

Rules of Halswell Community Church

An Unincorporated Society

Preamble

Halswell Community Church exists because a group of people have been gathered by God's grace, united by faith in the Lord Jesus Christ, and called to worship Him together, to grow in His Word, and to serve one another and the wider community. These Rules are not merely a legal document — they reflect our shared commitment to be a community that honours God in all we do, including the way we organise ourselves.

We recognise that good governance is an act of faithful stewardship. As Paul wrote to the Corinthians, "*But all things should be done decently and in order*" (1 Corinthians 14:40, ESV). These Rules are adopted in that spirit, and in compliance with the requirements of the Charities Act 2005 and the guidance of Charities Services New Zealand.

Part 1 — Establishment

1. Name

1.1. The name of the society is Halswell Community Church (hereinafter referred to as "the Church").

1.2. The church believes in:

- 1.2.1 The true humanity and deity of the Lord Jesus Christ.
- 1.2.2 The atonement made on the Cross by our Lord for the sin of the world.
- 1.2.3 The person of the Holy Spirit as the one who sanctifies and who sets apart, empowers and imparts spiritual gifts to the church.
- 1.2.4 The inspiration of the Bible and its authority in all matters of faith and practice.
- 1.2.5 Salvation is by faith in Jesus Christ alone.

2. Aims and Functions

The aims and functions are:

2.1. To meet regularly for worship, prayer, teaching, encouragement and fellowship.

2.2. To engage in the task of mission, principally within New Zealand but also overseas (see Matthew 28 : 19 – 20).

2.3. To express God's love to the community through ministries of the Word and practical care.

2.4. In every possible way to seek to make disciples of Jesus Christ and bring them into his church.

3. Structure

3.1. The church is an autonomous body governed through its members, and the wider body of Christ.

3.2. Leadership shall consist of the Lead Pastor, together with the Elders and Ministry Leaders.

3.3. Halswell Community Church is a member of Christian Community Churches New Zealand (CCCNZ)

4. Office

4.1. The principal office of the Church shall be situated at such place as the Elders may determine from time to time, and the address shall be notified to Charities Services as required.

4.2. The Church is an unincorporated society. As such, it does not have a separate legal personality, and legal obligations may be incurred in the personal names of the Elders or other representatives acting on behalf of the Church.

5. Legal Status and Charitable Registration

5.1. The Church is registered as a charitable entity under the Charities Act 2005. Its Charities registration number is CC57334.

5.2. The Church shall at all times operate in a manner consistent with its charitable purposes and shall comply with all obligations imposed on registered charities under the Charities Act 2005 and any amendments thereto.

5.3. No amendment shall be made to these Rules that would cause the Church to cease to qualify as a charitable entity under the Charities Act 2005.

Part 2 — Purposes

6. Objects

6.1. The objects for which the Church is established are:

(a) To advance the Christian faith within New Zealand and elsewhere, in accordance with the Statement of Beliefs set out in Schedule A to these Rules.

(b) To provide biblical education, teaching, and training for members and the wider community.

(c) To relieve poverty, sickness, and distress among those in need within the Church and the wider community.

(d) To promote and engage in other activities that are charitable in purpose as defined in section 5(1) of the Charities Act 2005, as the Church may determine from time to time.

6.2. The Church shall carry out its objects for the benefit of the public or a section of the public. No part of the Church's income or assets shall be used for the private pecuniary benefit of any individual, except as reasonable reimbursement for expenses genuinely incurred on behalf of the Church.

Part 3 — Community and Membership

7. The Church Community

7.1. The Church does not operate a formal membership system. Rather, it is a gathered community of believers — people who have come to faith in Jesus Christ and who meet together regularly in His name.

7.2. For the purposes of these Rules, the word "member" refers to a regular attender who is recognised by the Elders as part of the Church community. The church may maintain a directory of such persons, including names, contact details.

7.3. Participation in the life of the Church is open to all who:

(a) Profess faith in Jesus Christ as Lord and Saviour;

(b) Are in agreement with the Statement of Beliefs set out in Schedule A; and

(c) Are committed to the purposes and practices of the Church.

7.4. Baptism as a believer is the expected practice of the Church wherever possible. Baptisms are to take place publicly. If they do not take place in a Sunday service they are to be publicly announced the week before so that anyone can attend if they so wish.

Baptisms should not take place until an appropriate ministry leader has met with the person and affirmed their suitability. This should happen early in the process, before dates and planning for the event have occurred.

7.5. Voting rights is open to any person who is 18 or over and has been attending services for at least 4 months.

7.6. In cases of difference between church members, the Lord's words, as set out in Matthew 18:15 – 17 shall be followed.

Where the conduct of a person is found to be seriously and persistently inconsistent with the beliefs or purposes of the Church, the Elders may, by a two-thirds majority vote, resolve to withdraw recognition of that person as a member of the Church community. Before any such resolution is passed, the person concerned shall be given a reasonable opportunity to be heard.

Part 4 — Leadership

8. The Elders

8.1. The oversight (governance and direction; vision and mission) of the Church is vested in a team of Elders. This reflects the pattern of church governance described in the New Testament, where Paul instructs Titus: *"This is why I left you in Crete, so that you might put what remained into order, and appoint elders in every town as I directed you"* (Titus 1:5, ESV).

The Elders are responsible for:

- holding the Lead Pastor accountable
- full financial oversight of the organization
- making decisions that affect the running of the organisation

8.2. The team of Elders shall consist of not fewer than three (3) (including the lead pastor) and not more than seven (7) persons (including the lead pastor).

8.3. A person shall be eligible to serve as an Elder if they:

- (a) Are a recognised member of the Church community;
- (b) Give evidence of the character and qualities described in 1 Timothy 3:1–7 and Titus 1:5–9;
- (c) Are in full agreement with the Statement of Beliefs in Schedule A; and
- (d) Are not subject to any disqualification under the Charities Act 2005 or any other applicable law.

Recommendation: Names of possible Elders are to be recommended by anyone in the church to the whole leadership team (Elders and Ministry Leaders).

8.4. Elders shall be appointed by the existing Elders, following a process of prayer, discernment, and consultation with the Church community. No Elder shall be appointed without the affirmation and approval of the Church community being sought. At least 75% of the leadership team must be in agreement.

8.5. An Elder shall hold office until they resign, are removed, or are otherwise disqualified. An Elder may resign by giving written notice to the other Elders.

8.6. The Elders may remove an Elder from office by a two-thirds majority vote where that Elder has:

- (a) Acted in a manner inconsistent with the Statement of Beliefs or the purposes of the Church;
- (b) Failed to carry out their duties; or
- (c) Become disqualified under the Charities Act 2005 or any other applicable law.

8.7. The Elders may co-opt additional Elders as necessary, provided that the total number of Elders does not exceed seven (7) at any time.

8.8. The Elders shall meet as often as is necessary to conduct the business of the Church. A quorum for any meeting of the Elders shall be three (3) Elders. Decisions shall be made by a majority of those present and voting, except where these Rules require a higher majority.

8.9. Minutes of all Elders' meetings shall be kept and retained for at least seven (7) years.

8.10. The Elders shall have the power to appoint sub-committees or working groups to assist in the management of specific areas of the Church's activities. Any such sub-committee or working group shall report to and remain accountable to the Elders.

8.11. Where the church has paid staff they will have employment contracts and the Elders shall ensure that any employment arrangements comply with the Employment Relations Act 2000 and all other applicable legislation, and that the Charities Register is updated accordingly.

9 Lead Pastor

9.1. Pastoral Responsibility

The Lead Pastor shall be entrusted with the oversight of the church (along with the Elders), and of all Staff and Ministry Leaders. The Lead Pastor shall ensure an annual plan is produced for the church. This plan shall require the approval of the Elders. The Lead Pastor shall be accountable to the Elders for the agreed outcomes in the plan.

9.2. Pastoral Vacancy

When a vacancy occurs in the senior pastorate (leader), the church may, on the recommendation of the Elders, appoint an interim pastor who shall temporarily take up this function. A search committee shall be appointed by the Elders (by the church on the recommendation of the Elders.). The committee shall, after consultation with the Elders, bring one nomination to a church meeting called for that purpose. Two weeks notice shall be given of the meeting. No call to the pastorate shall be made except on the votes of at least 75% of the votes cast at that meeting.

Voting shall be by secret ballot.

9.3. Termination of the Pastorate

Three months notice shall be given by the church or the Lead Pastor before the pastorate is terminated unless another period is negotiated between the parties. Any resolution to terminate the pastorate shall require a vote of at least 50% of votes cast by secret ballot at a properly constituted special members' meeting called for that purpose.

While it is acknowledged that the Lead Pastor, and any person appointed under section 10.3, is not an employee, the church membership shall ensure that the pastor is treated with fairness and dignity upon the conclusion of the pastorate. Any dispute or difference arising out of the conclusion of the pastorate must be referred to an independent party for resolution by way of mediation or such alternative dispute resolution process that is agreed as being appropriate.

9.4. Nature of the Relationship

Unless the parties agree in writing to the contrary, the relationship between the church (or membership) and the Lead Pastor and any Staff appointed under section 10.3. will not be an employment relationship, but a relationship of spiritual service, and is not intended to create a legal relationship.

10. Staff and Ministry Leaders

10.1. Ministry Areas

The Lead Pastor and Elders shall determine the ministry areas of the church. The Lead Pastor may appoint church members, who have been baptised as believers, to be Ministry Leaders heading up ministry areas. Such appointment will require the ratification of the Elders.

10.2. Ministry Leaders

Each Ministry Leader member will develop an annual plan, including goals expected outcomes and the resources required. This plan requires the agreement of the Lead Pastor and will be incorporated in the Annual Plan agreed to by the Elders (see clause 9.1.)

The Ministry Leader will be required to work according to the values and policies of the church and within the parameters of the budget allocated to that ministry. They will be given the authority to develop their ministry and will be accountable to the Lead Pastor for achieving the agreed outcomes. A Ministry Leader may appoint other church members to form a team to assist them in their ministry

Where a ministry area cannot be achieved by a volunteer but requires the appointment of a staff workers (full or part time), that person shall be appointed by the Elders on the recommendation of the Lead Pastor subject to 10.3.

10.3. Other Staff and leadership appointments

Non ministry staff will receive from the church a 'Letter of Appointment' to their position.

Other staff considered "Pastors" in the life of the church may (depending on the level of responsibility) receive from the church a 'Letter of Calling' to their ministry position. In both cases the letters will state the arrangements for the termination of the position.

Other voluntary non pastoral staff roles such as Treasurer can be appointed by Elders on the recommendation of the Lead Pastor (and if considered appropriate the church meeting).

Part 5 — Governance and Accountability

11. Governance Review

11.1. The Elders shall review the governance procedures of the Church, including these Rules, at least once every three years. This obligation reflects the requirement introduced by the Charities Amendment Act 2023, which came into effect on 5 October 2023.

11.2. Following each review, the Elders shall record in the minutes of a meeting that the review has been carried out, noting the date of the review and any changes made or recommended.

11.3. Where the review results in an amendment to these Rules, the amendment process set out in clause 18 shall be followed.

Part 6 — General Meetings

12. Purpose

The purpose of any church members meeting shall be to seek to discover and confirm the mind of God on matters affecting the life and work of the church and its mission.

The following are matters that must be decided by a members meeting:

- Calling of a Lead Pastor (and other paid pastoral Staff).
- Appointment of Elders.
- Approval of the church budget.
- Approval of non-budgeted expenditure, outside the agreed parameters that have been delegated to leadership by the members.
- Purchase or development of land and property.
- Altering this church constitution.

13. Annual General Meeting

13.1. An Annual General Meeting (AGM) of the Church shall be held once in every calendar year, at such time and place as the Elders shall determine.

13.2. The business of the AGM shall include:

- (a) Receiving and considering the annual report of the Elders on the activities of the Church during the preceding year;
- (b) Receiving and considering the financial statements of the Church for the preceding financial year;
- (c) Approval of the budget for the current financial year;
- (d) The election of Elders shall normally be made at this meeting but can be made at any members meeting. Ratification of any continuing Elders, Ministry Leader positions;
- (e) Appointing an auditor or reviewer for the Church's accounts, where required; and
- (f) Transacting any other business properly brought before the meeting.

14. Extraordinary General Meetings

14.1. An Extraordinary General Meeting (EGM) or Special General Meeting (SGM) may be convened by the Elders at any time, or upon the written request of at least one-third of the members of the Church.

14.2. A written request for an EGM/SGM must state the purpose of the meeting. The Elders shall convene the EGM/SGM within twenty-eight (28) days of receiving such a request.

15. Notice and Conduct of Meetings

15.1. Notice of any General Meeting, specifying the time, place, and agenda, shall be given to all members at least fourteen (14) days before the meeting date.

15.2. A quorum for any General Meeting shall be one-third of the members of the Church, or ten (10) members, whichever is the lesser.

15.3. Each member present at a General Meeting shall have one vote. Decisions shall be made by a simple majority of those present and voting, except where these Rules require a higher majority.

15.4. The Elders may determine that a General Meeting be held by electronic means, provided that all participants are able to hear and be heard.

16. Conflict of Interest

16.1. Declaration of Interest. Every Elder or person involved in decision-making on behalf of the Church who has any direct or indirect financial interest, or any other conflict of interest, in any matter being considered must disclose the nature and extent of that interest to the Elders as soon as practicable after becoming aware of it.

16.2. Recording of Disclosures. All disclosures of interest shall be:

- (a) Recorded in the minutes of the meeting at which the disclosure is made; and
- (b) Entered into a Register of Interests maintained by the Elders.

16.3. Restrictions on Participation. Unless the Elders determine otherwise (with the person who has the conflict excluded from that determination), a person who has disclosed a conflict of interest:

- (a) Must not be present during any deliberation or decision on the matter to which the conflict relates; and
- (b) Must not vote on that matter.

16.4. Duty to Act in Good Faith. All Elders and decision-makers must act in good faith and in what they reasonably believe to be the best interests of the Church and its charitable purposes. No person shall use their position to obtain personal advantage or material benefit.

16.5. This clause is intended to give effect to the principles of good governance and accountability required under the Charities Act 2005 and the guidance issued by Charities Services.

Part 7 — Finance

17. Financial Management

17.1. The funds of the Church shall be used solely for the promotion of its objects as set out in clause 6. No portion of the funds shall be distributed to members, except as reasonable reimbursement for expenses genuinely incurred on behalf of the Church.

17.2. The Elders shall ensure that proper accounts are kept of all income and expenditure, and that financial statements are prepared for each financial year in accordance with the reporting tier applicable to the Church under the Charities Act 2005.

17.3. The financial statements shall be reviewed or audited by an independent person or body appointed by the Elders, in accordance with the requirements of the applicable reporting tier.

17.4. All bank transfers, and other financial instruments above a threshold set by the Elders from time to time shall require the authorisation of two (2) Elders or other authorised signatories.

17.5. The Church shall file its annual return and financial statements with Charities Services within six (6) months of the end of each financial year, as required by the Charities Act 2005.

17.6. The financial year of the Church shall run from 1st April to 31 March in each year, unless changed by resolution of the Elders.

Part 8 — Amendment and Dissolution

18. Alteration of Rules

18.1. These Rules may be altered, added to, or rescinded by a resolution passed by a two-thirds majority of members present and voting at a General Meeting, provided that:

(a) Notice of the proposed alteration has been included in the notice convening the meeting; and

(b) The proposed alteration does not cause the Church to cease to qualify as a charitable entity under the Charities Act 2005.

18.2. Any amendment to these Rules shall be notified to Charities Services as required by the Charities Act 2005.

19. Winding Up

19.1. The Church may be wound up or dissolved by a resolution passed by a two-thirds majority of members present and voting at a General Meeting convened for that purpose.

19.2. If the Church is wound up or dissolved, any assets remaining after the payment of all debts and liabilities shall be transferred to another charitable entity for a charitable purpose or purposes as defined in section 5(1) of the Charities Act 2005. The receiving entity shall be determined by the members and Elders at the General Meeting at which the winding-up resolution is passed, or, if no such determination is made, by the Elders.

19.3. No assets shall be distributed to members on winding up.

Part 9 — Indemnity

20. Protection of Elders and Officeholders

20.1. The Church shall, to the extent permitted by law, indemnify every Elder and other officeholder of the Church (including former officeholders) against any reasonable costs, claims, or liabilities incurred in the proper and lawful exercise of their duties on behalf of the Church, provided that the person:

- (a) Acted honestly and in good faith;
- (b) Acted in the best interests of the Church; and
- (c) Did not act recklessly, fraudulently, or in breach of these Rules or any applicable law.

20.2. No Elder or officeholder shall be personally liable for any loss or liability incurred by the Church unless it arises from their own dishonesty, wilful misconduct, or gross negligence.

20.3. This indemnity does not cover liability to the extent that indemnification is prohibited by law, nor does it relieve the Church from maintaining appropriate governance, risk management, and insurance practices.

20.4. The Church acknowledges that, as an unincorporated society, legal obligations may be incurred in the personal names of the Elders or other representatives acting on behalf of the Church. In such cases, the Church will seek to provide support and protection to those individuals in accordance with this clause.

21. No pecuniary profit for any individual

21.1. No decision of the church or its leadership shall be made which would allow a member or members to receive any private pecuniary profit provided that:

- 21.1.1. A member may receive reimbursement for all expenses properly incurred in connection with the affairs of the church;
- 21.1.2. The church may pay reasonable and proper remuneration to any officer or employee of the church in return for services actually rendered to the church;
- 21.1.3. Any member of the church may be paid for all usual professional business or trade charges for services rendered, time expended and all acts done by that member or by any firm or entity of which the member is a partner, employee or associate, in connection with the affairs of the church.
- 21.1.4. Any member may retain any remuneration properly payable to the member by any company or undertaking with which the member may in any way be concerned or involved for which the member has acted in any capacity whatever notwithstanding that member's connection with that company or undertaking is any way attributable to that member's connection with the church.

21.2. Members or leaders of the church, in determining all reimbursements, remuneration and charges payable in this clause, shall ensure that the restrictions imposed by the following clause are strictly observed

21.3. Notwithstanding anything contained or implied in this constitution, no member of the church or any person associated with a member shall participate in or materially influence any decision made by the church in respect to the payment to or on behalf of that member or associated person, of any income benefit or advantage whatsoever.

Schedule A — Statement of Beliefs

- To live at all times such a life as reflects a true Christian and a member of the church
- To support the beliefs of the church as set out in Part 1 of this document.
- To take an active and diligent part in the life and work of the church, regularly attending its services of worship as far as I am able, and being willing to help in whatever way I can.
- To be faithful in prayer for the church and it's witness in the community.
- To share conscientiously in contributing to the funds of the church according to my means.
- To share in the government of the church by supporting and encouraging the leadership of the church and by attending church members meetings.
- To do all in my power to deepen and enrich the spirit of fellowship in the church, always seeking to develop a spirit of love in this fellowship of Christ's people.
- To share by life and word in the supreme task of the church, namely by witnessing to the saving power of Jesus Christ our Lord.

Appendix 1 – Halswell Community Church Banking, Income Payments and accessing bank account(s) Rules

- The Halswell Community Church bank accounts are with the ANZ Bank. No member is authorised to open any other accounts on behalf of the organisation, unless approved and ratified by all the elders.
- No member or person who is associated with a member of the organisation shall derive any income, benefit or advantage from the organisation where they can materially influence the payment of the income, benefit or advantage apart from that which has been approved by the Eldership team, and the following two exceptions. Where it is derived from:
 - professional services to the organisation carried out in the course of business that are charged at a rate that is not greater than current market rates, or
 - interest on money lent at a rate that is not greater than current market rates.
- The Halswell Community Church account must have a maximum of four signatories at any time. For any transactions to take place, at least two signatories have to approve. The elders act as signatories.

Halswell Community Church shall keep a monthly statement of all income and expenditure which will be availed to the members on request. Further, Halswell Community Church will hold an Annual General meeting and a full annual accounting report will be presented to the members.

Certification

We, the undersigned, being members of the Elders of **Halswell Community Church**, hereby certify that these Rules were duly adopted at an Annual General Meeting of the Church held on: 24 May 2026

Rob McAuley

Chairperson / Lead Elder: _____ Signed:

Paula Cox

Secretary: _____ Signed: _____

Dated this day of