



CONSTITUTION

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1 NAME

1.1 The name of the Church shall be the Somerset West Baptist Church. (SWBC)

2 BAPTIST UNION OF SOUTHERN AFRICA

2.1 The Church shall maintain membership with the Baptist Union of Southern Africa but shall be independent of any control by it save as hereinafter provided.

3 CHURCH GOVERNMENT AND OBJECTS

3.1 The Church recognises Jesus Christ as its supreme Head, and undertakes to manage its affairs according to Biblical principles, believing that as the Body of Christ it is equipped by His Spirit to act, decide and direct as set out in Article 8.1

3.2 The objects of the Church shall be:

3.2.1 To glorify the Lord Jesus, the Head of the Church universal.

3.2.2 To proclaim the gospel of the Lord Jesus Christ as revealed in the Scriptures and to encourage and support the proclamation of that gospel (in accordance with Matthew 28: 18-20) to the ends of the earth.

3.2.3 To provide instruction and fellowship for believers, seeking to build them up to Christian maturity.

4 STATEMENT OF BELIEF

4.1 The Church (SWBC) believes:

4.1.1 In the Scriptures of the Old and New Testaments in their original writings as fully inspired of God and accept them as the supreme and final authority for faith and conduct.

4.1.2 In one God, eternally existing in three persons - Father, Son and Holy Spirit.

4.1.3 That Jesus Christ was begotten of the Holy Spirit, born of the Virgin Mary, and is true God and true man.

4.1.4 That God created man in His own image; that man sinned and thereby incurred the penalty

of death, physical and spiritual; that all human beings inherit a sinful nature which issues (in the case of those who reach moral responsibility) in actual transgression involving personal guilt.

- 4.1.5 That the Lord Jesus Christ died for our sins, a substitutionary sacrifice, according to the Scriptures, and that all who trust in Him are justified on the grounds of His shed blood.
- 4.1.6 In the bodily resurrection of the Lord Jesus, His ascension into heaven, and His present life as our High Priest and Advocate.
- 4.1.7 In the personal return of the Lord Jesus Christ.
- 4.1.8 That all who receive the Lord Jesus Christ by faith are born again of the Holy Spirit and thereby become children of God.
- 4.1.9 In the resurrection both of the just and the unjust, the eternal blessedness of the redeemed and the eternal banishment of those who have rejected the offer of salvation.
- 4.1.10 That the one true Church is the whole company of those who have been redeemed by Jesus Christ and regenerated by the Holy Spirit; that the local church on earth should take its character from this concept of the Church spiritual, and that the new birth and personal confession of Christ are essentials to membership of the true Church.
- 4.1.11 That the Lord Jesus Christ appointed two ordinances:
- 4.1.12 Baptism and the Lord's Supper - to be observed as acts of obedience and as perpetual witnesses to the cardinal facts of the Christian faith; that Baptism is the immersion of the believer in water as a confession of identification with Christ in burial and resurrection, and that the Lord's Supper is the partaking of bread and wine as symbolical of the Saviour's broken body and shed blood, in remembrance of His sacrificial death until He comes.
- 4.1.13 We believe that God has sanctioned marriage between a man and a woman, therefore we believe in heterosexual relationships between a natural man and a natural woman within the confines of lawful matrimony. Adherence to this stated principle of sexual behaviour

is an inherent requirement for membership with the Somerset West Baptist Church.

4.2 The Church (SWBC) further believes in the following distinctive Baptist emphases:

- 4.2.1 The Church universal as a whole company of those who have been redeemed by Jesus Christ and regenerated by the Holy Spirit. The local church, being a manifestation of the universal Church, is a community of believers in a particular place where the Word of God is preached and the ordinances of Believer's Baptism and the Lord's Supper are observed. The local church is fully autonomous, except in so far as it binds itself by voluntary association.
- 4.2.2 Believer's baptism is an act of obedience to our Lord Jesus Christ and a sign of personal repentance, faith and regeneration; it consists of the immersion in water in the name of the Father, Son and Holy Spirit, and is a public testimony to the faith of the candidate.
- 4.2.3 The principle of congregational church government, namely, that a constituted church meeting is, under the Lordship of Jesus Christ, the highest court of authority for the local church; and that each individual member has the inalienable right and responsibility to participate fully in the life and government of the Church, including the appointment of its leaders.
- 4.2.4 The priesthood of all believers, by which we understand that each believer has direct access to God through Christ our High Priest, and shares with Him in His work of reconciliation. This involves intercession, worship, faithful service and bearing witness to Jesus Christ, even to the ends of the earth.
- 4.2.5 The principle of religious liberty, namely, that no individual should be coerced either by the State or any secular, ecclesiastical or religious group in matters of faith. The right of private conscience is to be respected. For each believer this means the right to interpret the Scriptures responsibly and to act in the light of his conscience.
- 4.2.6 The principle of separation of Church and State in that, in the providence of God, the two differ in their respective natures and functions. The Church is not to be identified with the

State nor is it, in its faith and practice, to be directed or controlled by the State. The State is responsible for administering justice, ensuring an orderly community and promoting the welfare of its citizens. The Church is responsible for preaching the Gospel, nurturing believers and for demonstrating and making known God's will and care for all mankind.

- 4.3 Any change within the Church (SWBC) structure or organisation which, in the view of the Elders is in conflict directly or indirectly with one or more of the stated Baptist principles contained in Article 4.2 will be invalid, unless approved by at least 90% (ninety percent) of the members present and entitled to vote at a duly constituted extraordinary Special Church meeting of which at least three months' notice has been given.

5 MEMBERSHIP

The membership shall consist of:

- 5.1 Those whose names are in the Church register of members at the time of the adoption of this constitution.
- 5.2 Those who have given evidence of their personal salvation through faith in the Lord Jesus Christ, who have confessed that faith in baptism by immersion, have accepted this constitution and who have been admitted to membership in terms of Article 6.1

6 ADMISSION OF MEMBERS

- 6.1 After attending a new member's orientation class, application for church membership shall be made in writing to the Eldership or the Secretary, whom in turn shall submit the application to the Executive for consideration. Applicants need to be those who have given evidence of their personal salvation through faith in the Lord Jesus Christ, who have confessed that faith in baptism by immersion and have accepted this Constitution. If approved by the Executive, their names shall be placed on the Church notice board, included in the Church bulletin and announced at all services for two consecutive weeks, following which, if there have been no formal and motivated objections in writing to the Executive from the members, their membership shall be approved.
- 6.2 In the event that the application in Article 6.1 is approved, the applicant shall be welcomed by the members of the Church at a church service and be given a church Membership

certificate, signed by a Pastor and the Church secretary, which is evidence of Membership of the SWBC.

- 6.3 Application for membership by way of transfer from another Baptist Church shall be made as per Article 6.1 hereof.

7 TRANSFER OF MEMBERS

- 7.1 Any member in good standing who desires to join another Church shall be given a letter of transfer or commendation upon application from the other Church or the said member.
- 7.2 A General Meeting shall be advised of any transfers.

8 PRIVILEGES AND OBLIGATIONS OF CHURCH MEMBERSHIP

- 8.1 Under the divine Headship of the Lord Jesus Christ the final authority and responsibility in all matters touching the life and service of the Church rests with the membership. Each individual member has the responsibility and right to participate fully in the Church's (SWBC) life and government, including the appointment of its leadership.
- 8.2 Every member shall be entitled and expected to attend General Meetings, unless prevented by some reasonable cause, and to exercise his/her vote for the welfare of the whole Church (SWBC), in a spirit of prayer and love.
- 8.3 Members shall be expected to support the ministry and maintain the fellowship of the Church, by prayer, attendance at services whenever possible, engaging in some specific service, conscientious financial support as God provides, and by introducing others to the Church.

9 CHURCH DISCIPLINE

- 9.1 If any member is absent from services of the Church and/or neglects to comply with any of the privileges or obligations of membership for a prolonged period without apparent good reason, the Executive shall make enquiry. Should no satisfactory response result, the Executive may submit a recommendation to a General Meeting.
- 9.2 In the unhappy event of any allegation of unworthy conduct or erroneous belief against any member, the Executive shall, if careful enquiry makes such a course necessary, report to a General Meeting for appropriate action.

9.3 The suspension or expulsion of any member shall be resorted to only if all efforts at restoration prove unsuccessful.

9.4 In purely personal matters members shall be expected to act in accord with the Lord's injunction in Matthew 18: 15-17.

10 THE ORDINANCES

10.1 Baptism

10.1.1 In addition to those desiring to join the Church (SWBC) in accordance with Article 5.2 a Pastor shall be free to baptise by immersion any believer who desires thus to confess the Lord Jesus.

10.2 The Lord's Supper

10.2.1 The Lord's Supper shall be observed at such times as the Elders shall decide.

10.2.2 Attendance shall be open to all who love the Lord Jesus Christ as Lord and Saviour.

11 ANNUAL GENERAL MEETING

Scheduling of Meeting

11.1 The Church business year shall end on 31st December and the Annual General Meeting shall be held as soon thereafter as possible, but not later than the 30th of April

Items to be discussed

11.2 A report and audited financial statements shall be submitted by the Secretary and Treasurer respectively.

11.3 Reports shall be submitted by all departments of the Church.

11.4 The annual election of Deacons shall take place.

11.4.1 The annual appointment of the Auditor shall take place

12 ORDINARY GENERAL MEETINGS

Scheduling of Meeting

12.1 Ordinary General Meetings shall be held in November of each calendar year

Items to be discussed

12.2 Ordinary General Meetings are chiefly held to consider the proposed budget

13 SPECIAL GENERAL MEETINGS

Scheduling of Meeting

13.1 Special General Meetings shall be convened

13.1.1 As required in this constitution

13.1.2 On the initiative of the Executive

13.1.3 Upon written request to the Secretary of at least 10 (ten) members, stating the purpose, and the meeting shall be held within one month of such request.

Items to be discussed

13.2 Any matter dealing with the sale, cession, encumbrance or other alienation of all or a portion of an immovable asset of the Church

13.3 Any other matter specified in this Constitution to be decided at a Special General Meeting.

14 QUORUM FOR MEETINGS

14.1 The quorum for all meetings shall be 15% (fifteen percent) of the total membership present when a meeting proceeds to business.

14.2 If an Ordinary General Meeting fails to procure a quorum it shall automatically reconvene at the same time and place seven days later, and the members then present shall constitute a quorum. No new matters shall be added to the agenda for the reconvened meeting.

14.3 If a Special General Meeting or an Extraordinary special meeting fails to produce a quorum, the meeting shall automatically reconvene on the first Sunday four weeks after the original scheduled meeting. No new matters shall be added to the agenda for the reconvened meeting.

14.4 In the event of a national lockdown, state of emergency or under such other extreme circumstances as the Executive determine, where 15% (fifteen percent) in-person quorum

cannot be met, the meeting shall proceed with both an online and in-person options as restrictions allow, to formulate the 15% (fifteen percent) quorum.

15 NOTICE OF MEETINGS

15.1 Notice of all Meetings shall be distributed to members and posted on the Church notice board at least 21(twenty one) days preceding the date of the meeting.

15.2 Notice shall include a notice of the date, time and place of the meeting, an agenda of matters to be discussed and copies of all supporting documents or a confirmation of where supporting documents may be reviewed

15.3 A reminder of all Meetings shall be given at the services held on two Sundays preceding the date of the meeting.

15.4 Where a Special General Meeting is reconvened under the circumstances of Article 14.3, a notice shall be distributed to members 21 (twenty one) days preceding the date of the reconvened meeting.

15.5 The non-receipt of notice by individual members as required by Articles 15.1 and 15.4 shall not invalidate the proceedings of the meetings.

16 VOTING AT MEETINGS OF MEMBERS

16.1 Only members who have attained the age of 18 years shall be entitled to vote.

16.2 Unless otherwise required in this constitution all matters shall be decided by the majority vote of those present. In the event of an equal vote the procedure in Article 17.3 shall be applied.

16.3 Voting shall be by show of hands unless a ballot shall be requested by any one member, or otherwise stipulated in this constitution.

16.4 In the event of a national lockdown or state emergency voting shall be by both a show of hands and an online voting option unless a ballot shall be requested by any one member, or otherwise stipulated in this constitution.

16.5 There shall be no proxy or postal voting for any meeting.

17 CHAIRMAN

- 17.1 A designated member of the Church Executive shall normally be the Chairman of all General and Executive meetings, except when his own position is under consideration.
- 17.2 Should there be no designated member of the Church Executive, or should the designated member of the Church Executive elect to vacate the chair or be absent, the meeting shall elect a chairman for that particular meeting.
- 17.3 The Chairman shall have a deliberative and a casting vote.
- 17.4 If a third of members present and entitled to vote object to the discussion of any matter raised which was not included in the published agenda of the meeting, the Chairman shall rule that such item be referred to a future meeting.

18 THE EXECUTIVE

Composition

- 18.1 The Pastors, Deacons and Elders (if any) shall comprise the Executive.
- 18.2 At its first meeting after the Annual General Meeting the Executive shall appoint from its own number a secretary and treasurer.

Mandate

- 18.3 The Executive shall act as generally or specifically directed by the Church in General Meeting assembled, and shall be accountable to the Church for all tasks delegated to it and for the proper administration of all Church funds.

Meetings of the Executive

- 18.4 The Executive shall meet at least monthly if possible.
- 18.5 50% (Fifty percent) of the Executive shall constitute a quorum.
- 18.6 The Officers of the Church shall have no rights in the property or other assets of the Church solely by virtue of their being members and Office Bearers of the Church. No remuneration will be paid to any employee, office bearer, members or other person which is excessive, having regard to what is considered reasonable in the non-profit sector and in relation to the

service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.

19 DEACONS

Election

19.1 The Church shall elect Deacons, who at the time of election will be members over the age of 21 (twenty one) who have been in membership for not less than 6 (six) months.

19.2 The Executive shall determine the number of Deacons from time to time with the provision that the number shall never be less than 4 (four).

19.3 A Deacon shall hold office for 2 (two) consecutive years and shall be eligible for re-election.

19.4 Nomination for the office of Deacon shall be submitted in writing to the Church secretary signed by the nominee, proposer and seconder, at least 14 (fourteen) days prior to the date of the meeting at which the election shall take place.

19.5 The names of all nominees shall be made known at both services on the Sunday prior to the date of the meeting at which the election shall take place.

19.6 Voting of the election of Deacons shall be by ballot.

19.7 Nominees receiving the most votes shall be declared elected with the proviso that each appointee shall receive a number of votes equal to more than half of the number of members present.

19.8 In the event of a vacancy occurring, the Executive may co-opt a Church member in good standing to serve as a Deacon for the unexpired portion of the previous incumbent's term of office.

Mandate

19.9 The Eldership shall allocate such duties, functions and ministries to the Deacons as they deem necessary, taking their spiritual gifts, individual personalities, interest and passions into account.

20 ELDERS

Election

- 20.1 The Church may appoint to the office of Elder, men recognised as gifted by the Holy Spirit for this office and who satisfy the requirements as detailed in Timothy and Titus.
- 20.2 Prior to any member approaching a prospective nominee for Eldership, the nomination for the office of Elder shall be submitted in writing to the Elders, signed by the proposer at least 14 (fourteen) days prior to the date of the meeting at which the election of Elders shall take place
- 20.3 The Elders shall take into account the maturity, good standing of the nominee, both in faith and in the secular world. If the nominee is considered suitable, the nominee shall accept such nomination in writing. The names of nominees shall be made known at all services on the Sunday prior to the date of the meeting at which the election shall take place.
- 20.4 Appointment of any nominee shall be by a two-thirds majority vote of the members present at the General Meeting and an Elder shall hold office for a period of 2 (two) years and shall be eligible for re-election for a further two years, whereafter he shall stand down for a mandatory period of 1 (one) year.
- 20.5 Elders shall be members of the Executive.
- 20.6 The number of Elders deemed desirable shall be decided from time to time at a General Meeting on the recommendation of the Executive, but at all times the number of Elders shall be one more than the number of Pastors appointed at that time and no less than 3 (three).

Mandate

- 20.7 The Elders shall consult with and assist the Pastors in the caring ministry and spiritual oversight of the Church.

21 PASTORATE

Appointment

- 21.1 The choice and appointment of a Pastor is vested in the membership of the Church.
- 21.2 The procedure for making an appointment shall be as follows:

- 21.2.1 A General Meeting shall convene a Call Committee which shall comprise of:
- 21.2.1.1 at least 4 (four) Elders, of which there shall be at least 2 (two) Pastoral Elders and at least 2 (two) Lay Elders. In the event that there are no Pastoral Elders 2 (two) additional Lay Elders can be nominated.
 - 21.2.1.2 Deacons of which The Treasurer and the Church Secretary shall be included; and
 - 21.2.1.3 4 (Four) members nominated and appointed by the members.
- 21.2.2 The Elders shall be tasked to formulate a draft mandate for any pastoral position and requirements and this draft shall be presented to the members at a church General meeting for their consideration. A finalised draft shall be presented to the Call Committee regarding the role and responsibilities of the Pastor being called. The mandate will include as a minimum the following documents, which are to be provided to all short-listed candidates by the call committee and in terms of which the appointment of the selected candidate would be made.
- 21.2.2.1 A detailed Job description explaining the specific duties of the pastoral role
 - 21.2.2.2 The "Code of Pastoral Ethics" of the Baptist Union
 - 21.2.2.3 A pro forma letter of appointment showing the conditions of service that would need to be accepted by the Pastor.
 - 21.2.2.4 A copy of the current Constitution of this church.
- 21.2.3 The Church Secretary shall convene the first meeting of the Call Committee at which a chairperson and scribe, to minute the meetings, shall be elected by the members of the committee. The Call Committee shall meet on a regular basis as decided by the members of the Committee from time to time based on a minimum quorum of 75% (seventy five percent) of the Call Committee members. The quorum must include the elected chairperson, 1(one) pastoral elder and 2(two) lay Elders.

21.2.4 In exercising the mandate as envisaged by Article 21.2.2 the Call Committee shall call for applications from the Church members and from such sources as the Committee deem necessary. The Call Committee shall interview shortlisted candidates subject to all the candidates being asked the same or similar questions as drawn up by the Committee, to give effect to the mandate.

21.2.5 The Call Committee shall recommend only one name to any Church General Meeting and simultaneously disband as a Committee. A new Committee shall be elected if the name is not accepted by the members.

21.2.6 An invitation shall only be extended to a nominee if at least 75% (seventy five percent) of members present at a Church meeting vote in favour by ballot.

Duties of the Pastorate

21.3 All Pastors shall accept the documents referred to in Article 21.2.2 in writing.

21.4 Pastors shall have clearly designated roles within the Church and shall apply their spiritual gifts, individual personalities, personal interests and passions toward the fulfilment of that designated role as determined from time to time by the Church Executive.

21.5 The Pastors are ex officio, (by virtue of their offices) deemed to be Elders of the Church.

22 MINISTRY DEPARTMENTS AND STAFF

Appointment

22.1 Departmental leaders shall be church members and shall be approved by the Executive.

22.2 Each ministry department shall appoint its own committee and staff.

22.3 The Executive may appoint such administrative staff, from time to time, as they deem necessary.

23 FINANCE

23.1 The Church shall be supported by voluntary giving and by such methods as shall be determined by the Executive.

23.2 Proper books of account shall be maintained.

23.3 The Church shall annually appoint an auditor who shall perform an audit of the Church's financial statements as provided for in the IRBA Auditing Standards. The Church Secretary shall endeavour to deliver the audited financials to the Church by the last business day of March annually.

24 FINANCIAL TRANSACTIONS

24.1 The Church may open and operate banking accounts. The Church shall have power to buy, sell, donate, let, hire, exchange, transfer, receive by way of donation or otherwise, movable or immovable property and to invest its funds in government or municipal stocks, mortgage bonds, or on fixed deposit or otherwise in banks. The Church shall further have power to borrow money with or without security in such manner as the Church shall think fit, subject to the approved budget at the time. Any amounts or terms outside of the approved budget shall be referred to a Special Meeting.

24.2 The Church may negotiate loans from bankers or others by overdraft or otherwise, and by passing mortgage and notarial bonds for registration with the proper authorities.

24.3 No activity will directly or indirectly promote the economic self-interest of any fiduciary or employee of the Church other than by way of reasonable remuneration for services rendered.

24.4 No funds will be distributed to any person (other than in the course of undertaking any public benefit activity) and the Church is required to utilise its funds solely for the objects for which it was established. No funds or resources will be used directly or indirectly to support advance or oppose any political party.

24.5 No remuneration will be paid to any employee, office bearer, members or other person which is excessive, having regard to what is considered reasonable in the non-profit sector and in relation to the service rendered and has not and will not economically benefit any person in a manner which is not consistent with its objects.

25 TRUSTEES AND IMMOVABLE PROPERTY

25.1 In order to facilitate the discharge of legal responsibilities, the laws of the Republic of South Africa require that trustees be elected by the Church for this purpose.

25.2 The Board of Trustees shall consist of (3) three members of the Executive, namely the Treasurer, the Secretary and one Elder appointed by the Executive. The Trustees may not be connected persons in relation to each other.

25.3 The Trustees will accept the fiduciary responsibilities for the Church and no single Trustee may directly or indirectly control the decision making powers of the Church.

25.4 All immovable property acquired by the Church in any manner shall be registered in the name of the Trustees of the Church.

25.5 All acquisitions of immovable property in any manner shall require the approval of a General Meeting, due notice having been given of the proposed transaction.

25.6 Any proposal to sell, donate, exchange, mortgage, hypothecate or otherwise alienate or encumber any immovable property shall have the prior approval of a Special General Meeting by a 75% (seventy five percent) majority vote of members present.

25.7 The proceeds derived from the sale or other disposal of any property of the Church shall be used in such a manner as the Church deems fit to secure the furtherance of its objectives.

26 SALE OF PROPERTY

26.1 The proceeds derived from the sale or other disposal of any property of the Church shall be used in such manner as the Church may deem proper for the furtherance of its objectives.

27 INDEMNITY

27.1 The Trustees and all officers of the Church shall be fully indemnified against all actions, costs, losses, damages and expenses which they or any of them shall or may incur in the execution of their duties, except such as they shall incur by their own wrongful action done intentionally or with gross negligence.

28 DISSOLUTION

28.1 The dissolution of the Church may be effected by the 75% (seventy five percent) majority vote of members present at a Special General Meeting.

- 28.2 In the event of the circumstances of Article 28.1 arising, such meeting shall thereupon authorise the Executive to take the necessary steps to wind up the affairs of the Church, and in particular to transfer the immovable property in due and proper form to:
- 28.3 another public benefit organisation which has been approved in terms of section 30 of the Income Tax Act No 58 of 1962 (hereinafter referred to as “the Act”); and/or
- 28.4 any institution, board or body which is exempt from payment of income tax in terms of section 10(1)(cA)(i) of the Act, which has as its sole or principal object the carrying on of any public benefit activity; and/or
- 28.5 any department of state or administration in the national or provincial or local sphere of government of the Republic contemplated in section 10(1)(a) or (b) of the Act.
- 28.6 In the event of the Church at any time ceasing to exist and no Executive being available to wind up the affairs of the Church as envisioned in article 28.1, all acquired property or rights to property at such time shall ipso facto vest in and become the property of the Baptist Union of Southern Africa which shall hold, administer or deal with it in such manner as the said Union, through its Executive Committee, may deem best fitted to secure the objects in Article 3.

29 MODIFICATION OF THE CONSTITUTION

- 29.1 Any proposal to change this constitution may be submitted by way of a notice of motion to any General Meeting.
- 29.2 Such notice of motion shall be circulated to all members for consideration at a Special General Meeting convened for not less than three months after the General Meeting referred to in Article 29.1
- 29.3 Proposed changes shall require the approval of 75% (seventy five percent) of the members present at the meeting referred to in Article 29.2 and the number so present shall represent a quorum as defined in Article 14 of this constitution.
- 29.4 This Constitution was approved after a Special General Meeting held on 2 February 2025 and supersedes all previous constitutions.

- 29.5 In that the approval of this constitution by the Executive of the Baptist Union is a prerequisite to membership of such Union, amendment of the constitution or any replacement thereof shall likewise be subject to the approval of such Executive as a condition of continuing membership.
- 29.6 Notwithstanding anything to the contrary hereinbefore contained, no modification of this constitution may be made which directly or indirectly modifies the principles outlined in Article 3.1(the nature of the Church) and Article 8.1(final authority resting with the membership).
- 29.7 Articles 3.1, 8.1 and 29.6 are entrenched, and may not be revoked, amended or amplified.
- 29.8 A copy of all amendments to the constitution will be submitted to the Commissioner for the South African Revenue Service.