

## 1. INTRODUCTION

- 1.1. The main body of this Constitution sets out the aims of the Church and the principles by which the Church lives and is governed. Annex A contains detailed procedures to be followed in respect of applications for membership and other procedural matters as from time-to-time may arise.

## 2. THE CHURCH AND ITS NAME

- 2.1. The Church means Members of the charitable unincorporated association governed by this Constitution and known as 'Weymouth Baptist Church' (or such other name as shall subsequently be adopted by decision of the Church Members and with the consent of the Charity Commission).

## 3. PURPOSE

- 3.1. The principal purpose of the Church is the advancement of the Christian faith according to the principles of the Baptist denomination. The Church may also advance education and carry out other charitable purposes in the United Kingdom and/or other parts of the world.

## 4. BELIEFS

- 4.1. As a Member of the Baptist Union the Church subscribes to the Union's Declaration of Principle: 'That our Lord and Saviour Jesus Christ, God manifest in the flesh, is the sole and absolute authority in all matters pertaining to faith and practice, as revealed in the Holy Scriptures, and that each Church has liberty, under the guidance of the Holy Spirit, to interpret and administer His laws. That Christian Baptism is the immersion in water into the name of the Father, the Son and Holy Spirit, of those who have professed repentance towards God and faith in our Lord Jesus Christ who "died for our sins according to the Scriptures, was buried, and rose again on the third day." That it is the duty of every disciple to bear personal witness to the gospel of Jesus Christ and to take part in the evangelisation of the local community and the world beyond.'

## 5. ACTIVITIES

- 5.1. In fulfilling the Purpose the Church will engage in a range of Activities either on its own or with others that will vary from time to time with Activities being initiated, expanded, or closed, as appropriate.
- 5.2. The Activities may include but are not restricted to:
  - regular public worship, prayer, Bible study, preaching and teaching;
  - baptism, as defined in the Union's Declaration of Principle;
  - the Communion of the Lord's Supper which shall normally be observed at least once a month;
  - evangelism and mission, locally, regionally, nationally and internationally;
  - the teaching, encouragement, welcome and inclusion of young people;
  - nurture and growth of Christian disciples;
  - education and training for Christian and community service;
  - giving and encouraging pastoral care;
  - supporting and encouraging charitable social action in the United Kingdom and abroad;
  - encouraging relationships with and supporting Baptists and other Christians.
- 5.3. Notwithstanding the appointment of persons to accept responsibility for any of the Activities all individuals, organisations, groups, and committees operating within the life of the Church, and their leaders shall be accountable to the Charity Trustees through any specific direction of the Church Members' Meeting (see Clause 21).

## 6. AFFILIATION AND RELATIONSHIPS

- 6.1. The Church is a member of the Baptist Union of Great Britain. The Church may take up or relinquish membership of such Christian organisations as the Church Members' Meeting may from time to time direct.
- 6.2. The Church will normally promote, encourage, support and advance the work of other Christian organisations through prayer, through financial contributions and, where appropriate, by making personnel available from the membership of the Church. Such organisations may include but are not restricted to: the Baptist Union of Great Britain; The Southern Counties Baptist Association; The Baptist Missionary Society.

## 7. ELIGIBILITY FOR CHURCH MEMBERSHIP

- 7.1. Throughout this Constitution, the phrase 'Church Members' means persons who have been admitted to membership of Weymouth Baptist Church in accordance with the provisions of Clause 8 and who have not subsequently resigned from or been removed from such membership in accordance with the provisions of Clauses 9.3 or 10.2.

- 7.2. Church Membership is open to those who:
- Accept the Beliefs of the Church as set out in Clause 4;
  - Commit themselves to living in accordance with the said Beliefs;
  - Acknowledge and seek to meet the responsibilities set out in Clause 7.3;
  - Commit themselves to serving Christ within the Church and beyond;
  - Meet the Church's qualification on Baptism as set out in Clause 7.4;
  - Abide by the decisions of the Church Members' Meeting;
  - Have their membership application accepted in accordance with the provisions of Clause 8.

A person must meet all the conditions listed above in order to acquire and retain Church Membership.

- 7.3. The responsibilities of membership normally include:
- Attending worship and participating in Church Activities;
  - Personal prayer and Bible study;
  - Participation at the Communion of the Lord's Supper;
  - Helping the Church whenever possible by using gifts and abilities to advance the Purpose of the Church through its Activities;
  - Attending and participating in Church Members' Meetings;
  - Giving regular financial support to the Church in proportion to personal resources and circumstances;
  - Upholding Christian values.
- 7.4. Baptism by immersion upon personal profession of faith in Jesus Christ is the form of Baptism recognised and practised by the Church, and is a normal requirement for Membership. The Church Members' Meeting may at its discretion waive this requirement in individual cases, if it considers that the applicant in question has a valid reason for applying for membership without the pre-requisite of baptism by immersion. For the avoidance of doubt, no person shall be appointed by due process as described in Clauses 15, 16, 19, 20 and 21 as Minister, Elder, Deacon or Trustee unless they have been Baptised by immersion upon personal profession of faith in Jesus Christ.

## **8. BECOMING A CHURCH MEMBER**

- 8.1. A person wishing to become a Church Member shall apply in the manner determined by the Church Members' Meeting.
- 8.2. Applications for Church Membership shall be processed by following such procedures as the Church Members' Meeting may from time to time determine. The Senior Minister shall be responsible for ensuring that each such application for Church Membership is processed in accordance with the relevant decision of the Church Members' Meeting.
- 8.3. The Church shall have the right to accept or reject any application for Church Membership.
- 8.4. The procedures by which applications for Church Membership will be processed are set forth in Annex A.

## **9. THE MEMBERSHIP LIST**

- 9.1. A list of the current Church Members shall be maintained by the Charity Trustees incorporating changes because of additions or deletions.
- 9.2. Changes to the membership list shall be reported at the next convenient Church Members' Meeting.
- 9.3. The Membership List shall be reviewed at least once every three years when the Church Members' Meeting shall consider whether any revisions are desirable.
- 9.4. Anyone who has not become a Church Member or whose name has been removed from Church Membership may, if he/she so wishes, and if the Church Members' Meeting agrees, have his/her name recorded on a list of 'Friends of the Church'. Friends of the Church shall not be regarded in any way as having the responsibilities or rights of Church Members.

## **10. CONDUCT OF CHURCH MEMBERS**

- 10.1. If there are differences that lead to difficulties between members of the Church each member should try to resolve the situation with gentleness and humility following Christian and Biblical principles. It may be necessary for another wise and experienced member of this Church (or if invited, a member of a neighbouring Church or representative of the Association) to act as mediator or friend to those seeking to achieve reconciliation.
- 10.2. At any time, in exceptional circumstances where the conduct of a Member is considered to be contrary to the Purpose and Beliefs of the Church and/or disruptive to the relationships between Church Members then the Charity Trustees may recommend to a Church Members' Meeting that the membership of that person be reviewed. The Church Members may, after considering the facts, terminate the membership of that person. Reasonable provision shall be made to allow the Church Member in question to know everything relevant that is said at the Church Members' Meeting, to correct any errors of fact and offer any explanation of the circumstances or reasons for their conduct. Such provision may be made by allowing the said Church Member

to be present and to speak at the Church Members' Meeting while the matter is discussed. Alternatively, such provision may be made via written correspondence or by other suitable means. In any case, the Church Member in question shall withdraw from the Church Members' Meeting while the remaining Church Members prayerfully and carefully consider whether they should resolve to remove the said Church Member's name from the Membership List. The Church Members shall be entitled to resolve upon the matter whether or not the Church Member in question is present at the Church Members' Meeting, and whether or not the said Church Member has communicated upon the matter.

## 11. CHURCH MEMBERS' MEETINGS

- 11.1. Church Members shall meet together in a Church Members' Meeting to consider, discuss and take decisions upon matters relating to the life and work of the Church. The scope of a Church Members' Meeting may include both material and spiritual matters, and the balance between these two elements may vary to any extent, providing that the legal requirements relating to the Church as a Charitable Trust are met in the course of each year.
- 11.2. The Church Members' Meeting shall have reserved authority in the appointment and removal of a Minister, the Charity Trustees including a Minister, decisions related to Church property including any purchase, sale, lease, tenancy, mortgage, or redevelopment of property, and the closure of the Church.
- 11.3. Ultimate authority for deciding all matters relating to the Church shall rest with the Church Members' Meeting, but the Church Members' Meeting shall have authority to delegate authority to the Charity Trustees or to withdraw authority from the Charity Trustees insofar as it sees fit.
- 11.4. There are two types of formal Church Members' Meetings, Ordinary Church Members' Meetings and Special Church Members' Meetings.
- 11.5. An Ordinary Church Members' Meeting shall be properly convened if oral public notice of the date, time and place appointed for the meeting is given during or immediately after Divine Worship but before the dismissal of the Congregation at each of the public services on the Sunday immediately preceding the date of such intended Ordinary Church Members' Meeting.
- 11.6. A Special Church Members' Meeting shall be properly convened if notice is given in a similar manner to that prescribed in Clause 11.5 on each of the two Sundays immediately preceding the date of such intended Special Church Members' Meeting, and providing that the intended purpose of the Special Church Members' Meeting is communicated. At the discretion of the Charity Trustees, the said communication may be made either as part of the aforesaid oral public notice, or by written notice sent either by prepaid post or by electronic mail (e-mail) at least seven days before the date of the Special Church Members' Meeting to every Member of the Church at his or her last known address in England, but non-receipt of the notice by any Member shall not invalidate the proceedings at the meeting.  
*Note: If the Church should hold regular public services for Divine Worship on a weekday instead of Sunday, then that day of the week shall be substituted for Sunday in the foregoing rules in this Clause.*
- 11.7. Church Members' Meetings shall be convened so as to be convenient for as many Church Members as is reasonable.
- 11.8. Ordinary Church Members' Meetings shall be convened at regular intervals on not less than two occasions in any calendar year and shall be an opportunity to consider and review routine matters associated with the life of the Church, with opportunities for considering proposals from the Charity Trustees or other Church Members for the development of the Church and the advancement of its Purpose through its Activities and other appropriate matters.
- 11.9. One Ordinary Church Members' Meeting each year shall include the Annual Church Members' Meeting for the Church Members to receive annual accounts, to approve the budget, to appoint Auditors or Independent Examiners, to appoint Charity Trustees, to consider proposals for the strategy and vision of the Church in the coming year, to receive reports from Trustees as from time-to-time deemed necessary by them or Church Members and other appropriate matters.
- 11.10. A Special Church Members' Meeting shall be convened when necessary to consider the appointment or dismissal of a minister, matters relating to Church property, the closure of the Church, or matters considered by the Charity Trustees to be of sufficient importance to require the calling of a Special Members' Meeting.
- 11.11. Additional meetings whether Special or Ordinary shall be convened by the Charity Trustees as necessary.
- 11.12. The Charity Trustees shall have specific responsibility to convene a Church Members' Meeting as soon as possible upon the receipt of a written request for a meeting signed by at least one tenth of the Church membership, provided that all the signatories are entitled to vote at a Church Members' Meeting. Such a meeting will be an Ordinary Church Members' Meeting unless the subject of the meeting is such as to necessitate a Special Church Members' Meeting.
- 11.13. Church Members, invited guests, and, if publicly invited, those who normally attend Church events may attend a Church Members' Meeting but only eligible Church Members may vote as laid out in Clause 13.12. Where the Church Members deem it appropriate, non-Members may be required to withdraw during parts of a Church

Members' Meeting.

## 12. THE CONDUCT OF CHURCH MEMBERS' MEETINGS

- 12.1. Divine Worship, prayer and the reading of Scripture shall normally be included in the Church Members' Meeting. The discussion of any matters affecting the life and activities of the Church shall be set in this context with the intention that, so far as possible, practical issues are not perceived as being separate from the spiritual aspects of the Church.
- 12.2. A quorum of 25% of the Church Members entitled to vote shall apply to Church Members' Meetings. The proceedings of a properly convened Church Members' Meeting shall not be invalidated by the failure of any or all of the Charity Trustees to attend the said meeting.
- 12.3. Where a Member's habitual failure to participate in Church Activities is due to his/her advanced age or illness, such failure will not normally be considered sufficient reason for the Church Members' Meeting to terminate the membership of that person; however, the Church Members' Meeting may direct that such a person be excluded from the number of Members entitled to vote at any subsequent Church Members' Meeting.
- 12.4. Where a Member is persistently and regularly prevented from attending worship services or Church Members' Meetings for reasons outside of his/her control (e.g. ill health, confinement to his/her home or being a resident of a care home), the Charity Trustees shall recommend that the Church Members' Meeting shall not include that Member in the head-count for determining a quorum at Church Members' Meetings (Clause 12.2).
- 12.5. Subject to Clause 13.12, any Church Member described in Clause 12.4 who, after a period of enforced absence is able to attend Church Members' Meetings, shall be included in the calculation to determine a quorum and shall be entitled to vote.
- 12.6. The Senior Minister, if present at any Church Members' Meeting, shall be entitled to chair that meeting unless the Charity Trustees, or a majority of them, shall have previously resolved that there shall be an independent Chairman of that meeting, in which case the Church Members shall elect a Chairman (who may or may not be a Church Member) before proceeding with the business of such meeting.
- 12.7. With the agreement of the Charity Trustees, the Senior Minister may, if he so chooses appoint another Church Member to Chair any Church Meeting in his place.
- 12.8. Any resolution passed at a Special Church Members' Meeting shall not be rescinded within one year, unless notice of the resolution for rescission is given at the Church Members' Meeting prior to that at which there is to be a vote on the resolution to rescind.
- 12.9. When passing any resolution at an Ordinary Church Members' Meeting, Church Members shall have the right to apply the provisions of Clause 12.8 to the said resolution.

## 13. VOTING AT CHURCH MEMBERS' MEETINGS

- 13.1. Church Members shall, so far as possible, seek consensus on all matters considered at a Church Members' Meeting.
- 13.2. For matters requiring a decision a vote shall be taken and the outcome of the vote recorded as the resolution of the Church Members.
- 13.3. Subject to Clause 13.12, each Church Member shall have one vote which he/she may use at the Church Members' Meeting after hearing about the issues and any comments or questions raised by other Church Members in advance of the vote.
- 13.4. Voting by proxy shall not be allowed at any Church Members' Meeting.
- 13.5. Postal voting shall be allowed only in respect of such specific motions as the Church Members' Meeting may from time to time determine.
- 13.6. Votes shall be taken by secret ballot if so demanded by at least one tenth of the Church Members present at the Church Members' Meeting and entitled to vote thereat.
- 13.7. If a secret ballot is to be held four persons shall be appointed as scrutineers to the ballot to count the votes, normally two of the scrutineers shall be Charity Trustees and two shall be ordinary Church Members. The person chairing the Church Members' Meeting shall announce the outcome without necessarily revealing the numbers of votes.
- 13.8. A resolution at an Ordinary Church Members' Meeting shall be carried if supported by a majority of the Church Members present, entitled to vote and voting.
- 13.9. If there is an equality of votes on any matter at an Ordinary Church Members' Meeting, the Chairman shall have a casting vote, whether or not he or she has already voted on the matter. If the Chairman declines to exercise this right, then the resolution shall be considered rejected. A matter rejected in this manner may be resubmitted for consideration at a subsequent meeting.

- 13.10. A resolution at a Special Church Members' Meeting shall be carried if supported by at least two thirds of the Church Members present, entitled to vote and voting, unless specific provision has been made to require a higher proportion of votes (see Clauses 13.11, 16.2 and 20.10).
- 13.11. The proportion of votes required to carry a resolution specified in Clauses 13.8 and 13.10 shall not be reduced, but may be increased in respect of any particular resolution, provided that before a vote is taken on the said resolution, the Church Members' Meeting passes an enabling resolution referring to that particular resolution and specifying the proportion of votes necessary to pass it.
- 13.12. Although all Church Members may attend and participate in a Church Members' Meeting, no Church Member may vote at any Church Members' Meeting unless he or she has been a Church Member for six calendar months at the least and shall have attained the age of 18 years and further shall have communed with the Church at the Lord's Table once at least during the period of six calendar months next preceding such meeting.

#### 14. MINUTES

- 14.1. Any decisions taken in a Church Members' Meeting shall be recorded in the Minutes for future reference.
- 14.2. The Minutes shall be written or printed and filed in a book or binder set aside for this purpose using materials of sufficient quality to ensure that they survive for many years and shall be kept in a safe place.
- 14.3. If the business of a Church Members' Meeting is such as to make it practicable, the Minutes of the Meeting may be recorded, formally approved by the Church Members present and entitled to vote, before the close of the Meeting. If the Minutes are approved the person chairing the Church Members' Meeting shall confirm the Church Members' acceptance of the Minutes by signing and dating them as a correct record of the Meeting.
- 14.4. The Minutes of any Church Members' Meeting not recorded, approved and signed under the provisions of Clause 14.3 shall be approved by the Church Members attending the next Church Members' Meeting. They shall have the opportunity to review the Minutes and to correct any errors of fact before a formal vote on the approval of the Minutes is taken. If the Minutes are approved, the person chairing the Church Members' Meeting shall confirm the Church Members' acceptance of the Minutes by signing and dating them as a correct record of the preceding Meeting.
- 14.5. The signed Minutes shall be conclusive evidence of the decisions taken at the Church Members' Meeting to which they relate.

#### 15. MINISTERS

- 15.1. The Church may have a Minister or more than one Minister or no Minister. For the purposes of this Constitution, a Minister means an Ordained Minister of the Christian Religion who is a full-time or part-time stipendiary member of the staff of the Church.
- 15.2. In appointing any person as a Minister, the Church automatically confers Membership of the Church upon that person for the duration of their Ministerial Appointment.
- 15.3. In appointing any person as a Minister, the Church automatically appoints that person as a Charity Trustee of the Church for the duration of their Ministerial Appointment.
- 15.4. In appointing any person as a Minister, the Church automatically appoints that person as an Elder of the Church for the duration of their Ministerial Appointment.
- 15.5. A Minister of the Church shall accept the Beliefs as set out in Clause 4, shall hold the Deity of the Lord Jesus Christ and the sole authority of the Holy Scriptures and that interpretation of them usually called Evangelical, shall have been immersed on confession of faith in the Lord Jesus Christ and shall maintain and practise the doctrine and rite of the Immersion of Believers and no other Baptism.
- 15.6. A Minister of the Church shall normally (but not necessarily) be on the Baptist Union's Register of Persons Accredited for Ministry.
- 15.7. A Minister of the Church, whether on the Register of Persons Accredited for Ministry or not, shall be generally supportive of the Church's relationships with other Churches (including Baptist Churches), the Association and the Baptist Union.
- 15.8. The tasks fulfilled by Ministers will vary depending on individual ability and gifts, but a Minister is normally expected to be involved in the Activities of the Church with an emphasis on the leading of worship and prayer, the teaching of the Christian faith and the pastoral care of individuals. The Minister shall work with the Church towards achieving its Purpose through its Activities.
- 15.9. Notwithstanding any legal status afforded to a Minister by statute the Church recognises that the Minister and the Church are in a Covenant relationship based on Christian love and trust and mutual accountability. A Minister shall be in a relationship of mutual accountability with the other Charity Trustees and also with the Church Members.

## 16. THE APPOINTMENT AND REMOVAL OF MINISTERS

- 16.1. When the Church is seeking to appoint a Minister it will normally consult the appropriate staff within the Association before commencing any appointment process and will normally follow, so far as is practicable, the Baptist Union's procedures and recommended terms for the settlement of Ministers.
- 16.2. A Minister will be appointed by a resolution of the Church Members at a Special Church Members' Meeting. A resolution to appoint or remove a Minister shall be carried if supported by at least three quarters of the Church Members present, entitled to vote and voting. Postal voting is not allowed for the appointment of Ministers.
- 16.3. The Church and the Minister shall normally agree "Terms and Conditions of Appointment" including termination procedures based on the standard terms of appointment published by the Baptist Union of Great Britain.
- 16.4. A Minister may be removed at any time by a resolution of the Church Members at a Special Church Members' Meeting provided that a process similar to that set out in Clause 10.2 is followed giving the Minister the right to speak at the Church Members' Meeting.

## 17. THE REMUNERATION OF MINISTERS

- 17.1. Notwithstanding the fact that any Minister or Ministers appointed by the Church are Charity Trustees they shall be entitled to be paid an agreed and reasonable remuneration or stipend out of the funds of the Church.

## 18. MINISTERIAL VACANCIES & APPOINTMENT OF A MODERATOR

- 18.1. When there is no appointed Minister the Church Members may appoint a person who is a Church Member or a member of another Church to be the Moderator (but if they do not do so then the Association may make an appointment of a suitable person) who will hold this office until a new Minister is appointed or until they resign or are released or dismissed by the Church Members' Meeting.

## 19. APPOINTMENT OF DEACONS

- 19.1. The function of Deacons is to assist Ministers and Elders in leading the Church.
- 19.2. In accordance with Acts 6:1-7 their roles are essentially of a practical and 'releasing' nature. These include management, finance, administration, property, and legal matters.
- 19.3. The qualifications for Deacons are given in Acts 6:1-7 and 1 Timothy 3:8-13. Deacons, men and women, shall normally be over the age of twenty-one years and possess practical and spiritual qualities necessary for this exercise of Biblical leadership.
- 19.4. Deacons shall be members of the Church for normally at least one year. They will have been baptised by immersion in accordance with the Church's understanding of believer's baptism.
- 19.5. The Church Members' Meeting shall appoint one Deacon as Secretary and another as Treasurer. The Church Members' Meeting may from time to time create or abolish such additional roles in the Diaconate as it deems necessary, and may appoint Deacons from among Church Members to fulfil such roles. The role of any Deacon may be changed during his or her term of office by the decision of a Church Members' Meeting, subject to the agreement of the Deacon concerned. No person who is not a Member of the Church may hold office as a Deacon.
- 19.6. In appointing any person as a Deacon, the Church automatically appoints that person as a Charity Trustee of the Church for the duration of his/her appointment to the Diaconate.
- 19.7. Deacons shall be appointed for one term of three years with the opportunity to be nominated for one further three year term. In the year immediately following two such consecutive three year terms the retiring Deacon shall not normally be eligible for reappointment to the Diaconate but this requirement may be waived by decision of a Church Member's Meeting on a case-by-case basis.
- 19.8. Nominations for the role of Deacon shall be submitted in writing to the Church Secretary (or his/her appointed deputy) not later than two Sundays before the Church Members' Meeting at which the election is to be held. Each nomination must indicate both the name of the candidate and the specific role for which the candidate is nominated. The nominator must obtain the consent of the candidate(s) prior to submitting the nomination. No person may nominate more candidates than there are places vacant. The Church Secretary (or his/her appointed deputy) shall make requests for nominations at all services on the two Sundays immediately before that Sunday when nominations must cease. See note at Clause 11.6.
- 19.9. Voting for the election of Deacons shall be by secret ballot normally at the Annual Church Members' Meeting, see Clause 11.9. The ballot papers shall be printed with the name of each candidate together with the specific role for which the candidate is nominated. For the avoidance of doubt, the ballot papers shall include provision to vote for "None of the above". Church Members shall be asked to vote for those whom they believe should serve in each specified role, and shall not vote for more than one candidate to fill any one role. If any Member returns a ballot paper marked so as to vote for more than one candidate for any single role, or marked so as to

vote for "None of the above" and also for one or more candidates, then that ballot paper shall be treated as though the member had abstained from voting. The scrutineers shall report in writing and in confidence to the person chairing the Church Members' Meeting the number of votes cast for each candidate in each specific role. For each specific role, the candidate receiving the highest number of votes shall be declared to be elected provided that each candidate so declared shall have received votes from at least two-thirds of those members entitled to vote and voting.

- 19.10. In case of unavoidable absence Church Members may obtain from the Church Secretary a ballot paper for the election of Deacons which, to be counted, must be returned to the Church Secretary (or his/her appointed deputy) before the scrutineers begin to count the votes.
- 19.11. The appointment of Deacons shall be confirmed with prayer and laying on of hands at the most appropriate Sunday communion service following their appointment by the Church Members' Meeting.
- 19.12. A Deacon may be removed at any time by a resolution of the Church Members at a Special Church Members' Meeting provided that a process similar to that set out in Clause 10.2 is followed giving the Deacon the right to speak at the Church Members' Meeting.
- 19.13. If a Deacon ceases to be a Church Member, then his/her term of office shall be automatically terminated.

## 20. APPOINTMENT OF ELDERS

- 20.1. The function of the Elders is to provide spiritual oversight and, in particular, to maintain the unity and purity of the Church. In addition to general oversight and by agreement with the Senior Minister, individual Elders may have specific responsibilities, e.g. teaching, leading, and welfare.
- 20.2. Elders' qualifications are set out in 1 Timothy 3:1-7; Titus 1:6-9; and 1 Peter 5:2-4.
- 20.3. Elders shall be men, normally over the age of twenty-five years, and usually with at least ten years' Christian faith.
- 20.4. Elders shall be members of the Church for normally at least three years, hold to the Church's Basis of Faith and have been baptised by immersion in accordance with the Church's understanding of believer's baptism.
- 20.5. In appointing any person as an Elder, the Church does not automatically appoint that person as a Charity Trustee of the Church.
- 20.6. The number of Elders is not fixed.
- 20.7. Elders shall be appointed for an initial five year term with the opportunity to be nominated for reappointment at the end of each five year term. No person who is not a Member of the Church may hold office as an Elder.
- 20.8. Nominations for the role of Elder shall be submitted in writing to the Minister (or if more than one Minister is in office, to the Senior Minister) not later than four Sundays before the Special Church Members' Meeting at which the election is to be held. See note at Clause 11.6.
- 20.9. Voting for the election of Elders shall be by secret ballot at a Special Church Members' Meeting. The ballot papers shall be printed with the name of each candidate. For the avoidance of doubt, the ballot papers shall include provision to vote for "None of the above". Church Members shall be asked to vote for those whom they believe would serve the Church well as Elders. Each Member may vote for as many nominees as they believe meet this criterion. If any Member returns a ballot paper marked so as to vote for "None of the above" and also for one or more candidates, then that ballot paper shall be treated as though the member had abstained from voting. The scrutineers shall report in writing and in confidence to the person chairing the Church Members' Meeting the number of votes cast for each candidate.
- 20.10. Every candidate who received votes from at least three quarters of the Church Members entitled to vote, and voting shall be declared to be elected.
- 20.11. In case of unavoidable absence Church Members may obtain from the Church Secretary a ballot paper for the election of Elders which, to be counted, must be returned to the Church Secretary (or his/her appointed deputy) before the scrutineers begin to count the votes.
- 20.12. No person may hold office both as an Elder and as a Deacon at the same time.
- 20.13. The appointment of Elders shall be confirmed with prayer and laying on of hands at the most appropriate Sunday communion service following their appointment by the Church Members' Meeting. See note at Clause 11.6.
- 20.14. An Elder may be removed at any time by a resolution of the Church Members at a Special Church Members' Meeting provided that a process similar to that set out in Clause 10.2 is followed giving the Elder the right to speak at the Church Members' Meeting.
- 20.15. If an Elder ceases to be a Church Member, then his term of office shall be automatically terminated.

## 21. THE APPOINTMENT AND REMOVAL OF CHARITY TRUSTEES

- 21.1. The statutory definition of Charity Trustees in Section 97(1) of the Charities Act 1993 is “persons having the general control and management of the administration of a charity.”
- 21.2. No person may serve as a Charity Trustee if they are disqualified. Only Ministers as described in Clause 15, Deacons as described in Clause 19 and Elders as described in Clause 20 may serve as Trustees.
- 21.3. The Church Members' Meeting shall appoint Charity Trustees; subject to any specific or general directions of the Church Members' Meeting and the provisions of Clause 11.2 the general control and management of the administration of the Church shall be by the Charity Trustees, save that the Charity Trustees are not required to do anything that would cause them to be in breach of this Constitution or any trustee duty placed upon them as a result of this role.
- 21.4. Charity Trustees shall be chosen from among the Church Members with the maximum number of Charity Trustees being agreed from time to time by the Church Members' Meeting.
- 21.5. In this Church it shall be the Ordained Ministers and Deacons (including the Secretary and the Treasurer) for the time being who together are the Charity Trustees of the Church. (See Clause 15.3 and Clause 19.2)
- 21.6. A person may not be a Charity Trustee unless that person has been Baptised in the manner described in Clause 7.4.
- 21.7. A close family member (e.g. spouse, parent, child, sibling) of a serving Charity Trustee shall be eligible for appointment as a Charity Trustee.
- 21.8. The appointment of Charity Trustees shall be undertaken by processes that are public, clear and open so that all Church Members are enabled to consider prayerfully who should be appointed as Charity Trustees. The process shall ensure that notice is given of any forthcoming election so that Church Members may freely nominate prospective Charity Trustees whose names shall be submitted (after they have indicated a willingness to be appointed) for decision to the Church Members with the intention of ensuring that those appointed have a sufficient level of support from them.
- 21.9. Charity Trustees shall serve so long as they have the support of the Church Members' Meeting and (except for those in ministerial office) shall be actively appointed and reappointed in accordance with the provisions of Clauses 19.1 to 19.7 inclusive.
- 21.10. A Special Church Members' Meeting may rescind the appointment of any Charity Trustee at any time provided that a process similar to that set out in 10.2 is followed giving the individual the right to speak to the Church Members' Meeting.

## 22. RESPONSIBILITIES OF CHARITY TRUSTEES

- 22.1. The Charity Trustees shall be responsible for the governance of the Church and the fulfilment of the Purpose through its Activities acting according to the will of God as discerned by the Church Members' Meeting and subject to any specific or general directions of the Church Members' Meeting in relation to the matters set out in Clause 11.2.
- 22.2. The Charity Trustees should keep in an appropriate state of repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability, employer's liability and Trustee indemnity.

## 23. PROCEEDINGS OF CHARITY TRUSTEES

- 23.1. The Charity Trustees shall determine when and how frequently they shall meet provided that they shall convene meetings of the whole group not less than once every three months.
- 23.2. The Charity Trustees shall determine a quorum for their full meetings that shall not be less than two persons or half of their number whichever is the greater number.
- 23.3. Notwithstanding the joint and several responsibilities of all the Charity Trustees and in addition to regular meetings of the whole group they may meet in such sub-groups as are necessary and convenient. Reports of such subgroup meetings must be made to the next full Charity Trustees' Meeting.
- 23.4. Charity Trustees shall, so far as is possible, seek consensus on all matters considered at their meetings.
- 23.5. For each Charity Trustees' Meeting, the Charity Trustees shall formally appoint a Chairman from among their number. The chairmanship will normally rotate amongst the Charity Trustees.
- 23.6. For matters requiring a decision a vote shall be taken and the outcome of the vote recorded as the resolution of the Charity Trustees.
- 23.7. Each Charity Trustee shall have one vote to be exercised at the meeting.

- 23.8. Every issue may be determined by a simple majority of votes cast at a meeting of the Charity Trustees.
- 23.9. If there is an equality of votes on any matter at a Charity Trustees' Meeting, the Chairman shall have a casting vote, whether or not he or she has already voted on the matter. If the Chairman declines to exercise this right, then the resolution shall be considered rejected. A matter rejected in this manner may be resubmitted for consideration at a subsequent Meeting.
- 23.10. The Charity Trustees shall always act in accordance with the provisions of this Constitution and the general law.
- 23.11. The Charity Trustees shall act in accordance with the specific directions of the Church Members' Meeting in relation to matters relating to Church property including any purchase, sale, lease, tenancy, mortgage or redevelopment.
- 23.12. Minutes shall be prepared of the proceedings at the Meetings of the Charity Trustees including any appointments, the names of those present, the decisions taken, and where appropriate the reasons for the decisions.
- 23.13. It shall be the responsibility of the Church Secretary to ensure that the Minutes of each meeting of the Charity Trustees are prepared and a copy circulated to each Charity Trustee before the next full Meeting of the Charity Trustees.
- 23.14. The Minutes of each Charity Trustees' Meeting shall be approved by the Charity Trustees attending the next Charity Trustees' Meeting. They shall have the opportunity to review the Minutes and to correct any errors of fact before a formal vote on the approval of the Minutes is taken. The Trustee chairing the meeting shall confirm the Trustees' acceptance of the Minutes by signing and dating them as a correct record of the preceding Meeting.
- 23.15. The signed Minutes shall be conclusive evidence of the decisions taken at the Charity Trustees' Meeting to which they relate.
- 23.16. The signed Minutes shall be written or printed and filed in a book or binder set aside for this purpose using materials of sufficient quality to ensure that they survive for many years and shall be kept in a safe place.

#### **24. POWERS OF CHARITY TRUSTEES**

- 24.1. The Charity Trustees shall have specific power subject to any general or specific directions of the Church Members' Meeting to apply for and accept grants and to provide security in respect of obligations under grant agreements.
- 24.2. For the avoidance of doubt the Charity Trustees shall have power to borrow money, receive grants, give guarantees and or security for loans, and to make grants or loans of money towards the advancement of the Purpose.

#### **25. APPLICATION OF INCOME AND CAPITAL**

- 25.1. The Charity Trustees must use the income and may use the capital where trusts permit it to be spent to promote the Purpose provided that the Charity Trustees may apply an appropriate reserves policy in accordance with the general law.

#### **26. REMUNERATION OF CHARITY TRUSTEES**

- 26.1. With the exception only of a Minister or Ministers as authorised by Clause 17.1, or a remuneration permitted under Clause 26.2 no Charity Trustee (or any person, firm or company connected with the Charity Trustee) may be paid or receive any other direct or indirect benefit for being a Charity Trustee except the reimbursement of reasonable and proper expenses and other payments permitted by statute or specifically authorised by the Charity Commission.
- 26.2. Where it is proposed that a Charity Trustee (or person, firm or company, connected with the Charity Trustee) is to be employed or receive remuneration or sell goods or services or any interest in land to the Church and where this gains the approval of the Church Members' Meeting then this shall be permitted only if:
  - a) The Charity Trustee or any person connected with the trustee who may benefit directly or indirectly from the proposed remuneration declares an interest in the proposal before discussion on the matter begins; and
  - b) absents himself or herself (or in the case of any connected persons themselves) from any part of any meeting at which the proposal is discussed and takes no part in any discussion of it and is not counted in determining whether any such meeting is quorate; and
  - c) does not vote on the proposal; and
  - d) the remaining Charity Trustees who do not stand to receive the proposed benefit are satisfied that it is in the interests of the Church to contract with or employ that Charity Trustee (or connected person) rather than another independent person and must record the reason for their decision in the minutes; and
  - e) in reaching that decision the Charity Trustees must balance the advantage of contracting with or employing a

Trustee against the disadvantage of doing so (especially the loss of conflict of the Trustee's services as a result of dealing with the Trustee's conflict of interest); and

- f) the Charity Trustees authorising the proposed transaction comprise a majority of the Charity Trustees body and have not received any such benefit.

## **27. FINANCE, RECORD KEEPING AND ACCOUNTING**

- 27.1. The Charity Trustees are jointly and severally responsible for the financial administration of the Church.
- 27.2. The Church's annual financial year will run from 1 January to 31 December.
- 27.3. Once in each year the Charity Trustees shall present a budget of subsequent year's projected income and expenditure at a convenient Church Members' Meeting.
- 27.4. Financial statements of all Church organisations that form part of the Activities shall be presented to the Charity Trustees and incorporated into the Church's financial statements.
- 27.5. A statement of the Church Accounts (audited or independently examined as required by law) shall be received by a Church Members' Meeting.
- 27.6. Financial Records, annual reports and statements of account relating to the Church for the previous six years must be available for inspection by any Charity Trustee.

## **28. CONSTITUTION**

- 28.1. A copy of this Constitution will be made available to Church Members and to every applicant for membership with the intention that every Member shall be informed about the organisation of the Church and be enabled to participate in the life of the Church and in Church Members' Meetings.
- 28.2. No amendment may be made to this Constitution that would have the effect of making the Charity cease to be a charity at law, unless the Church Members in a Special Church Members' Meeting shall have resolved specifically to relinquish Charitable Status.
- 28.3. Subject to Clauses 28.4 and 28.5 this Constitution may be altered only by a resolution of a Special Church Members' Meeting.
- 28.4. No amendment may be made to Clauses 3 or 30.2 if it would have the effect of making the Church cease to be a charity in law.
- 28.5. No amendment may be made to Clauses 17 or 26 without the prior written permission of the Charity Commission.
- 28.6. Notwithstanding the provisions of Clauses 28.3, 28.4 and 28.5 a resolution of a Special Church Members' Meeting altering Clauses 3, 4, 6, 8.3, 9.1, 11.1, 11.2, 21.3, 21.8, 28.3 or 29.1 shall have no legal effect unless:
  - a) at least six months before the Special Church Members' Meeting at which the resolution is considered, or such shorter period as may be agreed in writing by each of the bodies referred to in Clause 6.1, the Church shall have given to those bodies written notice of the wording of the resolution and
  - b) the Church has afforded to those bodies reasonable opportunities, if those bodies so require, for enabling representatives of those bodies to meet representatives of the Church, to make representations to the Church Members' Meeting and to consider with the Church whether the proposed resolution might be withdrawn, amended or replaced by a different resolution.

## **29. EMPLOYEES**

- 29.1. The Trustees may appoint employees, paid or otherwise, as from time-to-time are deemed necessary. For the avoidance of doubt, an Ordained Minister employed in any capacity other than as a Minister of Weymouth Baptist Church, shall not automatically be an Elder of the Church.

## **30. CLOSURE**

- 30.1. If the Church resolves to close it shall notify the Baptist Union of Great Britain and the Baptist Association.
- 30.2. If the Church shall resolve to close or shall cease to meet for worship for at least six months the assets of the Church, after the satisfaction of debts and liabilities (not being property assets subject to separate trusts) shall be applied for Christian charitable purposes as decided by a Special Church Members' Meeting or, failing decision in that way, as decided by the Association and notified to the Union.
- 30.3. The Charity Trustees shall notify the Charity Commission of any closure or dissolution.
- 30.4. The property assets shall be dealt with by the holding trustees in accordance with the property trusts.