



S T . M A T T H E W S

*Experience God's Family*

## St Matthews Church Constitution

Member church of the Church of England in South Africa  
operating as REACH SA

To the Glory of God

The Congregation of St Matthews Church has  
subscribed to the Constitution of REACH SA and been  
declared a Constituent Church by the Synod of the said  
REACH SA.



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## 1. Legal Status

St Matthews Church (hereafter referred to as “this Church”) shall, in terms of Secular law, be a voluntary Association with full legal personality, with perpetual succession and the power to hold property in its own name, distinct from its members, and capable of being sued and suing in its own name.

## 2. The Word of God

- 2.1. The Constitution shall in its entirety, always and without exception be interpreted, added to, amended or altered with reference to, and in accordance with, the Word of God as taught by the Bible or otherwise known as the Christian Scriptures, in the original languages from which it is translated.
- 2.2. Clause 2.1 above cannot be altered or amended by the Church Council or such ruling body or by any Vestry meeting.

## 3. Aim

The aim of this Church shall be to provide for the worship of God, in terms of the faith and doctrine as laid down in the Constitution and Rules of Procedure of REACH SA.

## 4. Membership

- 4.1. The members of this Church shall be all persons who have applied for membership and have been admitted as such, provided that the Church Council shall not admit any person to membership unless he or she:
  - 4.1.1. Has made a personal confession of faith in the Lord Jesus Christ and been baptised;
  - 4.1.2. has accepted and continues to accept the Constitution of REACH SA;
  - 4.1.3. is over eighteen years of age;
  - 4.1.4. is not a member of any other Church;
  - 4.1.5. has been a regular worshipper in this Church for a period of not less than six months, unless he or she is already a member in good standing of REACH SA and then, upon transfer to this Church, shall be received as a member of this Church when they apply for admission as such.
  - 4.1.6. has completed the membership course of this Church, as run by the duly appointed Minister or his appointed delegate.
- 4.2. Provided further that the provisions of Clause 4.1.4 and 4.1.5 may be relaxed where the person concerned is a full-time missionary attached to or affiliated with a recognised missionary society.
- 4.3. Any adherent of this Church who desires to be enrolled on the Membership Roll shall apply for such enrolment on the official application form. Such application shall be processed in the normal course through the Church administration.
- 4.4. Any Member shall be entitled to vote at any Vestry Meeting, and be eligible as a holder of any office and/or a member of any body or council constituted by this Constitution.
- 4.5. If any applicant is or was a member of another Church within REACH SA, special effort will be made to determine their standing in that Church and their reasons for leaving. If their former Church raises objections which the leaders of this Church consider valid, membership may be denied at the discretion of the Council. Those seeking transfer must also fulfil the requirements of clause 4.1.
- 4.6. Conduct Required of Members
  - 4.6.1. As scripture commands Christians not to give up meeting together (Heb. 10:25), so all members are encouraged to attend the stated meetings of this Church, which are:
  - 4.6.2. Sunday Service (morning & evening)
  - 4.6.3. Midweek Home group meetings

- 4.6.4. Annual Vestry Meeting, and any other meetings the leaders may deem necessary to call.
- 4.6.5. As scripture teaches Christians to support the work of the Lord financially through the local Church by systematic and proportionate giving (Malachi 3:10), all members of this Church are urged to use these principles of Scripture as a guide.
- 4.6.6. This Church encourages each of its members to strive for the good of the entire church family, by actively seeking to get to know one another so that they may be better able to encourage and serve one another in their faith. (Romans 12:1-8)
- 4.6.7. It is the duty of every Christian, individually and as a member of the local Church family, to work for the extension of the Kingdom of God, both at home and to the ends of the earth. Therefore, every member of this Church is urged to prayerfully recognise and seize every opportunity to bear witness to their faith in Christ, by consistent Christian conduct and testimony.
- 4.6.8. Each member of this Church should strive to have:
  - 4.6.8.1. an earnest desire to walk in the fear of God and to glorify Him in all things;
  - 4.6.8.2. a loving regard for weaker brothers and sisters in not causing them to stumble;
  - 4.6.8.3. a compassion for the lost.

## 5. Indemnification of Members & Office Bearers

- 5.1. No Member or Office Bearer shall be liable to make good to the Church any loss occasioned or sustained by any cause, howsoever arising, except such loss as may arise from or be occasioned by his or her own personal dishonesty or other wilful misconduct.
- 5.2. In addition no Office Bearer will be held personally liable for any loss suffered by any member or attendee as a result of an act or omission which occurred in good faith while the Office Bearer is performing a function for or on behalf of the Church.

## 6. Forfeiture of Membership

The Church Council shall have the power to delete the name of a member from the Membership Roll if, after giving notice by any means possible to such member of its intention to do so, it is satisfied that the member concerned no longer qualifies to be a member, unless the member has ceased to be a regular worshipper on account of age or ill health or any other similar valid reason.

## 7. Membership Roll

- 7.1. It shall be the duty of the Church Council to keep a Membership Roll;
- 7.2. All members of this Church shall be enrolled on the Membership Roll and eligible to vote at all Vestry meetings;
- 7.3. The Church Council shall update the Membership Roll after new members are brought into membership and not later than seven days before the date of the next Annual Vestry meeting, bring the Membership Roll up to date by deleting the names of persons who have ceased for any reason to be members;
- 7.4. The Membership Roll shall be open for inspection by any member of this Church.

## 8. Rights of Members

- 8.1. All the Members of this Church shall be entitled to attend, speak and vote at Vestry Meetings;
- 8.2. No person shall be entitled to vote at any Vestry Meeting unless their name appears on the Membership Roll as at the date of the meeting;

- 8.3. No person shall be eligible as or qualify to be a Member of the Church Council unless his or her name appears on the Membership Roll;
- 8.4. If a member is not satisfied with any decision of the Church Council concerning themselves, they may ask the Executive Committee of Synod to mediate or arbitrate in terms of Article X (4) (f) of the Constitution of REACH SA. Such arbitration shall be subject to confirmation by the next Synod whose decision shall be final.

## 9. Church Discipline

- 9.1. All matters of Church discipline will be dealt with by the Church Council.

## 10. Vestry Meetings

- 10.1. A general meeting of members shall be held once in every year at a date to be determined by the Church Council, but not later than 1 June and shall be called the Annual Vestry Meeting.
- 10.2. Other Vestry Meetings may be held from time to time as hereinafter provided for and shall be called Special Vestry Meetings.

## 11. Convening of Vestry Meetings

- 11.1. The Church Council shall determine the date, time and venue of any Vestry Meeting (Annual or Special) and shall give notice thereof by announcement on two consecutive Sundays beforehand.
- 11.2. The Church Council shall convene a Special Vestry Meeting and give notice thereof in the same manner as is prescribed in the immediately preceding subparagraph
- 11.3. On receipt of a requisition signed by at least 5 members, or by the Rector of the Congregation, or by the Church Wardens or the Church Council itself, the Church Council may decide to call a Special Vestry Meeting. Provided that the date of a Special Vestry Meeting shall not be later than four weeks after the date of requisition.
- 11.4. The notice of a Vestry Meeting shall specify the business to be transacted at the Meeting and no other business shall be allowed save with the permission of the Chairman.
- 11.5. Should any matter to be dealt with at a Vestry Meeting concern any member of this Church, the Church Council shall notify such member in writing at least fourteen days before the date of the meeting, of such matter and the member concerned shall be entitled to attend and speak thereat.

## 12. Quorum

The quorum for any Vestry Meeting shall be 20% of members on the current Membership Roll, present in person or by proxy. Failing a quorum, the meeting shall be adjourned for not more than 30 days and at the second meeting those present in person or by proxy shall constitute a quorum.

## 13. Chairman of Vestry Meetings

The Rector of the Congregation shall chair all Vestry Meetings and, if absent, an Acting Chairman shall be elected from the Church Council. The Chairman (or Acting Chairman) shall be entitled to a casting vote.

## 14. Business of Vestry Meetings

- 14.1. The business to be transacted at the Annual Vestry Meeting shall be:
  - 14.1.1. Approve minutes from the previous Annual Vestry Meeting
  - 14.1.2. Confirmation of Rector's Warden and election of People's Warden, see Article 24;
  - 14.1.3. The election of the Church Council, see Appendix A;
  - 14.1.4. Receiving, considering and adopting the Audited Financial Statement of Accounts;

- 14.1.5. Appoint church Auditor;
- 14.1.6. Receiving, considering and adopting the Annual report of the Church Wardens;
- 14.1.7. Any other matter placed on the Agenda by the Church Council or of which written notice to the Church Council has been given by any member at least seven days before the meeting.
- 14.2. A Special Vestry Meeting shall only be entitled to deal with any Special Business set forth in the notice convening such a Meeting.
- 14.3. During the fourth quarter annually, the Church Council may at its discretion call a Vestry Meeting with one of the agenda items to be the approval of the budget for the following year.
- 14.4. Voting at Vestry meetings shall be by simple majority unless specifically detailed elsewhere herein. Voting shall be by a show of hands unless the Chairman determines that it shall be by ballot.

## 15. Minutes of Proceedings of Vestry Meetings

The Secretary of the Church Council shall keep Minutes of the proceedings of Vestry Meetings. These Minutes shall be required to be approved by the next Vestry meeting and to be signed by the Chairman.

## 16. The Church Council

There shall be a Church Council for the proper administration of the affairs of the Church

## 17. Roles & Duties of the Church Council

- 17.1. The Church Council shall consist of:
  - 17.1.1. The Rector and any other Minister or Ministers of the congregation nominated by the Rector shall be ex-officio members.
  - 17.1.2. Two Church Wardens, as per Article 24.
  - 17.1.3. The Church Council shall elect from its members a Secretary, a Treasurer and any other position deemed necessary.
  - 17.1.4. Such members as shall be elected (by a simple majority) at the Annual Vestry Meeting who are members of this Church.
  - 17.1.5. Such further members may be co-opted as needed by the Church Council (not exceeding half those elected in terms of 17.1.4 above), provided that they are members of this Church.
  - 17.1.6. Any member of the Church Council shall be permitted to hold more than one office, if so elected.
  - 17.1.7. The duties of the Church Council shall be:
  - 17.1.8. The Rector shall be the Chairman of the Church Council and, in his absence, one of the Church Wardens shall take the Chair.
  - 17.1.9. Secretary and a Treasurer shall be authorised to sign contractual documents. Two signatures are required, one of which shall normally be either the Treasurer or the Secretary. Alternate signatories may be appointed by the Church Council.

## 18. Period of Office of Elected and Appointed Members

The period of office of the Church Wardens and elected Members of the Church Council shall be from the date of the Annual Vestry Meeting upon which they have been elected to the date of the next Annual Vestry Meeting. The period of office of appointed Members shall expire after the election of a new Council at the Vestry Meeting. Any Member may stand for re-election.

## 19. Functions and Powers of the Church Council

Generally, it is the function of the Church Council to properly conduct and administer the affairs of this Church and it particularly has the following powers (subject always to the Constitution of REACH SA):

- 19.1. To appoint, in consultation with the Area Bishop, Ordained Ministers or duly qualified laymen as Rector or Minister or Lay-Minister to the Congregation, to terminate such appointments and to enter into contracts with persons so appointed relative to their tenure of office and other matters. (See Canon V (2), (3) and (5) of the Constitution of REACH SA), and to enter into a contract with the Minister concerned;
- 19.2. To provide the facilities and requisites for worship services and to acquire and maintain property, movable and/or immovable
- 19.3. To make and/or authorise all necessary expenditure and payment;
- 19.4. To open, or cause to be opened, current banking accounts or investment accounts and to operate such accounts; to raise or borrow money from time to time by means of an overdraft or loans against security, subject to approval by the Central Trustees of REACH SA. All documents and cheques to be signed by two authorised persons;
- 19.5. To invest, place on deposit, moneys not immediately required to meet current charges upon this Church and in accordance with REACH SA guidelines.
- 19.6. Subject to the provisions of Paragraph 25 hereof to purchase, sell, mortgage or alienate immovable property;
- 19.7. To ensure that the Audited Financial Statement is prepared, covering the financial year ending on the 28 February for submission to the Annual Vestry Meeting;
- 19.8. To ensure the correct and timeous completion and submission of all statutory and management functions of this church, (inter alia Employment contracts, SARS, NPO etc.);
- 19.9. To arrange the basis on which the Planned Giving Scheme or other sources of revenue shall be provided;
- 19.10. To ensure that Minutes of proceedings of all Vestry Meetings and Records of all transactions of this Church are kept;
- 19.11. To establish standing and/or ad hoc committees and to delegate to such committees any of its responsibilities and ensure that such committees regularly report back to the Church Council;
- 19.12. A Standing Committee of three members of the Church Council including the Rector, Church Wardens and Treasurer shall be empowered to deal with any urgent matter or business between Council Meetings. Their decision must be reported and minuted at the next Council Meeting. A quorum of three is required. All decisions of this Standing Committee must be unanimous;
- 19.13. Subject to Canon V and Canon XVIII of the Constitution of REACH SA to decide on the following matters, namely:
  - 19.13.1. Allegations of heresy or misconduct against the Rector, Minister, or Lay-Minister;
  - 19.13.2. The resignation of the Rector, Minister or Lay-Minister;
  - 19.13.3. Complaints relative to the conduct of any office bearer of this Church;
  - 19.13.4. The interpretation of this Constitution. Provided that no resolution on these special matters shall be operative unless passed by a majority vote at a Special Meeting of the Church Council and confirmed by the Congregation at the next Vestry meeting.
- 19.14. Since all members are being guided by the Holy Spirit it should be possible to reach unanimity. It is better to defer a contentious matter for prayer to a later meeting before resorting to a vote, in which case a simple majority will decide the issue.

## 20. Meetings of the Church Council

- 20.1. The Church Council shall meet regularly, at least once every second calendar month;
- 20.2. Special Meetings of the Church Council shall take place at any time;
- 20.3. All meetings of the Church Council shall be convened by the Secretary;
- 20.4. Special Meetings may be convened by the Church Council or at the request of the Rector or any 3 members of the Council and it shall be the duty of the Secretary to convene the Special Meeting within 7 days from the date on which he received the Council's instructions or the request of the Rector or three members.

## 21. Quorum of Church Council Meetings

The quorum for the Meetings of the Church Council shall be 50% of its members including the Chairman or his duly appointed representative, provided that no financial decisions are taken in the absence of the Treasurer and the Secretary.

## 22. Forfeiture of seat on Church Council

If any member absents them self from three consecutive Ordinary meetings of the Church Council without leave, the Council may declare that such member has forfeited their seat on the Church Council.

## 23. Duties of Church Wardens (Elders)

The Church Wardens shall be responsible for carrying out the instructions of the Church Council. They shall have power to require the various services, and the Sacraments, to be administered in accordance with the Standards and Formularies of REACH SA and to prevent and to prohibit the introduction of any Ceremony, Vestment, fitting or Ornament, which is not authorised in REACH SA or the Book of Common Prayer of 1662. The Church Wardens are bound to act on a complaint made in writing under this paragraph by at least 5 members of this Church but may refer such complaint to the Church Council for its instructions. The People's Warden will be especially close to the congregation and draw the attention of the Rector to any special need or complaint which a member of the congregation may feel unable to make directly to the Rector. The Rector's Warden will become the confidant and supporter of the Rector and other staff members, especially in prayer.

## 24. Appointment of Church Wardens

The two Church Wardens shall be appointed as follows:

- 24.1. One shall be elected from voting members nominated for that office by voting members (other than Clergy) at the Annual Vestry Meeting and shall be known as the "People's Warden".
- 24.2. One shall be nominated by the Rector for election to that office and shall be known as the Rector's Warden.

## 25. Immovable Property

- 25.1. No immovable property shall be purchased, sold, exchanged, mortgaged, donated to another entity or alienated in any manner, unless sanctioned by a resolution passed at a Vestry Meeting by not less than 75% of members present in person or by proxy and confirmed by a resolution passed by not less than 75% of the Central Trustees of REACH SA. All immovable property acquired by this Church shall be registered in the name of the Central Trustees of REACH SA.
- 25.2. If such property is sold, or is expropriated, the proceeds of such sale or expropriation shall be held in trust by the Central Trustees until they are used for the sole purpose of this Church.



25.3. Title Deeds and other legal documents are to be lodged with and held in safe custody by the Administrative Officer of REACH SA.

## 26. Declaration of Loyalty by Office Bearers

Before entering upon their duties every Churchwarden and Member of the Church Council shall solemnly assent to and subscribe their name to the following Declaration of Loyalty before two witnesses:

In accepting office in the congregation of St Matthews Church "I, ..... solemnly promise to adhere to the Constitution of REACH SA and to receive as authoritative the standards of faith and doctrine as contained in the 39 Articles of Religion, all forms of services, and discipline of the Church in accordance with that Constitution and all subsequent amendments thereto. I further solemnly promise to acknowledge the authority and to carry out the decisions of Synod and the lawful instructions of the officers of the Church, and to work for the peaceful and Christian fellowship of the Church, its Clergy, Synod members and all Churches. I further solemnly declare that if at any time hereafter while holding office in the Church I no longer hold to the doctrines contained in the 39 Articles of Religion or no longer accept the authority of Synod or the lawfully appointed officers of the Church, provided that they continue to act in accordance with the terms and spirit of the Constitution of the Church I shall resign from the Church of REACH SA and any of its Churches within thirty days of being called upon to do so by the Synod, or the Presiding Bishop and/or Area Bishop acting in consultation with the Executive Committee of the Church, or by majority vote of the Council or congregation of the Church to which I belong and I shall vacate and return any property of REACH SA or any of its Churches which I may be occupying or holding whether officially or personally within the aforesaid period of thirty days.

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

## 27. Amendments and Adoption of New Constitution

Amendments to this Constitution shall only be made at a Vestry Meeting and shall only be valid if passed by a majority of 75% of members present in person or by proxy at the meeting and if not in conflict with the Constitution of REACH SA, provided always that there are at least 40% of Members present or represented by proxy to form a quorum for such meeting.

## 28. Closure of the Church

The Church may close down if at least 66% of the members present and voting at a Special General Meeting convened for the sole purpose of considering such matter, are in favour of closing down.

Should the Church close down as envisaged above its first obligation is to pay off all its debts. Should any money or assets remain after discharging its debts they should be given in the first instance to the Central Trustees of REACH SA. Should the said Central Trustees not be in a position to receive any such assets then they should be given to another non-profit organisation that has similar aims and objectives to this Church. The Special General Meeting called to decide on the closure of the Church shall decide which organisation this should be. No money or assets may be paid to any member or office bearer of the Church, except in the discharging of debts.

## Appendix A

### Nomination for Election of the Church Council

1. At least six weeks prior to the Annual Vestry Meeting, the Church Council shall nominate from among members of the church, three people to form a Council Nominations committee.
2. Council shall then call for nominations from the Members on at least two Sundays and using any other media methods if possible.
3. The Nominees need to agree to the nomination.
4. The Nominations Committee will then proceed to investigate the suitability of nominated members for at least two weeks. They may deem it necessary to visit with the nominees if needed.
5. The names of the suitable candidates will be presented to the Council for final consideration.
6. The names of the nominees shall then be included in the announcement of the Annual Vestry Meeting.