

# Constitution of Joshua Generation Church

Version 1.1

# constitution

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# Constitution of Joshua Generation Church

## Objectives

The objectives of the church are:

1. To promulgate the Gospel of Jesus Christ as set out in the Old and New Testament, as interpreted by the Directing Elders of the Church.
2. To encourage and enrich the relationships of its members with one another through various means such as small group meetings (called communities), and/or outreaches.
3. To network with like-minded churches.
4. To initiate or assist in benevolent work in our spheres of influence where the need arises; amongst others, to help the poor, elderly, widows and orphans and terminally ill in practical ways, as determined at various times by the Directing Elders.
5. To plant and grow new churches in local and trans-local contexts and to equip members of the Church to be able to do this effectively.

## Statement of faith

6. We believe in the Scriptures of the Old and New Testament of the Bible as translated from their original writings.
7. We regard the Scriptures of the New Testament as being final as to their authority on any matter and infallible as to truth, regarding all facets of life and Church governance.
8. We believe in one God, eternally existing in three persons, namely Father, Son and Holy Spirit.
9. We believe that Jesus Christ was begotten of the Father, conceived by the Holy Spirit and born of the Virgin Mary.
10. We believe that God created man in His own image. Thereafter sin entered the first man through disobedience on man's part, resulting in spiritual death for all mankind.
11. We believe that Jesus Christ had to die a substitutionary death for the sins of mankind so that man could be reconciled back to God.
12. We believe in the bodily death, burial and resurrection of Jesus Christ.
13. We believe in His ascension into heaven and His future return to earth.
14. We believe in the initial reception of the Holy Spirit at conversion (Rom 8:9), His internal sealing work thereafter (Eph 1:13), followed by continual infillings of His Spirit (Eph 5:18).
15. We believe in the resurrection of both the just and the unjust.
16. We believe in the regular practice of the breaking of bread and the taking of wine / grape juice to remind us of the new covenant established through Christ's death on our behalf.
17. We believe in the baptism of believers by immersion in water as taught in the Bible.

18. We believe in the five-fold ministry gifts of Ephesians 4:11,12. We believe in using these gifts in the life of the church and to affect the spheres of influence we minister in.
19. We believe in the equality of all persons irrespective of their race, culture or social background.
20. We believe that marriage is a creational ordinance ordained by God between one man and one woman and that any relationship of a sexual nature outside of marriage, or between people of the same sex is contrary to Scripture and therefore such sinful conduct is unacceptable to God and His Church.
21. We believe that the Elders are entrusted to govern the Church and that this includes disciplining members, when necessary (as described in the Scriptures), which may include office bearers such as Deacons or Elders.

## Legal status

22. Joshua Generation is a voluntary association of persons with legal jurisdiction (herein referred to as the "Church"), and can as such in its own name, own property, acquire rights, assume duties and generally act in law. The Directing Elders of the Church shall administer the affairs of the Church and shall accept fiduciary duty and responsibility for the Church and its affairs and/or assets.
23. In particular, the said Church, represented by no less than three Directing Elders, can acquire by purchase, donation, lease, hire, exchange or otherwise, and hold in trust anything, whether movable or immovable property, as required or deemed necessary or expedient, and sell, use, convey, mortgage, encumber, lease, exchange, donate or otherwise transact or dispose of any such property.
24. Furthermore, the Church may employ persons together with any appropriate employee benefits, raise and administer funds, or donate funds (and shall take reasonable steps to ensure that the funds are used for the purposes for which it was provided), and borrow money and make loans or bond properties if so required, accept bequests and donations (provided that the donation is not recoverable at the instance of the donor for reasons other than a material failure to conform to purposes or conditions of the donation), secure credit, open and operate bank accounts, investments and the like, insure against losses, risks and liability of all kinds relating to it or its members, employees or associated undertakings, and to provide for signature on behalf of the Church of any legal document, deed, or power of attorney (which shall be signed by at least three Directing Elders, except if resolved otherwise by the Directing Elders on a majority vote as set out in Clause 37), and the Church may institute action or defend same, in its own name.
25. The Church may establish or take over any undertaking (i.e. organisation or body) to facilitate its mandate under this Constitution, and shall have all rights as that of a holding company, in managing or utilising that undertaking, and the Church may in particular delegate all of the matters under the preceding Clause to such organisation or body, to the extent that those matters are related to the objects of the Church, and may also on a majority decision, as set out in Clause 37, of the Directing Elders decide to excise an undertaking from the Church for good reason.
26. Any property movable or immovable, acquired in terms of clause 18 or 17 above, shall be held by the Church and vest in the Directing Elders, not being less than three (3) in number, duly appointed by the Lead Elder (Andrew Selley, or his successor in title). Such assets shall be administered and utilised by the Directing Elders on behalf of the Church, and utilised solely for the objects set out herein, as they deem fit.
27. The Church is a Public Benefit Organisation, and does not have as its objective the accumulation of gain for itself or for any of its members. No member, without exception, has any right by reason of their membership to ownership of any property belonging to the Church.

28. Save for the dictates of Scripture, the Church may not give any of its money or property to its members or office bearers other than bona fide employees of the Church, or reimbursing such member or office bearer for work done on behalf of the Church, and such payment must be a reasonable amount for the work completed.
29. All income as well as expenditure incurred by the Church shall be processed through a current account at a local registered bank.
30. The Church shall keep up to date and accurate books of account and records of all its financial affairs and shall keep them for a period of at least 5 years.
31. The Church's financial year end will be the 28th February.

## Membership

32. Any person may apply for membership at the Church who has been born-again spiritually, according to the teaching of Scriptures, for instance John 3:3-7.
33. Furthermore, the applicant must as acceptance into membership, accept the tenets of this Constitution, and as may be elaborated on in other documentation published by the Church and abide by the principles or processes therein, and be willing to confirm their spiritual rebirth by being baptised in water by immersion.
34. Membership may be terminated if the process of mediation as set out in the New Testament, has been followed by the Church, and the process resulted in the Church disciplining a Member, or if a Member voluntarily withdraws his/her membership in writing. The process of Church Discipline, when necessary, shall be followed as set out in Scripture: 1 Corinthians 5:2-13, Matthew 18:15-20, Romans 16:17, Titus 3:10, 2 Thessalonians 3:14. Both the process and interpretation of Scripture shall be in the sole discretion of the Elders, without the right of appeal.
35. All disputes amongst Members shall be mediated by the Elders or a group of them (as they may deem necessary). Members shall adhere to these domestic remedies for conflict resolution and disciplinary matters as set out herein, and other Church Governance documentation. The decision of the Elders acting as mediators in relation to a dispute amongst Members shall be final and binding and no right of appeal shall exist.

# Powers and Prerogatives

## General

The Church may exercise any of its powers consistent with its objectives, of which a true corporate body, whose purpose is not the acquisition of gain, is capable.

## Function

- 36.** The Church shall function through its Directing Elders. The Directing Elders will direct the affairs of the Church, including all local churches under its banner/name.
- 37.** If the Directing Elders are less than three (3) in number, the Lead Elder will seek the assistance of an apostolic team member(s) with whom the Church has been in relationship, to act as Directing Elder(s) of the Church, until such time as a substitute Elder has been duly appointed by the decision of at least 75% of the Elders, voting in favour of the appointment of the New Elder.
- 38.** At present the Directing Elders of the Church are:
- Andrew Selley – Lead Elder
  - Philip van der Westhuizen
  - William Marais
  - Mike Davies
  - Russell Fraser
  - Grant Banwell,
  - Morne van der Walt.
- 39.** It will be the joint responsibility of the Directing Eldership (on a majority vote as set out in Clause 37), and taking into consideration Apostolic input from relating church leaders (who have been fulfilling this function), to relieve an errant Elder from his duties forthwith and to appoint another Elder to fulfil this function, if so required, in the sole discretion of the Directing Elders. Following the discipline of any Elder in a matter related to a moral, theological or ethical nature, or if the Elder becomes deceased, the Directing Elders have the obligation and right to take charge of the life of the local church (including any branch thereof), where the afore said Elder had oversight, or if they so decide to excise that congregation from the Church. The decision of the Directing Elders shall be final and binding on members/Elders, and will not be subject to appeal.

## Meetings and committee procedures

- 40.** The Directing Elders must hold at least one meeting monthly, to the extent possible. Any Directing Elder may call a special meeting if the need warrants, but all Directing Elders must be personally notified in writing via fax or e-mail ("the meeting notice") with at least 3 business days clear forewarning of such a meeting. Contents of the matters to be discussed must also be provided in the Meeting Notice to all these Directing Elders, as set hereinabove, together with the date, time and place for meeting.

- 41.** There must always be no less than 75% of the Directing Elders present for a meeting to take place. All such meetings will be minuted and a copy kept in the church office. A 75% vote of approval from the Directing Elders, present at any of their meetings, will be necessary for the acceptance of any proposal.
- 42.** The appointment or removal from office of a Directing Elder shall be made by at least 75% of all Directing Elders voting in favour of the appointment or removal, and such appointment or removal shall be confirmed in writing. The Lead Elder shall have a casting vote in situations where an equality of votes exists in relation to any matter tabled at a duly constituted meeting of the Directing Elders.
- 43.** The Directing Elders have the power to appoint a sub-committee whenever the need arises, and such a sub-committee will have the authority to oversee the issues delegated to them by the Directing Elders, and such Sub-committee shall regularly report back to the Directing Elders on all its given responsibilities.

## Amendments to this constitution

This Church Constitution may only be amended following a unanimous vote in a meeting where all Elders are present, all such Elders having been notified of the proposed change to this Constitution, in writing, at least fifteen (15) calendar days before such a meeting is convened, or otherwise at a time unanimously agreed on by all Elders, together with full particulars contained in the meeting notice of proposed changes. Any such changes to this Constitution must be made known to the Receiver of Revenue and any applicable Government Department within fourteen days following such changes being made which requires knowledge of such a change.

## Dissolution

- 44.** The church shall be deemed to have ceased to exist should:
- 44.1** a majority of the Objectives, mentioned above, not be adhered to for a considerable period of time,
- or
- 44.2** there be a deadlock amongst Directing Elders at a duly constituted meeting, and no majority vote can be obtained on material matters affecting the out-working of the Objectives of the Church, that is of such importance to the Church that it equates to sin in the view of at least 75% of the Directing Elders,
- or
- 44.3** if the majority of Elders vote to dissolve the Church and dispose of its assets.
- 45.** In the event of the Church ceasing to exist, all property (whether movable or immovable) and rights to properties which may have vested in or been acquired by the Church at such time, shall be transferred to an organisation in the Republic of South Africa propagating like-minded principles and who itself must be exempt from tax in terms of the Income Tax Act, or any other relevant applicable legislation, after having settled all liabilities incurred by the Church, to the extent that this is possible. The decision on the incumbent organisation for the transfer of the Churches property shall be made by a 70% vote of the Elders, in office at that time.

**46.** The dissolution of the assets and settlement of liabilities of the Church shall be administered by a recognised Apostolic leader (the Senior Pastor or Lead Elder) of one of the Churches that the Church relates to, appointed by decision of at least 75% of the Elders voting in favour of the appointment of that Apostolic Leader, to facilitate the dissolution of the Churches property and affairs. The appointed Apostolic Leader shall seek to abide by the dictates of this Constitution to the extent possible, and applicable legislation, in winding up the affairs of the Church, and shall appoint professionals to assist and advise him on these matters. If no decision on the appointment of an Apostolic Leader can be made by the Elders, then a fresh vote shall be taken, and the majority decision of the Elders shall be implemented.

Nevertheless, notwithstanding the above, the Church continues to exist following membership changes or when different office bearers take office following a meeting of the Directing Elders, authorising same.

The attached constitution, initialled and dated by the Directing Elders of Joshua Generation Church, Cape Town was accepted by such Elders on the ..... 2011 at Cape Town, South Africa, and takes precedence over all previous constitutions drafted and adhered to by this body.