

SLE Church Constitution – Description and Revisions 2023/2024

Introduction

SLE Church is one of four Churches under the umbrella of **Chinese Christian Church Brisbane**, and each Church is an **Incorporated Association** in Queensland. As such, each Church is required to have a set of rules (a Constitution) which is conformant to the **Associations Incorporation Act**.

The original CCCB Constitution was adopted in 1984 and had a number of minor revisions in subsequent years as well as a significant revision in 2004 through which some degree of autonomy was granted to each of the four CCCB Congregations. Then in 2013/2014 CCCB underwent a major restructuring which saw each Congregation become an autonomous Church under the CCCB umbrella.

Since then the SLE Church Constitution has had a few minor revisions, but we now require some major changes due to the restructuring of SLE. In addition, both the Federal Government and the Queensland Government have required some changes.

This document describes the SLE Church Constitution as well as the changes mentioned in the above paragraph.

Change Required for SLE Church Restructuring

SLE Church has grown in size in the last fifteen years or so from about seventy attendees to closer to 300 – from a small sized church to a medium sized church. Consequently, the Church Council has determined that the sort of small church governance that we have had for many years should be replaced with a new form that is more suitable for our current and potential size.

As you have seen in our Connect Course, we are restructuring the Church to have five **Purpose Areas (Worship, Connect, Serve, Grow, and Reach)**, so for Church management we are planning to have various **Departments** within those Purpose Areas (as well as a separate **Kids Church Department**). There will be **Senior Leaders** (usually Pastors, Elders, or Ministry Staff) in charge of each Purpose Area as well as **Department Leaders** looking after each Department.

Under our current Constitution the Church Council consists of all Pastors, Elders, and Deacons as well as any other co-opted Church Members that the Council requires to carry on its management of the Church. It is also possible for the Council to form subcommittees that are intended to perform some tasks on behalf of the Council, but we have not formally used subcommittees until recently.

It is envisaged that moving forward the various Departments will be subcommittees of the Council and that the Council will consist of all Pastors, Elders, and Deacons. Most of the day to day management will be delegated to the various Departments, and these Departments will be required to report their decisions to the Council from time to time.

In order to effect these changes in governance structure, some amendments are required to the SLE Constitution, and these are discussed below. The details of which Departments are needed are still being worked out, but these can be accomplished outside of the Constitution framework.

As a small Council subcommittee reviewed the Constitution, a few other helpful or necessary changes were also identified and these are also described below.

In October 2023 some amendments (as in version 1.02.00) were approved by a Church General Meeting and submitted to the **Office of Fair Trading** (the Qld Government Department which administers the **Associations Incorporation Act**).

Additional Queensland Government Requirements

However, the OFT rejected the Constitution because of a long-standing defect which had previously been overlooked, namely that all members of the Church Council are required to be elected to the Council by the Members of the Church.

In response to this defect, the OFT required SLE Church to make a number of changes and then to have the whole Constitution approved by a General Meeting of the Church.

Then in 2024 an addition to the Associations Incorporation Act required all organisation to incorporate a Grievance Clause into their constitutions.

Additional Requirements of the Federal Government

The Fair Work Act stipulates that employers are no longer permitted to offer fixed term appointments to employees. It is possible to offer an initial appointment of two years after which appointments must be permanent.

Depending on assets and annual income, organisations are required to have their annual accounts either reviewed by an appropriately qualified person or audited by an auditing firm. SLE Church is not required to use an auditing firm, and instead will continue to have its annual account reviewed by a CPA.

Constitution – Description and Revisions

Clauses 1, 2, & 3 – Name, Objects, Faith and Practices

Clause 1 gives the formal name of SLE Church and Clause 2 provides the **Objects** of the Church. Clause 3 is the **Statement of Faith and Practices** of all CCCB Churches. Note that any change to these clauses require the agreement of all four CCCB Churches.

The Church Council has not proposed any amendments to these clauses.

Clause 4 – Discipline and Grievance

Clause 4 originally described the process by which the Church Council was to discipline an errant Member of the Church. To this clause we have added a sub-clause which describes how Members are to handle grievances between Members or between a Member and the Church Council.

Clause 5 – CCCB Structure

Clause 5 describes the CCCB Association and the relationship of CCCB Churches to that Association.

Note that any change to this clause requires the agreement of all four CCCB Churches. The Church Council has not proposed any amendments to this clause.

Clause 6 – Powers

Clause 6 describes the legal power of the Church.

Clause 7 – Membership

Clause 7 describes the different classes of Church membership, how one becomes a Member, and how one changes Membership status. The following changes have been made to this Clause:

Clause 7.1.3, 7.4

If a member is determined unlikely to attend church meetings, his membership will be changed to **Absent Member**.

Absent Members are expected to keep in touch with any member of the Church Council while they are away.

Clause 7.6

If an Absent Member fails to keep in touch with the Church, he will be deemed to have resigned his membership.

If a Church ceases to be a Member Church of the CCCB Association, Members of that Church will cease to be Members of the CCCB Association and of the District Branch.

Clause 7.2.2

Employed Ministry Staff (and their spouses) shall be deemed to become Church members upon their appointment. Their roles shall be defined in their Service Agreements.

Clause 8 – Church Management

Clause 8 describes the Members of the Church Council (Pastors, Elders, Deacons), how they are elected, and the form of Council meetings. Several changes have been made to this Clause:

Clause 8.1

Only Pastors, Elders, and Deacons elected by the Members of the Church can serve in the Church Council. Hence the inclusion of “Other Ministry Staff” and other Church Members “co-opted by the Church Council” have been removed from this clause.

Clauses 8.3.3, 8.4.3, 8.5.3

Election to a position is also election to the Church Council.

Clause 8.3.4

After an initial two-year trial appointment, a subsequent appointment of a Pastor must be permanent.

Clauses 8.7.1, 8.10

“appointment” changed to “election”.

Clause 8.8

As day to day management of the Church moves to the Departments, the Council need not meet as frequently as it currently does.

Clause 8.12

Who may serve in subcommittees and how frequently they need to report to the Church Council. The Chairman of any subcommittee must be a Church Member.

Note: When a subcommittee is set up, the Council will define the frequency and detail required for reports.

Clauses 8.4.4, 8.5.4

Improvements on when the term of office of an Elder or Deacon concludes.

Clauses 8.5.1, 8.6.2

Keeping Members informed moved from Deacon to Secretary role.

Clause 8.8

Due to change in structure, a change is required to who can vote in Council meetings.

The Queensland Government requires that Council Members must report personal material interest in matters considered by the Council to both the Council and the Church Members.

Clause 9 – General Meetings

Clause 9 describes the Annual General Meeting and Special General Meetings of Church Members. Only minor changes were made to this Clause:

Clauses 9.4, 9.7.3

Bulletin boards are no longer required for notices and minutes of meetings.

Clause 10 – By-Laws and Amendments

Clause 10 allows the Council to make By-Laws to supplement the Constitution. This Clause also describes how the Constitution can be changed by Members of the Church, but note again that amendments to Clauses 1, 2, 3, 5, 7, & 10 require the approval of all CCCB Churches.

The Church Council has not proposed any amendments to this clause.

Clause 11 – Common Seal

This Clause has been removed as the Church is no longer required to have a common seal.

Clause 12 – Funds and Accounts

Clause 12 describes how the Church is to handle money. Some minor amendments have been made:

Clause 12.3

The Church has never maintained and the Council doesn't see the need to maintain a Petty Cash account.

Clause 12.4

EFTs must be authorised by two persons approved by the Council.

Clause 12.6

Audit or Review requirements updated according to new ACNC regulations.

Clauses 13 & 14 – Amalgamation and Dissolution

Clause 13 describes how the Church is permitted to amalgamate with another organisation. A minor amendment has been made:

Clause 13, 9.8.1

Amalgamation with another church will take place if 75% of members present at a General Meeting vote for the amalgamation. Previously the Constitution required all votes cast to be in favour.

Clause 14 describes how the Church may wind up its operation if so desired.

Clauses 15 & 16

Clauses 15 & 16 define words used in the Constitution and how the Constitution is to be interpreted.

The Church Council has not proposed any amendments to these clauses.