

THE CONSTITUTION OF THE CAMPS BAY UNITED CHURCH
(as at 9 March 2011)

WHEREAS

The Camps Bay United Church was and has remained constituted as a union of the former Camps Bay United Church (Congregational and Presbyterian) and the former Camps Bay Methodist Society in terms of its constitution dated 23 January 1977 as duly adopted by the members of those former congregations and approved by the Methodist Denomination and the Congregational and Presbyterian Regional Bodies;

AND WHEREAS

The membership of The Camps Bay United Church is not limited to only members of the Denominations but is open also to persons previously affiliated to any other Christian church body as well as to persons who are not or who have never been affiliated to any Christian church body;

AND WHEREAS

At a duly convened and constituted Special General Meeting of the congregation held on 2 December 2009 the members present unanimously resolved to amend the constitution of The Camps Bay United Church by: -

1. rescinding the whole of the constitution adopted on 23 January 1977; and
2. adopting in the place thereof the constitution herein set out as the Constitution of The Camps Bay United Church;

AND WHEREAS

Such rescinding of the previous constitution and the adoption of this Constitution were duly approved by the Regional Bodies in 2011;

AND WHEREAS

The Regional Bodies in giving their approval confirmed their joint and several undertaking to co-operate with The Camps Bay United Church and on an on-going basis seek effective implementation of those matters referred to in this Constitution on which The Camps Bay United Church is to petition the Regional Bodies;

AND WHEREAS

A special service of worship to celebrate the adoption and approval of this Constitution with prayer to Almighty God and formally before the world was held at Camps Bay;

NOW THEREFORE

This Constitution sets forth the terms on which The Camps Bay United Church, currently known as Christian Life Camps Bay, is constituted and shall henceforth be governed.

1. Definitions

- 1.1. Throughout this Constitution the following terms shall have the meanings assigned to them hereunder and cognate expressions shall have corresponding meanings, namely: -
 - 1.1.1. **"the Church"** means the universal body of Jesus Christ our Lord;
 - 1.1.2. **"The Camps Bay United Church"** and **"the church"** mean The Camps Bay United Church constituted as a legal persona distinct from its individual members;
 - 1.1.3. **"the Congregation"** means the enrolled members of The Camps Bay United Church collectively and acting in general meeting;
 - 1.1.4. **"member"** means a person on the Congregation's roll of members;
 - 1.1.5. **"the Denominations"** means the United Congregational Church of Southern Africa, the Uniting Presbyterian Church of Southern Africa and the Methodist Church of Southern Africa;
 - 1.1.6. **"the Regional Bodies"** means the Peninsula Regional Council of the United Congregational Church of Southern Africa, the Western Cape Presbytery of the Uniting Presbyterian Church of Southern Africa and the Cape of Good Hope District of the Methodist Church of Southern Africa;
 - 1.1.7. **"other Christian church body"** means *the Church Unity Commission Churches, the World Communion of Reformed Churches, The Evangelical Alliance of South Africa (TEASA), The South African Christian Leadership Assembly (SACLA) or The Consultation of Christian Churches (CCC)*;
 - 1.1.8. **"Minister", "Ministers" and "Associate Minister"** mean ordained ministers appointed by The Camps Bay United Church and Congregation in terms of this Constitution; and
 - 1.1.9. **"Elders"** mean lay members of the leadership team elected from time to time by the Congregation.
- 1.2. Unless a contrary intention clearly appears, words importing the singular include the plural and *vice versa*.

2. Name

The church is named **The Camps Bay United Church** but may be called also by any other name that the Congregation from time to time determines.

3. Standard of Faith

- 3.1. The Congregation hereby confesses the Christian faith as set forth in the Apostles' Creed and in the Niceno-Constantinopolitan Creed.
- 3.2. The Congregation adheres to the following essential truths of Christian doctrine: -
 - 3.2.1. There is only one true and living God;
 - 3.2.2. God created all the universe and created it very good;
 - 3.2.3. Yet all human beings, however real their virtues, are trapped in a state of sin and guilt, and unable to rescue themselves or put themselves right with God;
 - 3.2.4. God in holy love and grace has acted in Jesus Christ (through his incarnation, ministry, life, teaching, death, bodily resurrection and exaltation) to atone for our sins, rescue us from judgment, reconcile us with God and reveal God's nature and will to us;
 - 3.2.5. As both fully divine and fully human, Christ is the only Mediator between God and humankind, their only Saviour and the decisive revelation of God as God is;
 - 3.2.6. The Holy Spirit working within us convicts us of sin and enables us to accept God's saving and sustaining grace in Christ by faith and living according to God's holy will;
 - 3.2.7. God's self-disclosure in Jesus Christ and outpouring of the Holy Spirit reveal God as Father, Son and Spirit; yet all three are one and the same indivisible God; all exist eternally with, for and in one another;
 - 3.2.8. The Word of God in Scripture, preaching, personal witness and the sacraments conveys the gospel to us and so is the means by which God saves us through faith in Christ;
 - 3.2.9. We are put right with God only by God's grace in Jesus Christ, when we receive Christ as Lord and Saviour, which we do through faith alone;
 - 3.2.10. True faith involves obedience to Christ as Lord and Saviour: ***"only the person who believes is obedient, and only the person who is obedient believes"***;
 - 3.2.11. As Christ is Lord over every area of life, this obedience means to obey his will in both the private and the public areas;
 - 3.2.12. In Christ there is no ground for separation or discrimination between people on the grounds of race, colour, social status, or gender, either in Church or in State;

- 3.2.13. The gospel calls us to worship regularly with God's people, to meditate on Scripture and be diligent in prayer;
- 3.2.14. God demands strict chastity outside of marriage and exclusive faithfulness in marriage;
- 3.2.15. God calls the Church to be a Church for others; a missionary Church reaching out to the world with the gospel and a serving Church seeking to serve society and aiding the poor;
- 3.2.16. God calls the Church to serve as a sentinel vis-à-vis the State, calling the Government to order for any unjust policies and practices;
- 3.2.17. We are to use our own money not only to care for ourselves and our families but to aid the poor and support the Church;
- 3.2.18. We are to care about, and care for, the environment;
- 3.2.19. God does not stand aloof from us but cares for us all and is present with us in all our tragedies and our joys;
- 3.2.20. A day is appointed when God will come in the person of our Lord and Saviour Jesus Christ to judge the living and the dead and will triumph in victory over all evil, sin, oppression, suffering and death itself.

4. **Sacrament of Baptism**

- 4.1. The form of baptism shall be either infant baptism or believer's baptism, depending on the scriptural understanding and convictions of the believer or the believing parents in question.
- 4.2. The Congregation shall accordingly make baptism available to unbaptised, committed believers and to the children of committed, baptised and practising believers.
- 4.3. The Congregation shall make a ceremony of blessing available to the children of believers who wish their children to be baptised later or to the children of parents who are not yet believers.
- 4.4. The Minister or Associate Minister shall make sure: -
 - 4.4.1. in the case of the believer seeking baptism, that he or she is a committed believer and has not previously been baptised as either a child or an adult; and
 - 4.4.2. in the case of a child whose parents seek his/her baptism, that they are committed and practising believers.

- 4.5. In all cases of baptism, the Minister or Associate Minister shall explain the scriptural significance of the sacrament of baptism to the believer or to the parents of the child.
- 4.6. Either the Minister or Associate Minister shall administer: -
 - 4.6.1. baptism to the unbaptised, committed believer seeking baptism or to the children of believers; or
 - 4.6.2. reaffirmation of the baptismal covenant to the baptised, committed believer seeking reaffirmation of his or her baptism.
- 4.7. Baptism, whether infant baptism or believer's baptism, shall take place in the course of an appropriate service of public worship, with the Congregation present. In exceptional circumstances, it may take place elsewhere with representatives of the Congregation present.

5. Membership

- 5.1. The core values for membership of the Congregation are: -
 - 5.1.1. to believe in one God, Father, Son and Holy Spirit;
 - 5.1.2. to trust not in one's own merit for salvation but only in Jesus Christ, the crucified, risen and exalted Saviour to whom the Scriptures witness;
 - 5.1.3. baptism into the body of Christ in the name of God, the Father, Son and Holy Spirit, and public profession of faith;
 - 5.1.4. to seek in the power of the Holy Spirit to obey and witness to Jesus Christ as Lord over every area of life; and
 - 5.1.5. to be faithful in supporting the Church as it worships, witnesses and works to the glory of God.
- 5.2. Persons are admitted to membership by resolution of the leadership team: -
 - 5.2.1. after a period of instruction and on profession of faith at a suitable service of public worship;
 - 5.2.2. on transfer from other churches by the presentation of satisfactory certificates of transfer or similar credentials from their last communicant membership; or
 - 5.2.3. in special circumstances where a person has previously been baptised but lacks such credentials of previous communicant membership.

- 5.3. No membership fees are required for admission into membership.
- 5.4. Persons shall be removed from the roll of members of the Congregation and their membership shall terminate: -
 - 5.4.1. upon their own request;
 - 5.4.2. by resolution of the leadership team where they have not attended church for an extended period; and despite endeavours made to restore him/her to active membership; it appears to the leadership team that he/she has fallen away from the Congregation; or
 - 5.4.3. as a result of disciplinary steps that ends in the termination of the person's membership.

6. Objects

- 6.1. The main object of the Congregation in the context of its spiritual affairs is to introduce people to a personal relationship with Jesus Christ and lovingly equip them to live a fulfilling life which glorifies God.
- 6.2. The principal object of The Camps Bay United Church in the context of its temporal affairs is to carry out the public benefit activity as defined in section 30(1) of the Income Tax Act 58 of 1962 read with paragraph 5(a) of Part I of the Ninth Schedule, and to purposefully do all things ancillary thereto as set out in clause 8, in a non-profit manner and with an altruistic or philanthropic intent.
- 6.3. The Camps Bay United Church shall: -
 - 6.3.1. ensure that such activity does not promote nor is intended or calculated, directly or indirectly, to promote the economic self-interest of any office bearer, member, employee or other person; and
 - 6.3.2. undertake such activity in a manner calculated to be widely accessible to and to be for the benefit of the general public at large including those who have no connection with any Christian church.

7. Legal Status

- 7.1. The Camps Bay United Church is a voluntary association of its members for the time being in the form of a corporate body having perpetual succession and continued existence notwithstanding changes in the composition of its membership or leadership team and the power to own and hold property (immovable, movable and incorporeal) in its own name independently of its members and leadership team, as well as power to sue and be sued in its own name.

- 7.2. Members of The Camps Bay United Church or leadership team shall not become liable for any of the obligations and liabilities of the church solely by virtue of their status as members of the church or the leadership team.
- 7.3. Members of the leadership team shall not become personally liable for any loss suffered by any person as a result of an act or omission which occurs in good faith while the member of the leadership team is performing functions for or on behalf of The Camps Bay United Church.

8. Functions and Power

The Camps Bay United Church shall have and exercise the following functions and powers: -

- 8.1. to provide for the conduct of public worship and for the carrying out of the various services normally forming part of the functions of a local church;
- 8.2. to provide suitable premises for the conduct of public worship, instruction and for other church purposes, which may include accommodation for the minister or ministers in the form of suitable premises owned or leased by the church, or by making a financial contribution to enable the minister or ministers to provide for their own accommodation;
- 8.3. to acquire by purchase, exchange, hire or otherwise, any movable or immovable property, buildings, incorporeal rights or privileges which may be considered necessary or convenient for the purposes of the church;
- 8.4. to erect, maintain, improve, alter, repair and equip all buildings or erections for the purposes of the church;
- 8.5. to receive or accept monies, funds, securities, donations, gifts, bequests and inheritances, whether conditional or unconditional, for the purposes of the church;
- 8.6. to invest its funds in such manner as it may deem fit;
- 8.7. to sell, exchange, donate, let mortgage, pledge or otherwise deal with all or any of its assets;
- 8.8. to borrow or raise monies for the objects and purposes of the church and to secure the repayment of such monies by pledging or mortgaging any of its property or assets;
- 8.9. to open and operate banking and savings accounts in its own name;
- 8.10. to do all such things and to perform all such functions as are normally done or performed by a congregation or local church.

9. Relationship to Denominations and their Regional Bodies and Other Christian Church Body

- 9.1. The Camps Bay United Church has the status of a constituent congregation or local church of each of the Denominations under the concurrent jurisdiction of the Regional Bodies and is entitled to the representation allowed to it as such on each of the Regional Bodies.
- 9.2. The Camps Bay United Church shall petition the Regional Bodies to establish structures and procedures for such jurisdiction to be exercised jointly and simultaneously, so as to avoid overlapping, inordinate delays, duplication or triplication.
- 9.3. It is the intention of The Camps Bay United Church and the Regional Bodies to develop and strengthen their relationships to enable the Regional Bodies to give meaningful support and encouragement to the church and its members. To this end the Minister, members of the leadership team and appointees to the Regional Bodies, subject to reasonable constraints of time and her or his or their other duties, shall: -
 - 9.3.1. in the event of a Minister's being ordained in one of the Denominations, maintain close association with her or his colleagues in and through the Regional Bodies and participate in their work and activities;
 - 9.3.2. in the event of a Minister's being ordained in any other Christian church body, maintain close association with her or his colleagues in the Denominations, while maintaining the right to maintain close association with his or her colleagues in the other Christian church body and participate in its work and activities; and
 - 9.3.3. appoint such other delegates to the Regional Bodies to maintain close relationships with these bodies and participate in their work and activities.

10. The induction/appointment of Ministers and Associate Minister

- 10.1. The Congregation may choose to call any person eligible to receive a call from any of the Denominations; or any other minister ordained by and eligible to accept a call from any other Christian church body.
- 10.2. In the event of a ministerial vacancy, the Regional Bodies shall appoint an interim minister.
- 10.3. When a vacancy occurs or the Congregation on the proposal of the leadership team agrees that it is appropriate to call an additional Minister, the leadership team shall give notice to the Regional Bodies of the vacancy or such intention to call.

- 10.4. The leadership team shall constitute a Call Committee representative of the Congregation. The Regional Bodies shall be entitled together to nominate one member to serve on the Call Committee. The Call Committee may then approach potential candidates for the position of Minister and interview them and arrange for candidates to visit and preach with a view to a call.
- 10.5. The Regional Bodies shall determine the minimum requirements for remuneration and allowances and the terms and conditions of employment of Ministers and Associate Ministers. The Camps Bay United Church may determine remuneration and allowances in excess of the minimum stipulated by the Regional Bodies, having regard to what is generally considered reasonable in similar local churches, and in relation to the service rendered.
- 10.6. When the Call Committee is ready to propose the call of a candidate for the position of Minister, the leadership team shall convene a Special General Meeting of the Congregation to consider the proposed candidate. The Regional Bodies shall be entitled together to appoint one person to attend and speak, but not vote, at such general meeting. The meeting decides whether to vote by ballot or show of hands. If the majority of the members of the Congregation present approve the call, the leadership team invites all members present, including those who did not vote for the call, to sign it.
- 10.7. At all services on the following two Sundays, the leadership team announces the name of the person whom the congregation has decided to call and calls for any objections to the doctrine, character or conduct of the person; the objections to be presented to the member of the leadership team designated by it to receive them. It invites all members of the Congregation who were absent also to sign the call with the intent of making it as unanimous as possible.
- 10.8. If any objections to the doctrine, character or conduct of the person are presented, the leadership team investigates these. If no relevant objection is both made and proved, the leadership team informs the Regional Body or other Christian body that will induct or appoint the Minister and arranges a date for this event.
- 10.9. In the event of the Minister being an ordained Minister of any other Christian church body, the Minister shall be assisted by an Associate Minister for the purpose contemplated in clause 4 in particular. The Associate Minister shall be an ordained minister of one of the Denominations.
- 10.10. In the event of an Associate Minister being required from one of the Denominations, the leadership team shall petition the Regional Bodies, and shall include in its petition the proposed duties of the Associate Minister, including but not limited to the purpose contemplated in clause 4, as well as details of remuneration and allowances and the terms and

conditions of employment of the Associate Minister such as whether the appointment being sought is part-time or full-time.

11. Meetings of the Congregation

- 11.1. All members have a right and responsibility to attend and share in every meeting of the Congregation.
- 11.2. The Annual General Meeting of the Congregation shall be held every year. Other Special General Meetings of the Congregation shall be held as and when required.
- 11.3. The leadership team shall ordinarily convene meetings of the Congregation for the transaction of Congregational business on its own initiative. It shall also convene a meeting of the Congregation if it receives a written requisition for such a meeting signed by no fewer than ten members of the Congregation.
- 11.4. If the Regional Bodies consider that special circumstances require it, they may convene a meeting of the Congregation and appoint the chairperson for such meeting.
- 11.5. The Annual General Meetings of the Congregation shall be held within three months of the close of each financial year. The functions of an Annual General Meeting shall be, *inter alia*, to: -
 - 11.5.1. receive and, if it approves them, adopt the reports of the leadership team and ministries within the Congregation and the audited annual financial statements for the preceding year;
 - 11.5.2. appoint auditors for the ensuing year;
 - 11.5.3. approve and adopt a budget for the ensuing year;
 - 11.5.4. elect the members of the leadership team, when applicable; and
 - 11.5.5. transact any other competent business.
- 11.6. For any meeting of the Congregation to be duly convened it shall be announced at all the services of worship on the preceding two Sundays with sufficient notice outlining the agenda and business to be transacted and such announcement and notice shall be displayed on church notice boards at least two weeks prior to the date of the meeting.
- 11.7. The Minister shall ordinarily preside over a meeting of the Congregation. If there is more than one Minister, they shall preside in rotation or as otherwise decided by them. In the absence of a Minister, the members of the leadership team present shall appoint one of their number to preside.
- 11.8. The quorum of a meeting of the Congregation shall be 10% of the members, provided that if the number of the members exceeds five

hundred the quorum shall be fifty. If a quorum is not present, the meeting stands adjourned for one week. At the adjourned meeting, the members present may transact the business concerned.

- 11.9. The leadership team is responsible for keeping minutes of meetings of the Congregation.
- 11.10. Unless otherwise provided in this Constitution, decisions of the meeting of the Congregation shall be determined by a simple majority of members present and voting in person. In case of an equality of votes, the person presiding over the meeting shall have a second or casting vote.

12. The Leadership Team

- 12.1. The leadership team shall consist of the Minister or Ministers and Elders who shall be responsible for the spiritual and temporal oversight of the Congregation.
- 12.2. The leadership team shall refer any matter or question that in its opinion involves any major decision of policy, including financial policy, to a general meeting of the Congregation for its approval or decision.
- 12.3. Elders shall qualify for office by their spiritual maturity, character and experience, their involvement in fellowship and ministry in the Congregation and their way of life in accordance with scriptural guidelines, and their suitability as regards the criteria referred to in clause 12.8.
- 12.4. The leadership team shall determine the number of Elders from time to time, provided that they are not less than seven.
- 12.5. Only members of the Congregation who have been enrolled members for more than a year are eligible to be Elders.
- 12.6. Prospective Elders are required to make themselves available to serve for a period of three years or such shorter periods as the leadership team may determine, in the interest of continuity and experience in the leadership team. An existing Elder may make herself or himself available for election to a second term. After serving two consecutive terms, such an Elder shall stand down for a minimum period of one year before he or she may become eligible to serve again.
- 12.7. As vacancies arise or the leadership team determines that it is necessary to add to its number, the leadership team shall give notice to the Congregation in terms of clause 11.6 stating the number of Elders to be elected and the names of existing Elders who in terms of clause 12.6 have made themselves available for election to a second term and calling on all members of the Congregation to submit by a specified date written nominations signed by the nominator and nominee.

- 12.8. Nominations shall take into account the mix of the Congregation and the leadership team, including race, gender and age, as well as the gifts of existing Elders, both spiritual and temporal, and existing portfolios on the leadership team, so as to nominate qualified nominees for matters spiritual and temporal in the life of the Congregation.
- 12.9. The leadership team shall give notice to the Congregation in terms of clause 11.6 stating the names of all the nominees and calling on members of the Congregation having any objection to any of the nominees on the grounds of doctrine, character or conduct to present such objection in person or in writing to a meeting of the leadership team to be held on a stated date and time.
- 12.10. The leadership team shall: -
 - 12.10.1. consider the nominees and any objections received;
 - 12.10.2. interview the nominees and, in particular, canvas with a nominee any objection to her or his nomination which may have been received;
 - 12.10.3. thereafter approve or disapprove the nominees on the grounds of doctrine, character or conduct, or the criteria set out in clause 12.8; and
 - 12.10.4. approach a nominee of whose nomination it has disapproved to inform her or him of the reason and give her or him the option of withdrawing.
- 12.11. Upon completion of the process in terms of clause 12.7 to 12.10, the leadership team shall give notice to the Congregation in terms of clause 11.6 of the final list of nominees and that the election of Elders is to take place at the next Annual General Meeting, if that is on a convenient date, or a Special General Meeting convened for that purpose.
- 12.12. If the final list of nominees does not exceed the number of vacancies determined in accordance with clause 12.7, the Congregation shall vote separately on each nominee by secret ballot, unless the Congregation resolves to declare the nominees duly elected.
- 12.13. Notwithstanding the number of vacancies as initially determined in terms of clause 12.7, the leadership team, prior to or at the meeting, may determine that the number of vacancies to be filled is to be equal to the number of the final list of nominees and notify the congregation accordingly, in which case the voting shall be as prescribed in clause 12.12.
- 12.14. If the final list of nominees exceeds the number of vacancies determined in terms of clause 12.7 and the leadership team does not invoke the provisions of clause 12.13, the Congregation shall vote on each nominee by secret ballot. The nominees receiving the highest number of votes

(being not less than 51% of the ballot) up to the number of vacancies to be filled shall then be declared elected.

- 12.15. Membership of the leadership team shall terminate: -
- 12.15.1. upon completion of a first or second term in accordance with clause 12.6;
 - 12.15.2. as a result of disciplinary steps that end in the termination of membership of the leadership team; or
 - 12.15.3. upon the leadership team's acceptance of the Elder's written resignation.
- 12.16. At its first meeting after an Annual General Meeting the leadership team shall elect the person to preside over its meetings until its first meeting after the next Annual General Meeting. The person so elected need not be a Minister. If the chairperson is absent from any meeting of the leadership team the members present shall appoint one of their number to preside.
- 12.17. The leadership team may adopt and issue, and from time to time amend or add to, house rules for the Congregation which shall come into operation immediately, provided that such rules shall not be inconsistent with the provisions of this Constitution and shall be subject to review by the Congregation at a general meeting.
- 12.18. The leadership team is responsible for keeping minutes of its own meetings.
- 12.19. The quorum for a meeting of the leadership team shall not be less than 50% of its members present.
- 12.20. The leadership team shall fix the dates and times for its meetings and further regulate its proceedings as it may see fit, provided that: -
- 12.20.1. a meeting of the leadership team shall be held when convened by a Minister, the chairperson, any three Elders or the Regional Bodies;
 - 12.20.2. notice (which may be oral, written, electronic or telephonic) of not less than seven days shall be given of any meeting;
 - 12.20.3. notwithstanding the provisions of clause 12.20.2, the members present (if a quorum) may proceed with a meeting of the leadership team convened on shorter notice where they consider the subject matter of the meeting to be urgent; and
 - 12.20.4. a round Robin resolution signed by all the members of the leadership team shall be valid and effective as a resolution passed at a duly convened and constituted meeting.

- 12.21. Decisions at a meeting of the leadership team shall be taken by a simple majority present and voting. In case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

13. Portfolios and Heads of Portfolios

- 13.1. The leadership team shall constitute such portfolios as it deems necessary, appoint their members and heads and from time to time determine their functions and powers.
- 13.2. The leadership team shall determine the terms of office of heads and members of portfolios and may at any time discharge a portfolio.
- 13.3. The portfolios are responsible to the leadership team and shall report to it.
- 13.4. The leadership team may review, rescind or amend any decision or action of a portfolio.

14. Staff

The Camps Bay United Church shall engage employees as the leadership team considers necessary on terms and conditions of employment as determined by the leadership team.

15. Discipline and Appeals

- 15.1. All members of the Congregation and the leadership team, and the Minister(s) or Associate Minister are subject to the discipline and jurisdiction of the Regional Bodies, subject to the provisions regarding baptism contained in clause 4, and have the right to appeal provided for in the rules of the Regional Bodies.
- 15.2. In any specific instance the Regional Bodies may determine that one of the Regional Bodies shall deal with, and finally dispose of, any disciplinary matter, according to the rules and procedures of that body and such determination shall be final and binding on all persons affected thereby.
- 15.3. Proceedings in disciplinary matters shall be conducted by the leadership team in respect of members of the Congregation; and by the Regional Bodies in respect of the Minister(s) and Associate Minister and members of the leadership team.
- 15.4. If the disciplining of a Minister of any other Christian church body needs to be considered, the Regional Bodies may refer the case to the other Christian church body which ordained the Minister, if that body agrees to handle it and to submit the record and report of the outcome to the Regional Bodies.

16. Finance

- 16.1. The leadership team shall appoint members of the Congregation who are skilled in accounting, financial planning and management to a finance portfolio which shall *inter alia* provide the leadership team with regular financial information in the form of monthly management accounts and recommendations as a basis for the leadership team to take financial decisions.
- 16.2. The financial year of the Congregation ends on 31 December each year.
- 16.3. None of The Camps Bay United Church's income or property is distributable to its members or the leadership team, except as reasonable compensation for services rendered.
- 16.4. The Camps Bay United Church shall: -
 - 16.4.1. not directly or indirectly distribute any of its funds to any person, otherwise than in the course of undertaking its public benefit activity;
 - 16.4.2. utilise its funds solely in the promotion of its principal object; and
 - 16.4.3. not economically benefit any person in a manner which is not consistent with its principal object.
- 16.5. The Camps Bay United Church is prohibited from accepting any donation which is revocable at the instance of the donor for reasons other than the material failure to conform to the designated purposes and conditions of such donation.
- 16.6. The Camps Bay United Church shall not knowingly be party to, or knowingly permit itself to be used as part of, any transaction, operation or scheme of which the sole or main purpose is or was the reduction, postponement or avoidance of liability for any tax, duty or levy on the part of any person.
- 16.7. The Camps Bay United Church shall not use its resources directly or indirectly to support, advance or oppose any political party.
- 16.8. The books of account, financial and other records or other documents relating to The Camps Bay United Church shall be retained and carefully preserved by the leadership team for a period of four years after the last entry in any books of account or after the completion of the transactions or operations to which such records and documents relate.
- 16.9. The Ministers, leadership team and members of the Congregation shall comply with any written notice issued by the Commissioner of the South African Revenue Services requiring any of them: -

- 16.9.1. to answer any questions relating to The Camps Bay United Church;
- 16.9.2. to make available for inspection any books of account, records or other documents relating to The Camps Bay United Church; and
- 16.9.3. to attend at the time and place appointed by the Commissioner for the purposes of producing for examination any of the material referred to in clause 16.9.2.

17. Property

- 17.1. The Camps Bay United Church, at the time of its formation, accepted full responsibility for all the assets and liabilities of the former Camps Bay United Church (Congregational and Presbyterian) and the former Camps Bay Methodist Society.
- 17.2. The church buildings at Farquhar Road, and the manse at 36 Geneva Drive, Camps Bay, respectively, are vested in the name of The Camps Bay United Church.
- 17.3. The purchase, sale, lease, subdivision or hypothecation of immovable property and the erection, major alteration or demolition of any buildings shall require the approval of at least of two-thirds of the members of the Congregation present and voting at a general meeting of the Congregation convened for that purpose. Although similar approval of the Regional Bodies is not required, the Congregation may seek their advice, prior to convening the general meeting, regarding the manner in which the Congregation proposes to meet its related financial commitments and the design and function of any building project.
- 17.4. No members of the Congregation or leadership team shall have a right in the immovable property or other assets of the Congregation solely by virtue of their being members of the Congregation or leadership team.

18. Financial support to Regional Bodies

The Camps Bay United Church shall give not less than 5% of the tithes received during any financial year in equal parts to the Regional Bodies after the adoption of the audited annual financial statements in terms of clause 11.5.1.

19. Dissolution

- 19.1. The Camps Bay United Church may not be dissolved save with the approval of at least two-thirds of the members present and voting at a Special General Meeting of the Congregation which has been convened for that purpose and of which not less than three months' notice has been given.

- 19.2. Notice in terms of clause 11.6 shall first be given on a Sunday not less than three months before the date of the meeting, thereafter on the first Sunday of each subsequent month and, finally, on two Sundays immediately preceding the date of the meeting.
- 19.3. Notice shall be given to the Regional Bodies whose representatives shall be entitled to attend and speak but not to vote at such meeting. One of such representatives shall be elected at the meeting to preside.
- 19.4. The Special General Meeting resolving on dissolution shall provide for the appointment of four Liquidators to give effect to the dissolution. One Liquidator shall be nominated by the meeting and one by each of the Regional Bodies.
- 19.5. The Liquidators' functions and responsibilities shall be to:
- 19.5.1. take possession of the assets;
 - 19.5.2. pay the debts of The Camps Bay United Church;
 - 19.5.3. realise to best advantage such of the assets as they decide not to distribute *in specie*; and
 - 19.5.4. account to the Regional Bodies for their administration.
- 19.6. In the event of the dissolution of The Camps Bay United Church, the remainder of its assets, if any, shall be divided in equal parts and transferred to the Regional Bodies.
- 19.7. The Regional Bodies have the same object as The Camps Bay United Church as referred to in clause 6.2.

20. Amendment of the Constitution

The Congregation may at any time or from time to time amend this Constitution provided that: -

- 20.1. the amendment shall require the approval of at least two-thirds of the members present and voting at a Special General Meeting of the Congregation which had been convened for that purpose and of which not less than three months' notice has been given in terms of clauses 11.6 and 19.2;
- 20.2. three months' notice of the Special General Meeting is given to the Regional Bodies whose representatives shall be entitled to attend and speak but not to vote at such meeting; and
- 20.3. the amendment is approved by the Regional Bodies.