeting shall be specified as such in the notice convening it.
- (4) The ordinary business of the annual general meeting shall be:-
 - (a) to confirm the Minutes of the last preceding annual general meeting and of any general meeting held since that meeting;
 - (b) to receive from the Eldership Council reports upon the activities of NationsHeart during the last preceding financial year and
 - (c) to receive and consider the statement of accounts and reports that are required to be submitted to members under the Act, section 73(1).
- (5) The annual general meeting may transact special business of which notice is given in accordance with these rules.
- (6) The annual general meeting shall be in addition to any other general meetings that may be held in the same year.

GENERAL MEETINGS

Rule 15

All general meetings other than the annual general meeting shall be called general meetings.

Rule 16

- (1) The Eldership Council may, whenever it thinks fit, convene a general meeting of NationsHeart and, where, but for this sub-clause, more than 15 months would lapse between annual general meetings, shall convene a general meeting before the expiration of that period.
- (2) The Eldership Council shall, on the requisition in writing of not less than five members convene a general meeting of NationsHeart.
- (3) The requisition for a general meeting shall state the objects of the meeting and shall be signed by documents in a like form, each signed by one or more of the members making the requisition.
- (4) If the Eldership Council does not cause a general meeting to be held within one month after the date on which the requisition is sent to the address of the NationsHeart office, the members making the requisition, or any of them, may convene a general meeting to be held not later than 3 months after that date.
- (5) A general meeting convened by members in accordance with Subrule (4) shall be convened in the same manner as those meetings convened by the Eldership Council.

NOTICE OF MEETING

Rule 17

- (1) Subject to the provisions of the law relating to special resolutions and agreements for shorter notice the posting of a notice at the NationsHeart office at least 14 days exclusive of the day on which the notice is posted and exclusive of the day on which the notice is given specifying the place, the day and the hour of meeting and in the case of special business, the general nature of the business shall be given. In addition the notice shall be read to the congregation of NationsHeart on at least two occasions prior to the day of the meeting. Where possible and as a courtesy, the notice will be emailed to members at the email addresses listed in the register of members.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the meeting provided that a majority of members of NationsHeart are in agreement.
- (3) A member desiring to bring any business before a meeting may give notice of that business in writing to the Eldership Council. If that notice of business has the written support of at least four other members, the Eldership Council shall include that business in the notice calling the next general meeting after the receipt of the notice.

PROCEEDINGS AT MEETINGS

Rule 18

- (1) All business that is transacted at a general meeting and all business that is transacted at the annual general meeting with the exception of that specially referred to in these rules as being the ordinary business of the annual general meeting shall be deemed to be special business.
- (2) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time when the meeting is considering that item.
- (3) Ten members, including at least the majority of members of the Eldership Council personally present constitute a quorum for the transaction of the business of a general meeting.
- (4) If within half an hour after the appointed time for the commencement of a general meeting, a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to such date and such place as the Eldership Council shall decide save that the date of the adjourned meeting shall not be more than five weeks hence and if at the adjourned meeting the quorum is not present within half an hour after the time appointed for the commencement of the meeting the members present (being not less than five and including at least the majority of members of the Eldership Council) shall be a quorum.

Rule 19

- (1) The Chair of the Eldership Council shall preside as Chair at each general meeting of the Association.
- (2) If the Chair of the Eldership Council is absent from a general meeting, the Eldership Council shall appoint a member to preside as Chair at the meeting.

Rule 20

- (1) The Chair of a general meeting at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) Where a meeting is adjourned for 14 days or more, a like notice of the adjourned meeting shall be given as in the case of the general meeting.
- (3) Except as provided in sub-clauses (1) and (2), it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned meeting.

VOTING

Rule 21

- (1) Upon any question arising at a general meeting of NationsHeart, a member has one vote only.
- (2) All votes should be given personally at the meeting. A vote by a proxy will not be accepted.
- (3) Any question arising at a general meeting of NationsHeart shall be decided by consensus or by a majority vote.

Rule 22

- (1) If at a meeting a poll on any question is demanded by not less than three members, it shall be taken at that meeting in such manner as the Chair may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- (2) A poll on a question of an adjournment shall be taken forthwith and a poll that is demanded on any other question shall be taken at such time before the close of the meeting as the Chair may direct.

FUNDS-SOURCE

Rule 23

The funds of NationsHeart shall be derived from donations and such other sources as the Eldership Council determines and shall be held in the name of NationsHeart.

FUNDS-MANAGEMENT

Rule 24

- (1) The assets and income of NationsHeart whensoever derived shall be applied solely toward the furtherance of the objects of NationsHeart and no portion thereof shall be paid or transferred directly or indirectly by way of dividend bonus or otherwise to the members of NationsHeart provided that nothing herein contained shall prevent the payment in good faith of remuneration for services rendered to NationsHeart and in particular payments to the Ministry Team for services rendered or expenses actually incurred on behalf of NationsHeart either by a member of NationsHeart, a member of the Eldership Council of NationsHeart or by some other person.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments shall be authorised by at least two members designated for this purpose from time to time by the Eldership Council.

PROPERTY

Rule 25

Any property of NationsHeart shall be held in its own name.

ALTERATION OF RULES AND STATEMENT OF PURPOSES

Rule 26

These rules and the statement of purposes of the Association shall not be altered except in accordance with the Act.

SEAL

Rule 27

- (1) The Common Seal of NationsHeart shall be kept in the custody of the Public Officer.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Eldership Council and the affixing of the Common Seal shall be attested by the signatures of two members of the Eldership Council.

CUSTODY OF RECORDS

Rule 28

- (1) Except as otherwise provided in these rules, the Eldership Council shall keep in its custody or under its control all books, documents and securities of NationsHeart.
- (2) The books referred to in Subrule (1) shall be available for inspection by members.

NOTICES

Rule 29

- (1) A notice may be served by or on behalf of NationsHeart upon any member either personally or by sending it by post to the member at the address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter, the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

WINDING UP OR CANCELLATION

Rule 30

In the event of the winding up or the cancellation of the incorporation of NationsHeart the assets of NationsHeart shall not be distributed amongst the members of NationsHeart but shall be given or transferred to other associations, either incorporated or unincorporated, that hold similar purposes as NationsHeart, such as decided by the Eldership Council.

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