

DUMFRIES BAPTIST CHURCH CONSTITUTION

Adopted on the.....

1. ADOPTION OF THE CONSTITUTION

The Church is congregational in its government: i.e. it recognises Jesus Christ as its supreme head, believing in His presence and managing its affairs according to His Word and the practice of His apostles. The Church finances and its property will be administered and managed in accordance with the provisions in this Constitution.

2. NAME

The Church is to be called Dumfries Baptist Church (“the Church”).

3. OBJECTS

The Church’s objects (“the Objects”) are the advancement of the Christian faith primarily in Dumfries and District and also throughout Scotland and the rest of the World by all means consistent with the teachings of the Christian Bible including worship, ministry, mission, prayer, witness, education, community service and the support of agencies and individuals and other charitable organizations involved in Christian missionary work and the relief of poverty or other social needs.

4. POWERS

In pursuance of the Objects set out in clause 3 (but not otherwise), the Church shall have the following powers:-

- (1) To carry on any other activities which further any of the Objects.
- (2) To purchase, take on lease, hire, or otherwise acquire, any property or rights which are suitable for the Church’s activities.
- (3) To improve, manage, develop, or otherwise deal with, all or any part of the property and rights of the Church.
- (4) To sell, let, hire out, license, or otherwise dispose of, all or any part of the property and rights of the Church.
- (5) To borrow money, and to give security in support of any such borrowings by the Church.
- (6) To employ such staff as are considered appropriate for the proper conduct of the Church activities, and to make reasonable provision for the payment of pension and/or other benefits for members of staff, ex-members of staff and their dependants.
- (7) To engage such consultants and advisers as are considered appropriate from time to time.
- (8) To effect insurance of all kinds (which may include Trustees’ liability insurance).
- (9) To invest any funds which are not immediately required for the Church’s activities in such investments as may be considered appropriate (and to dispose of, and vary, such investments).
- (10) To liaise with other voluntary sector bodies, local authorities, UK or Scottish government departments and agencies, and other bodies, all with a view to furthering the Objects.
- (11) To establish and/or support any other charitable body, and to make donations for any charitable purpose falling within the Objects.
- (12) To form any charitable company with similar objects to those of the Church, and if considered appropriate, to transfer to any such company (without any payment being required from the company) the whole or any part of the Church’s assets and undertaking.
- (13) To take such steps as may be deemed appropriate for the purpose of raising funds for the Church’s activities.
- (14) To accept grants, donations and legacies of all kinds (and to accept any reasonable conditions attaching to them).
- (15) To do anything which may be incidental or conducive to the furtherance of any of the Objects.

5: MEMBERSHIP

(1) The Members of the Church shall be such as profess faith in Jesus Christ as Saviour and Lord and have been baptized as believers into the Name of God the Father, the Son and the Holy Spirit. The mode of baptism practised by the Church shall be that of immersion on the understanding that in special circumstances the Church Meeting may agree to make an exception. All applicants for Membership shall be interviewed as to their faith in Christ by two Members appointed by the Deacons. A report will be given and on the vote of the church, applicants will be received into Membership, following baptism if appropriate.

(2) The Associate Members of the Church shall be such as profess faith in Jesus Christ as Saviour and Lord and who wish to make Dumfries Baptist Church their spiritual home, who wish to be actively involved in the fellowship, but who for sound reasons, do not wish to become members. All applicants for Associate Membership shall only be accepted upon satisfying the Church as to their faith in Christ. Associate Members will be regarded as part of the fellowship for administrative and pastoral matters. Voting on the appointment of staff, the election of Deacons and any changes to the Constitution will be restricted to Members.

(3) By joining the Church, Members and Associate Members shall come under the following obligations:

- (a) to attend regularly at public worship, including the Ordinance of the Lord's Supper, which shall be observed by the Church every Sunday, unless expressly waived by the Deacons.
- (b) to use their gifts in the service of Christ and His Church;
- (c) to maintain the spirit of Christian love and unity.
- (d) to contribute systematically to the Church's finances as the Lord has prospered them.
- (e) to show evidence of their Christian character in all things.
- (f) to share in the fulfillment of the Lord's Commission in Matt 28:19,20.

(4) The Church will maintain a Fellowship List of Members and Associate Members, which will be regularly reviewed by the Deacons. A Supplementary list shall consist of those no longer active in terms of the church constitution, with the exception of the infirm. Should any Member absent himself or herself from Communion for an extended period he or she will be visited by two Deacons, and later by the Pastor, with a view to reconciliation. In the absence of reconciliation, the Member will be advised that his or her name shall be put on the Supplementary List pending removal from Membership. In the case of a Member leaving the district, after a given time, they will receive a letter encouraging them to seek membership in their new district and telling them that meantime their names are being transferred to the Supplementary List. Such names will be reviewed on a regular basis, pending removal. Those on the Supplementary List no longer have the right to vote at Business meetings of the church. The Deacons have the right to return a Member's name from the Supplementary List to the Active Members' Roll.

(5) In cases of private offences between members of the Church, the rule prescribed by Christ in Matthew 18:15-17 shall be faithfully observed. In cases of open backsliding, glaring inconsistency or grave doctrinal error it is the duty of the Church to exercise discipline according to Second Thessalonians 3 v 6,14 and 15 and Titus 3 v 10-11. Where there are serious difficulties involving the Pastor and/or the Church Leaders, the Ministry Advisor of the Baptist Union of Scotland shall normally be consulted.

(6) All matters private to the Church shall be treated by Members and Associate Members as strictly confidential.

(7) This Constitution shall be printed and a copy given to each Member and Associate Member. Applicants for Membership shall be made fully aware of its content before acceptance into Membership.

6. OFFICE-BEARERS AND TRUSTEES

(a) The Office-Bearers of the Church shall normally be the Pastor, Secretary and Treasurer. These and all serving Deacons shall normally be the Trustees of the Church in accordance with legislation, and in this Constitution are together called "the Trustees".

(b) A number of Deacons (and/or Elders) determined by the Church Meeting, currently one for every ten Members but with a minimum of eight, shall be appointed. Deacons shall be baptised believers in full Membership of Dumfries Baptist Church and shall be subject to periodic re-election (currently every four years).

(c) The Senior Pastor shall normally chair meetings of Deacons and Associate Pastors will be co-opted members, if not already elected members. The quorum for all meetings of Trustees/Diacons is 50% of the number serving.

(d) In the event of the Pastor being unable to fulfill his/her responsibilities, the Deacons shall be responsible for arranging pulpit ministry and the supply of the ordinances.

(e) In the event of a pastoral vacancy the Church shall appoint an Interim Moderator. The Members shall also appoint a Vacancy Committee. A Call to the Pastorate of the Church shall only be issued if at least 80% of those voting are in favour of the candidate.

7. CHURCH MEETINGS

(1) All church meetings shall be opened and closed with prayer.

(2) An Annual General Meeting must be held each year and not more than fifteen months may elapse between successive Annual General Meetings.

(3) Prior to the Annual General Meeting, the Church accounts (including details of salaries or other remuneration and allowances paid to the Church's staff and of expenses reimbursed to such staff and/or to other members of the Church), shall be examined and/or audited by suitably qualified persons, in accordance with the requirements of current legislation.

(4) Church meetings shall be held at least half-yearly, with the Pastor normally presiding, although it will be competent for the members present at the meeting to elect an alternative Chair. One of these meetings shall be the Annual General Meeting (AGM). All business meetings will be open meetings.

(5) Business at Church Meetings shall include:

- (a) a statement of the Church's finances, including presentation to the AGM of full accounts duly audited or externally examined in accordance with the requirements of current legislation;
- (b) consultation about the Church's work and policy; and
- (c) the pastoral care of the members and business remitted from the Deacons.

(6) Members and Associate Members introducing new business are required to give two weeks previous notice in writing through the Church Secretary.

(7) A Special Church Meeting may be called at any time by the Pastor and Deacons or by ten members, but only after two Sundays' prior intimation.

(8) Every Member/Associate Member at a Church Meeting shall have one vote and if there is an equal number of votes for and against any resolution, the Chair of the meeting shall be entitled to a casting vote.

8. PROCEDURE FOR CHURCH MEETINGS

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- (1) The minimum period of notice required to hold any Church Meeting is fourteen clear days from the date on which the notice is deemed to have been given.
- (2) A Church Meeting may be called by shorter notice, if it is so agreed by all the Members and Associate Members entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an Annual General Meeting, the notice must say so.
- (4) No business shall be transacted at any Church Meeting unless a quorum is present.
- (5) A quorum is 25 Members entitled to vote upon the business to be conducted at the meeting.
- (6) If: (a) a quorum is not present within half an hour from the time appointed for the Meeting: or
 (b) during a meeting, a quorum ceases to be present, the meeting shall be adjourned to such time and place as the Deacons shall determine.
- (7) The Deacons must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- (8) If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the Members/Associate Members present at that time and entitled to vote shall constitute the quorum for that meeting.

9. AMENDMENTS

Any provision contained in this Constitution may be amended provided that:

- a. a resolution is passed by not less than two thirds of those present and voting at a Church Meeting called for the purpose by special intimation from the pulpit on two preceding Sundays;
- b. no amendment may be made that would have the effect of making the Church cease to be a Church at law;
- c. the notice of Church Meeting includes notice of the resolution setting out the terms of the amendment proposed;
- d. the Trustees of the Church (i.e. Deacons) keep a copy of any such amendment with this Constitution;
- e. consent to the amendment is obtained from the Office of the Scottish Charity Regulator (OSCR) (if required).

10. FINANCIAL YEAR

The Church's financial year shall end on September 30th

11. OPERATION OF ACCOUNTS AND HOLDING OF PROPERTY

- (a) All heritable properties of the Church shall be held on behalf of the Church by the Trustees of the Church.

(b) The Church and its property shall be managed and administered by a Deacons' Court elected in accordance with this Constitution.

(c) The signature(s) of the signatory or signatories appointed by the Deacons shall be required in relation to all operations (other than lodgement of funds) on the bank and building society accounts held by the Church. Items of expenditure exceeding 2% of the budget must only be made in implementation of a budget or other decision approved by a Church Meeting.

12. ACCOUNTING RECORDS AND ANNUAL ACCOUNTS

(1) The Trustees of the Church shall ensure that proper accounting records are maintained in accordance with all applicable statutory requirements.

(2) The Trustees shall prepare annual accounts, complying with all relevant statutory requirements; if an audit is required under any statutory provisions or if they otherwise think fit, they shall ensure that an audit of such accounts is carried out by a qualified auditor.

13. TRUSTEES NOT TO HAVE A PERSONAL INTEREST

(a) A Trustee who has a personal interest in any transaction or arrangement which the Church is proposing to enter into, must declare that interest at a Church Meeting; he/she will be debarred from voting on whether or not the Church should enter into that transaction or arrangement.

(b) A Trustee, provided he/she has declared his/her interest - and has not voted on the question of whether the Church should enter into the relevant arrangement - will not be debarred from entering into an arrangement with the Church in which he/she has a personal interest and may retain any benefit which he/she gains from his/her participation in that arrangement.

14. REMUNERATION

Any remuneration paid to a Church Trustee must satisfy the criteria laid down in Section 67 of the Charities and Trustee Investment (Scotland) Act 2005.

15. LIABILITY OF MEMBERS

(1) The Members of the Church have no liability to pay any sums to help to meet the debts (or other liabilities) of the Church if it is wound up; accordingly, if the Church is unable to meet its debts, the Members/Associate Members will not be held responsible.

(2) The Trustees of the Church have certain legal duties under the Charities and Trustee Investment (Scotland) Act 2005; and clause 15(1) above does not apply to any personal liabilities they might incur if they are in breach of those duties.

16. DISSOLUTION

(1) If 75% (or more) of Members of the Church are of the opinion that it is necessary or advisable to dissolve the Church, they shall call a meeting of all the members of the Church of which not less than 21 days' notice (stating the terms of the resolution to be proposed) shall be given.

(2) In the event of the Church being dissolved or otherwise ceasing to exist the Trustees will remain in office as Church Trustees and be responsible for winding up the affairs of the Church in accordance with this clause.

(3) The Trustees must collect in all the assets of the Church and must make provision for all the liabilities of the Church.

(4) The Trustees must apply the assets of the Church for charitable purposes.

(5) In the absence of any contrary decision by a majority vote of two-thirds of the Members present and voting at a properly constituted Church Meeting, the assets of the Church shall become the property of the Union (or should the Union not then exist, the association of Baptist Churches which may then be engaged in promoting objects similar to those of the Union ("the Association")), to be applied in accordance with the charitable purposes of the Union or the Association (if applicable).

(6) If the Church is to be dissolved, the winding-up process will be carried out in accordance with the procedures set out under the Charities and Trustee Investment (Scotland) Act 2005.

Signatures

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17 APPENDIX

The Church is in membership with the Baptist Union of Scotland ("the Union") to whose Declaration of Principle the church subscribes.

DECLARATION OF PRINCIPLE OF THE BAPTIST UNION OF SCOTLAND

The basis of the Union is:-

1. That the Lord Jesus Christ our God and Saviour 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.
2. That Christian Baptism is the immersion in water- into the name of the Father, the Son and the Holy Spirit- of those who have professed repentance towards God and faith in the Lord Jesus Christ, who died for our sins according to the Scriptures; was buried and rose again the third day.
3. That it is the duty of every disciple to bear witness to the Gospel of Jesus Christ, take part in the evangelisation of the world.