



CONSTITUTION
OF
RHEMA BIBLE CHURCH NORTH

ADOPTED 05 DECEMBER 2008

Issue 1

SECTION I

ECCLESIASTICAL GOVERNMENT AND PRINCIPLES

1. DEFINITIONS:

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| 1.1 | “The Church” | means Rhema Bible Church North; |
| 1.2 | “The Senior Pastor” | means the Senior Pastor of the Church; |
| 1.3 | “The Executive Board” | means the Senior Pastor and duly appointed employees who shall constitute no fewer than 5 and no more than 13 members, inclusive of the Senior Pastor; |
| 1.4 | “Fiduciary Responsibility Holders” (Fiduciaries) | means persons who accept fiduciary responsibility for the organisation; |
| 1.5 | “Pastoral Oversight Committee” | means the Senior Pastor and other Associate Pastors appointed to this Committee; |
| 1.6 | “The Advisory Committee” | means an Advisory Committee consisting of The Senior Pastor, a minimum of three other Fiduciaries, and up to four other Active Members; |
| 1.7 | “Active Member(s)” | means persons duly approved as members of the Church and whose membership is active; |

- 1.8 “Leadership” means persons who have been appointed by the Church to act in a senior ecclesiastical function on a voluntary basis;
- 1.9 “Statement of Faith” means the Statement of Faith annexed hereto as Section III of this Constitution;
- 1.10 “IFCC Executive” means an Apostolic Team made up of a minimum of three senior members of the IFCC Executive, to include the General Secretary of the IFCC or his Representative;
- 1.11 “SARS” means the South African Revenue Service;
- 1.12 “The Act” means the Income Tax Act No 58 of 1962;
- 1.13 “Financial Year End:” means the last day of December;
- 1.14 “Net Income” means the net income accruing to the Church after the deduction of all expenses incurred by the Church in the course of furtherance of deriving such income.

In this Constitution, which consists of Section I (Ecclesiastical Government and Principles), Section II (Requirements regarding Financial Matters of the church as prescribed by the South African Revenue Services) and Section III (Statement of Faith) unless the context indicates to the contrary, masculine shall include feminine gender and singular shall include plural and vice-versa.

2. NAME:

The Church shall be called:

Rhema Bible Church North

3. ADDRESS:

The Church shall have its offices and shall be located at:

**Corner of Hans Schoeman and Rabie Roads
Randparkridge
RANDBURG**

The postal address shall be:

**Private Bag X3062,
RANDBURG,
2125**

or such other address as may be decided upon by the Executive Board from time to time

4. PURPOSE

4.1 The Church is organised and operated exclusively for religious, charitable, educational, philanthropic and benevolent purposes and on a non-profit basis.

4.2 The Church is established pursuant to and subscribes to the Statement of Faith, which may be amended or repealed only by the Senior Pastor together with the Pastoral Oversight Committee.

4.3 The Church shall have the following specific purposes:

- 4.3.1 To conduct a local church under the headship of the Lord Jesus Christ and under the direction of the Holy Spirit in accordance with all the commandments and the provisions set forth in the Holy Bible.
- 4.3.2 To observe a creed, code of doctrine, discipline and form of worship in accordance with the Statement of Faith.
- 4.3.3 To establish membership of the Church by members subscribing thereto in the manner prescribed in this Constitution.
- 4.3.4 To establish regular religious services pursuant to Clause 4.3.2 hereof for the fellowship of its congregation.
- 4.3.5 To establish children's ministries, youth ministries and any other ministry in the Church for the religious instruction of the children and youth.
- 4.3.6 To spread the Gospel through religious services, conferences, seminars, crusades, radio, television, CD's and DVD's electronic media, establishment of church literature and the like, and the support of other ministries in furtherance thereof.
- 4.3.7 To provide food, clothing and other necessities for the underprivileged and to raise funds for the furtherance of this cause.
- 4.3.8 To support missionary work and the like.
- 4.3.9 To establish any other ministries necessary to achieve the objectives of the Church.

4.3.10 To promote and encourage co-operation with other similar organisations/ministries. To train and equip in the knowledge of Biblical principles and scriptures, and the living of the Christian lifestyle by means of classes and courses

5 STRUCTURE:

5.1 THE SENIOR PASTOR

5.1.1 The spiritual leader of the church shall be the Senior Pastor.

5.1.2 The Senior Pastor shall determine the ecclesiastical function of this Church according to Scripture. The Senior Pastor shall prepare guidelines regarding the worship services of the Church, spreading and teaching the Gospel and ministering to the congregation of the Church.

5.1.2.1 The Senior Pastor shall remain in office for as long as he walks in accordance with the New Testament standards required of this office as set out in 1 Timothy 3 and in accordance with the Statement of Faith annexed hereto marked Section III

5.1.2.2 If the Executive Board is of the opinion, or in the event of there being any reasonable cause to suspect that the Senior Pastor is not fulfilling the standards required of this office by violating the standards set out in 1 Timothy 3 and / or the Statement of Faith and / or in matters of doctrine, death, sexual immorality, financial mismanagement, or if the Pastor is unable or unwilling to hold office for any other reason, then the Executive Board shall consult with the Pastoral Oversight Committee and the Senior Pastor should his presence be required. Should it be required, the Executive Board may call upon the IFCC Executive to assess the matter at a meeting between the IFCC Executive, the Executive Board and the Pastoral Oversight Committee.

- 5.1.2.3. At such meeting referred to in 5.1.2.2 hereof, members of the Executive Board and Pastoral Oversight Committee shall be given the opportunity to express their concerns for evaluation by the IFCC Executive.
- 5.1.2.4 The IFCC Executive shall at their discretion and in a manner chosen by themselves meet with the Executive Board and the Senior Pastor to mediate, arbitrate and / or settle the dispute in accordance with Matthew 18:15-18, and jointly with the Executive Board determine the action that needs to be taken, and if necessary suspend the services or accept the resignation of the Senior Pastor.
- 5.1.3.1 The joint decision reached by the IFCC Executive and the Executive Board shall be binding, and shall be accepted by the Senior Pastor, and the Pastoral Oversight Committee.
- 5.1.3.2 In the event of the Senior Pastor being suspended or removed or as set out in 5.1.3.2 above, the IFCC Executive in conjunction with the Executive Board shall appoint a replacement Senior Pastor either on a temporary or permanent basis.

5.2 THE EXECUTIVE BOARD

- 5.2.1 The Executive Board is a board appointed to meet to consider, discuss, and decide matters pertaining to the governance, management and functioning of the Church and no individual will have the ability or authority, directly or indirectly to control the decision-making power of the Church.
- 5.2.2 Executive Board members are nominated by virtue of their qualifications and/or work experience and seniority.

- 5.2.3 The Executive Board will consist of the Senior Pastor and an equal representation of Pastoral and Senior Administrative staff.
- 5.2.4 The Pastors on the Executive Board will represent the interests of the Pastoral Oversight Committee; however any votes taken are to be made in the individuals' capacity as an Executive Board member, and are made freely and independently.
- 5.2.5 The Executive Board, including the Senior Pastor shall nominate and vote on the appointment of further Executive Board members in the course of their Ordinary Board Meetings. These persons must at all times of their appointment be *bona fide active members* and employees of the Church and adhere to the Statement of Faith.
- 5.2.6 Each member of the Executive Board shall remain in office, subject to their continued employment by the Church, or as long as they walk in accordance with the New Testament standards required of that office and/or fulfil the standards of this office. In the event of there being any reasonable cause to suspect that any member of the Executive Board is not fulfilling these standards then the Executive Board shall call an Ordinary Board Meeting to evaluate the deviation there from and take the necessary steps against such Executive Board member.
- 5.2.7 During the course of an Ordinary Board Meeting each member of the Executive Board shall have one vote and a two-thirds majority shall decide a resolution put to the vote. The Chairman of such meeting shall be the Senior Pastor or his designated nominee in his stead and he (the Senior Pastor or his designated nominee) shall have the casting vote.
- 5.2.8 The Executive Board may during the course of an Ordinary Board Meeting accept the resignation of any of the Executive Board Members.

- 5.2.9 Any benefits extended to an Executive Board Member by virtue of their appointment to the Executive Board are not considered as part of their employment contract, but due to their position as an Executive Board Member and upon their resignation and/or removal from the Board these benefits may cease.
- 5.2.10 The Executive Board may, at its discretion, indemnify any of its members against expenses actually, necessarily and reasonably incurred arising out of the defence of any action, suit or proceeding, where such person is made a party thereto, provided that:
- 5.2.10.1 Such action, suit or proceeding arises from the performance and is within the scope of such person's employment by the Church.
 - 5.2.10.2 Such action, suit or proceeding does not arise from the negligence or misconduct on the part of such person.
 - 5.2.10.3 The Executive Board may require that prior to payment by the Church of the legal costs arising from such action, suit or proceeding, those costs be taxed by the appropriate taxing authority, which taxing costs the Church may also pay.
- 5.2.11 The Executive Board may meet together for the despatch of business, adjourn and otherwise regulate their meetings, which would include Ordinary Board Meetings, as they deem fit. The Senior Pastor, or a member of the Executive Board, shall act as Chairperson of an Ordinary Board Meeting. Should he (the Senior Pastor) be unable to attend the meeting then his designated stead shall chair the meeting. Alternatively should the Senior Pastor fail to designate a person in his stead, then the persons present shall appoint a member of the Executive Board to act as Chairperson. (It is to be specifically noted that the Executive Board may call meetings at their discretion, which meetings may be for the despatch of the day to day business of the Church and such meetings will be held in the manner and time within the discretion of the Senior Pastor or his designated stead or the Church Administrator).

5.2.12 The Executive Board may appoint a person to act as a Secretary at Ordinary Board Meetings, and the Secretary may record the Minutes of such meetings. Such Minutes shall unless proved otherwise be deemed to be an accurate record of the proceedings of the relevant meeting.

5.2.13 Ordinary Board Meetings shall be convened upon such notice or in such manner and at such time, date and place, as shall be determined by the Executive Board and/or the Administrator and/or his assigns of the Church from time to time. A quorum shall be constituted by a majority of the members of the Executive Board provided that:

5.2.13.1 A resolution can only be passed if 50% of the Board Members are present to vote;

5.2.13.2 If any member of the Executive Board, who has been given proper notice of the Ordinary Board Meeting fails to attend such meeting, or fails within thirty minutes after the time specified for such a meeting to begin, such meeting shall be deemed properly constituted without such Executive Board member, should a quorum be present.

5.2.13.3 Non-receipt of notice of any Board Member of an Ordinary Board Meeting shall not invalidate the proceedings of any Ordinary Board meetings.

5.2.13.4 Attendance of an Executive Board member at an Ordinary Board Meeting shall constitute a waiver of notice of such Ordinary Board Meeting.

5.2.13.5 At any Ordinary Board Meeting, a resolution put to the vote shall be decided by a show of hands and a majority of those Executive Board members present shall constitute an adoption by the Executive Board of any resolution proposed. Resolutions passed and/or adopted shall be reduced to writing.

5.2.13.6 At such meetings:

5.2.13.6.1 Every Board Member shall have one vote;

5.2.13.6.2 In the event of a deadlock, the Chairperson shall exercise his or her casting vote;

5.2.13.6.3 No single person may directly or indirectly control the decision-making powers relating to the Church;

5.2.13.6.4 The resolutions adopted and/ or passed in writing shall be signed by all the members of the Executive Board who voted in favour of such Resolution and shall be valid and effective.

6 FIDUCIARY RESPONSIBILITY HOLDERS

6.1 Executive Board members are required to accept the fiduciary responsibility for the Church, except those who are disqualified by virtue of their relationship to another Board Member by consanguinity and/or affinity to another Executive Board Member.

6.2 Only Executive Board members who have assumed fiduciary responsibility shall make final financial decisions pertaining to the Church by majority vote, and the Advisory Committee shall be consulted by the Executive Board at the Executive Boards discretion, however any fiduciary has the right to consult the Advisory Committee for their advice prior to the passing of a resolution.

7 THE PASTORAL OVERSIGHT COMMITTEE

- 7.1 The Pastoral Oversight Committee shall be comprised as set out in the definition of this Constitution.
- 7.2 The Senior Pastor shall nominate Associate Pastors who will be members of the Pastoral Oversight Committee. These persons must at all times of their appointment be *bona fide* active members of the Church and adhere to the Statement of Faith.
- 7.3 The Pastoral Oversight Committee assists the Senior Pastor in ecclesiastical functioning of the Church and reports back to the Executive Board on any Pastoral issues that need to be considered through the Pastoral representation on the Executive Board.
- 7.4 The Pastoral Oversight Committee has the mandate to appoint Pastors, Assistant Pastors, and, through their designates, to appoint lay leadership to assist them to carry out such duties. Newly appointed Pastors shall be presented to the Church for their blessing, and shall be set apart for the purpose of ordinary functions and duties of a Christian minister.
- 7.5 The Pastoral Oversight Committee has the right to withdraw the membership of any Active Member subject to a majority vote of the Pastoral Oversight Committee for any serious spiritual misconduct or failure to comply with the Statement of Faith.
- 7.6 The Pastoral Oversight Committee shall in consultation and by agreement with the Senior Pastor amend or repeal the statement of faith.
- 7.7 Each member of Pastoral Oversight Committee shall remain on the Committee as long as they hold the position of Associate Pastor, walk in accordance with the New Testament standards required of that office and/or fulfil the standards of this office. In the event of there being any cause to suspect that any member of the

Pastoral Oversight Committee is not fulfilling these standards then the Senior Pastor or the Executive Board shall call a meeting to evaluate the deviation there from and take the necessary steps against such Pastoral Oversight Committee member.

8. THE ADVISORY COMMITTEE

- 8.1 The members of the Advisory Committee shall be nominated by other members of the Advisory Committee and/or the Executive Board members; based on the proven qualifications, skills and business experience they can offer to the Committee.
- 8.2 Persons nominated to the Advisory Committee must be bona fide Active Members of the Congregation and live a lifestyle in accordance with the New Testament standards required and adhere to the Statement of Faith.
- 8.3 The Advisory Committee will consider the suitability of the nominees to the Advisory Committee during the course of an Ordinary Meeting by the Advisory Committee.
 - 8.3.1 At such Ordinary Meeting referred to in 8.3 each member of the Advisory Committee shall have one vote and a two-thirds majority shall decide a resolution put to the vote. The Chairman of such meeting shall be the Senior Pastor or his designated nominee in his stead and he (the Senior Pastor or his designated nominee) shall have the casting vote.
 - 8.3.2 Once a decision to nominate has been reached the Senior Pastor or his assigns will then invite such persons in writing to accept the nomination. Such nominated persons can choose to accept the nomination and become a member of the Advisory Committee.
 - 8.3.3 Each member of the Advisory Committee shall remain a member of the Advisory Committee for an initial period of two financial years. At the end of this time the member may be requested to serve for a further period.

- 8.3.4 In the event of there being any reasonable cause to suspect that any member of the Advisory Committee is not fulfilling the standards outlined in 8.2 above, then the Advisory Committee shall during the course of an Ordinary Meeting evaluate the deviation there from and take the necessary steps against such Advisory Committee member.
- 8.3.5 At any such Ordinary Meeting referred to 8.3.4 hereof each member of the Advisory Committee shall have one vote and a two-thirds majority shall decide a resolution put to the vote. The Chairperson of such meeting shall be the Senior Pastor or his designated nominee in his stead and he (the Senior Pastor or his designated nominee) shall have the casting vote.
- 8.3.6 Members of the Advisory Committee will render their services to the Church gratuitously;
- 8.3.7 All Fiduciary responsibility holders have the right to attend Advisory Committee Meetings and seek the advice of the Advisory Committee.
- 8.3.8 The Advisory Committee will act only in an advisory capacity to the Executive Board, however, the Advisory Committee may be called upon by the Executive Board to pass a resolution endorsing a decision taken by the Executive Board.
- 8.3.8.1 Any member of the Executive Board can at any stage call a meeting with the members of the Advisory Committee for the purposes of assistance and/or advice; or call for a resolution of the Advisory Committee endorsing a financial decision taken by the Executive Board.
- 8.3.8.2 The Advisory Committee may meet together for the despatch of business, adjourn and otherwise regulate these Ordinary Meetings, as they deem fit. The Senior Pastor, or his designated stead shall chair the meeting.

8.3.8.3 The Advisory Committee shall at its discretion and only if necessary appoint a person to act as Secretary at such Ordinary Meetings and the Secretary shall only if necessary record the Minutes of such meetings. Such Minutes, if recorded, shall unless proved otherwise be deemed to be an accurate record of the proceedings of the relevant meeting.

8.3.8.4 Ordinary Meetings shall be convened upon such notice, or in such manner and at such time, date and place, as shall be determined by the Advisory Committee and the Senior Pastor or his designated stead from time to time.

9 ACTIVE MEMBER(S)

- 9.1 These are all those persons who have submitted a membership application to the Pastoral Oversight Committee and whose applications have been accepted and whose status is active.
- 9.2 The membership application shall be in such form as may be prescribed by the Pastoral Oversight Committee, as amended from time to time and it shall include the acceptance certificate of the Statement of Faith.
- 9.3 In order to be deemed an active member of the Church a congregant must attend services for six months and acknowledge and accept the Statement of Faith.
- 9.4 A member would be deemed inactive if they have not attended services for six months and membership can be withdrawn after twelve months.
- 9.5 The membership of the Church is established pursuant to the Scriptures of Romans 12:5 and 1 Corinthians 3:9 and is intended to further those principles.
- 9.6 The Senior Pastor, Executive Board and/or the Pastoral Oversight Committee reserve the right to withdraw the membership of any member for serious, unrepentant misconduct or similar cause, or failure to comply with the Statement of Faith.

9.7 A member may resign from the Church at any time.

9.8 No rights or privileges of membership shall be transferable or transmissible in any way.

10. MEETINGS

10.1 There will be six types of meetings for the purposes of this Constitution namely:

10.1.1 Annual General Meeting (“AGM”);

10.1.2 Ordinary Board Meetings;

10.1.3 Ordinary Meetings

10.1.4 Special Family Meetings;

10.1.5 Leadership Meetings;

10.1.6 Special Meetings

10.2 **AGM:**

10.2.1 The purpose of the AGM is to communicate to all active members (see definition of active members) of the Church the activities, and visions of the Church, as well as to report back on the financial results of the Church during the previous financial year.

10.2.2 The AGM will be held during the month of March annually subject to the receipt of the audited financial statements by the Church.

10.2.3 Notice of the AGM will be given in the following manner:

10.2.3.1 a notice will be made in the Church's information booklet (available in the Church auditorium) listing the meeting as an upcoming event and announced at the morning and evening Sunday Services two weeks prior to the date.

10.2.4 All active members are able to attend the AGM.

10.2.6 The AGM will be chaired by the Senior Pastor and/or his assign.

10.3 **Ordinary Board Meetings**

10.3.1 Ordinary Board Meetings are held by the Executive Board as per clauses 5.2.11 to 5.2.13.6.4 hereof for the Executive Board.

10.3.2 The purpose of the Ordinary Board Meetings is for the discussion and despatch of daily church business as they (the Executive Board) deem fit.

10.4 **Ordinary Meetings**

10.4.1 Ordinary Meetings are held by the Advisory Committee either alone or together with the other members of the Executive Board as per clauses 8.1 to 8.3.8.4 hereof.

10.4.2 The purpose of the Ordinary Meetings is as set out in clauses 8.1 to 8.3.8.4 hereof.

10.5 **Special Family Meetings**

10.5.1 The purpose of Special Meetings will be to communicate with the Congregation on matters falling outside of those discussed at the AGM should the need arise.

- 10.5.2 A Special Family Meeting will be held on the instruction of Senior Pastor or Executive Board and will be held at the discretion of the Senior Pastor.
- 10.5.3 Notice of a Special Family Meeting will be given in an appropriate medium at the discretion of the Senior Pastor and/or the Executive Board.
- 10.5.4 Only Active Members of the Church will be invited to attend Special Family Meetings.
- 10.5.5 The Special Family Meeting will be chaired by the Senior Pastor or his designate.

10.6 **Leadership Meetings**

- 10.6.1 The purpose of Leadership meetings is for the Senior Pastor to communicate with the Lay Leadership in the Church.
- 10.6.2 Leadership Meetings can be held at any time as scheduled into the Churches calendar from time to time by the Senior Pastor.
- 10.6.3 Notice of Leadership Meetings will be given via an appropriate medium which will be at the discretion of the Senior Pastor.
- 10.6.4 The Leadership Meetings will be chaired by the Senior Pastor or designate.

10.7 Special Meetings

- 10.7.1 The purpose of the Special Meeting will be specifically for the Executive Board and the Pastor to effect amendments to the Constitution.
- 10.7.2 The Special Meeting may be held at any time however notice of same will be given as follows:
- 10.7.2.1 a notice will be made either in the Church's information booklet (available in the Church auditorium) listing the meeting and date therefore and/or announced at the morning and evening Sunday Services two weeks prior to the date of the Special Meeting.
- 10.7.3 Only Executive Board members and the Senior Pastor will attend the Special Meeting.
- 10.7.4 The Special Meeting will be chaired by the Senior Pastor and/or his assign.
- 10.7.5 To obtain a quorum of the Special Meeting 70% (percent) of the Executive Board must be present and the Senior Pastor will be required to attend such meeting.
- 10.7.6 During the course of the Special Meeting each member of the Executive Board shall have one vote and a two-thirds majority shall decide a resolution put to the vote. The Chairman of such meeting shall be the Senior Pastor or his designated nominee in his stead and he (the Senior Pastor or his designated nominee) shall have the casting vote. The resolutions shall be reduced to writing.

- 10.7.7 The Executive Board shall appoint a person to act as a Secretary at the Special Meeting, and the Secretary shall record the Minutes of such meetings. Such Minutes shall unless proved otherwise be deemed to be an accurate record of the proceedings of the relevant meeting.
- 10.7.8 Special Meetings shall be convened as per clause 10.7.2 hereof and the time, date and place, shall be determined by the Executive Board and or the Administrator and/or his assigns of the Church. A quorum shall be constituted as per clause 10.7.5 hereof and:
- 10.7.8.1 A resolution can only be passed if 70% of the Board Members are present to vote;
 - 10.7.8.2 If any member of the Executive Board, who has been given proper notice of the Special Meeting fails to attend such meeting, or fails within thirty minutes after the time specified for such a meeting to begin, such meeting shall be deemed properly constituted without such Executive Board member, should a quorum be present.
 - 10.7.8.3 Non-receipt of notice of any Board Member of a Special Meeting shall not invalidate the proceedings of such meeting.
 - 10.7.8.4 Attendance of an Executive Board member at the Special Meeting shall constitute a waiver of notice of such Special Meeting.
 - 10.7.8.5 At the Special Meeting:
 - 10.7.8.5.1 Every Board Member shall have one vote;
 - 10.7.8.5.2 In the event of a deadlock, the Chairman shall exercise his or her casting vote;

10.7.8.5.3 No single person may directly or indirectly control the decision-making powers relating to the Church;

10.7.8.5.4 The resolutions adopted and/ or passed shall be signed by all the members of the Executive Board who voted in favour of such Resolution and shall be valid and effective.

11. BANKING ACCOUNT:

The financial transactions of the Church shall be conducted by means of a banking account.

12. AUTONOMY:

12.1 The Church shall be an independent body corporate existing in its own right, with an identity and existence distinct from its members and office bearers.

12.2 The Church shall have the ability to own property and other possessions and to sue and be sued in its own name.

12.3 The Church, a body corporate, shall enjoy a continued existence notwithstanding changes in the composition of its members or office bearers and may only be dissolved as provided for in 14.

13. AMENDMENTS:

13.1 This Constitution, or any portion thereof, may only be amended or repealed by way of a resolution passed by the Executive Board during the course of a Special Meeting.

13.2 At the Special Meeting a vote shall be exercised by way of a two-thirds majority and the Chairperson shall have a casting vote. However, no single person may directly or indirectly control the decision-making powers relating to the Church. The Special Meetings will be conducted and regulated as per clauses 10.7 to 10.7.8.5.4 hereof.

13.3 Before making any amendments to Section I consideration must be given by the Senior Pastor and the Executive Board to the Preamble in Section II and that no amendments made to Section I contradict any clauses in Section II.

13.4 A copy of any amendments to the Constitution will be submitted to the Commissioner of SARS as soon as they have been effected.

14. DISSOLUTION OF CHURCH

The Church may be dissolved if at least two-thirds of the Executive Board, in consultation with the IFCC Executive, and voting at a meeting specifically convened for the purpose of considering such matters are in favour of such dissolution, subject to the limitations and requirements as set out in paragraph 7 of Section II hereto.

SECTION II

REQUIREMENTS REGARDING THE FINANCIAL MATTERS OF A CHURCH AND/OR MINISTRY AS PRESCRIBED BY THE COMMISSIONER FOR INLAND REVENUE

PREAMBLE

The Church has been established in accordance with this Constitution on the basis that it will qualify for tax exempt status in the Republic of South Africa under Section 10(1)(cN) of the Income Tax Act by virtue of conducting a Public Benefit Activity as contemplated in Section 30 of the Income Tax Act. This Section II outlines various matters prescribed by SARS, which are required in order to qualify for, and continue to enjoy such tax exemption. Accordingly, the provisions of the Section II may only be amended in accordance with the same requirements as outlined in paragraph 10 to Section I of this Constitution.

The only exception to this will be the ***automatic change to the provisions of the Constitution to comply with any amendments to the Income Tax Act regarding Public Benefit Organisations.*** The Executive Board will then amend such clauses, effect such changes in it's activities, revise the Constitution and forward directly to SARS for their approval.

1. PUBLIC BENEFIT ACTIVITY:

- 1.1 The sole or principal purpose, objectives and activities of the Church shall be to conduct public benefit activities as determined by the Minister of Finance as contemplated in Section 30(2)(a) of the Income Tax, as outlined in Point 4 of Section I of this Constitution.
- 1.2 The main and principal activity of the Church shall be the promotion and/or practice of religion which encompasses acts of worship, witness and community service based on a belief in a Deity contemplated in a recognized creed, as further qualified in accordance with Section I and Section II of this Constitution.

- 1.3 The object, purpose and activities of the Church shall at all times comply with such conditions as the Minister of Finance may prescribe by way of regulation to ensure that the activities and resources of the Church are directed principally in the furtherance of its objectives.
- 1.4 Save for the provisions outlined in Point. 4 below, the principal purpose, object and activities of the Church shall be carried out in a non-profit manner, meaning that its activities shall not be governed by a primary money-making motivation.
- 1.5 The Church shall ensure that its activities (or substantially the whole thereof) are conducted only in the Republic of South Africa.
- 1.6 The Executive Board shall ensure that they submit to SARS a copy of any amendment to this Constitution within a reasonable period after such amendment has been effected.

2. FIDUCIARY RESPONSIBILITY:

- 2.1 The Church shall ensure that at least three persons (who are not connected persons in relation to each other), accept the fiduciary responsibility of the Church in favour of SARS.
- 2.2 Such persons shall include the Senior Pastor and any person who has been elected to the Executive Board and is not disqualified by virtue of their relationship to another Board member.
- 2.3 The persons who accept fiduciary responsibility for the Church with regard to SARS shall furnish any such documentation or undertakings, and furnish any such information as may be requested by SARS from time to time in the course of ensuring that the Church maintains its tax exempt status.
- 2.4 Any Fiduciary responsibility holder responsible for the control of the income or assets of the Church who fails to comply with the provisions of the Act may in certain circumstances be found guilty of an offence.

3. USE OF FUNDS

Church will utilise its funds solely in the furtherance of its sole or principal objectives as described in point 1.2 above and detailed in Section I point 4 unless excess funds are invested for income and future use. The Executive Board shall ensure that it invests surplus funds prudently.

3.1 The Church is prohibited from distributing any of the funds of the Church to any person (otherwise than in the course of undertaking any public benefit activity referred to in Point 1 above) and in payment of reasonable remuneration to employees or office bearers conducting the affairs of the PBO in order for it to meet its objectives.

3.2 The Fiduciary responsibility holders will invest surplus funds with prudence, integrity and reasonable care. The Church may invest its surplus funds as desired, provided this does not amount to an indirect distribution of profits or the award of an impermissible benefit.

4. TRADING ACTIVITIES:

4.1 The Church is permitted to carrying on any business undertaking or trading activities as per the legislation passed on the 1 April 2006, to the extent that:

4.1.1 The activity is in compliance with Section 16(2)(a) of the Revenue Laws Amendment Act No.31 of 2005, whereby business activities in excess of the prescribed limits will become taxable. The Church will be subject to income tax on the taxable receipts (not otherwise excluded) after deducting the basic exclusion.

In terms of this exclusion an amount constituting the greater of 5% of the total receipts and accruals of the Church or R100,000.00 will be exempt. The balance of the trading receipts will be subject to tax which is determined in accordance with the normal tax rules in the Act.

4.1.2 The undertaking or activity is:

4.1.2.1 integral and principally related the sole object of the Church; and

4.1.2.2 carried out or conducted on a basis substantially the whole of which is directed towards the recovery of costs and which would not result in unfair competition in relation to taxable entities;

4.1.3 the business undertaking or activity, if not integral, principally or directly related to the sole object of the Church as contemplated in 4.1.2 above, is of an occasional nature.

4.1.4 the business undertaking or activity is approved by the Minister of Finance by notice in the Government Gazette.

5. DONATIONS RECEIVED:

5.1 The Church is prohibited from accepting any donation which is revocable at the instants of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof in the hands of the donor.

5.2 Notwithstanding the provisions of 5.1 above, the donor may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donations to the Church.

6. FINANCIAL MATTERS:

- 6.1 The Executive Board shall ensure that a Remuneration Committee with external members is formed to ensure that remuneration paid by the Church to any employee, office bearer, member or other person is fair and market related having due regard to the responsibilities, nature of services and general value added by such person who is remunerated, and in any event such remuneration shall not be excessive taking into account what would reasonably be earned by such a person in a similar position in the open market.
- 6.2 The property and income of the Church shall not be distributable to any employee, office bearer or member of the Church, except as reasonable compensation for services rendered as provided for in 3.2 of Section II above.
- 6.3 Any books of account, records or other documents relating to the Church shall :
- 6.3.1 Where kept in book form be retained and carefully preserved by the Executive Board for a period of 4 (four) years after the date of the last entry in any book; or
- 6.3.2 Where not kept in book form retained and carefully preserved by the Executive Board for a period of 4 (four) years after completion of the transactions, acts or operations to which they relate.
- 6.4 The Executive Board of the Church shall ensure that it complies with all such financial reporting requirements as may be determined by SARS from time to time.

- 6.5 The Church shall make available for the inspection by a duly authorized official of SARS any books of account, records or any other documents relating to the Church, to answer any questions requested by SARS relating to the Church, as well as attending at any time and place appointed by SARS for the purposes of examining documentation.
- 6.6 Notwithstanding the provisions of 6.4 and 6.5 above, the Church, as represented by the Senior Pastor and the Executive Board, shall be entitled to fair administrative action and treatment which is afforded to it in terms of the Constitution of the Republic of South Africa, and other relevant legislation.
- 6.7 To the extent that the Church, in carrying out its activities, provides funds to other legal entities, associations or persons which carry on a public benefit activity as approved in terms of Section 30 of the Income Tax Act, the Executive Board shall take all reasonable steps to ensure that the funds so provided by the Church are utilized for the purposes of the public benefit activity contemplated by such recipient legal entities, associations or persons.

7. DISSOLUTION OF THE CHURCH

- 7.1 In the event of the Church at any time ceasing to exist, or should the Executive Board in accordance with the provisions of Section I of this Constitution decide to terminate the activities of the Church, all assets owned by the Church will be transferred to a similar Public Benefit Organization which has been approved in terms of Section 30 of the Income Tax Act.
- 7.2 In the event that for whatever reason SARS has withdrawn its approval to the Church for the tax exemption as contemplated in this Section II, the Executive Board shall take all reasonable steps to rectify its activities in order for the approval of SARS to be re-obtained.

- 7.3 In the unlikely event that SARS does not re-approve the tax exemption contemplated herein for valid and legal reasons, the Church shall within 3 (three) months, or such longer period as SARS may allow, take reasonable steps to transfer the remaining assets of the Church to any other organization which is approved in terms of Section 30 of the Income Tax Act, and which is not a connected person in relation to the Church.

APPROVED BY THE CHAIRPERSON AND EXECUTIVE BOARD MEMBERS OF:

RHEMA BIBLE CHURCH NORTH

AT _____ ON THIS DAY _____ 2008.

SECTION III

STATEMENT OF FAITH

1. We believe in the Scriptures of the Old and New Testaments, in their original writing, as fully inspired of God and accept them as the supreme and final authority for faith and life.
2. We believe in one God, eternally existing in three Persons – Father, Son and Holy Spirit.
3. We believe that Jesus Christ was begotten of the Father, conceived by the Holy Spirit, born of the Virgin Mary and is true God and true man.
4. We believe that God created man in His own image; that man sinned and thereby incurred the penalty of sin which is death physically and spiritually; 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.
5. With regards to sexual behaviour, we believe in heterosexual relationships between a natural man and a natural woman within the confines of lawful matrimony.
6. We believe that the Lord Jesus Christ died for our sins a substitutionary sacrifice according to the Scriptures and that all who believe in Him are justified on the grounds of His shed blood.
7. We believe in the bodily resurrection of the Lord Jesus, His ascension into Heaven, and His present life as our High Priest and Advocate.
8. We believe in the personal return of the Lord Jesus Christ.

9. We believe that all who repent of their sin and receive the Lord Jesus Christ by faith are born again of the Holy Spirit and thereby become children of God.
10. We believe in the baptism in the Holy Spirit, empowering and equipping believers for service, with the accompanying supernatural gifts of the Holy Spirit; and in fellowship with the Holy Spirit. We believe in the divinely ordained ministries of Apostle, Prophet, Evangelist, Pastor and Teacher.
11. With regards to submission to authority, we believe in the principle of being in authority because you are under authority. As such, it is understood that membership shall be subject to submission to authority in matters pertaining to church governance, doctrine and personal behaviour.
12. We believe in the resurrection of both the just and the unjust, the eternal blessedness of the redeemed, and the eternal banishment of those who have rejected the offer of salvation.
13. We believe 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 therefore, that the new birth and personal confession of Christ are essentials of church membership.
14. We believe that the Lord Jesus Christ appointed two ordinances – Baptism in water 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 the emblems symbolic of the Saviour's broken body and shed blood, in remembrance of His sacrificial death, until he comes.
15. We believe that divine healing was provided for in the Old and New Testament and is an integral part of the Gospel.

16. We believe that the Bible teaches that without holiness no man can see the Lord.
We believe in the doctrine of sanctification as a definite, yet progressive work of grace, commencing at the time of the new birth and continuing until the consummation of salvation.

17. We believe the Leadership of the local church has the authority from the scriptures to withdraw the membership of any member for serious, unrepentant misconduct or similar cause.

18. The Church is open to any further truth, which the Holy Spirit may illuminate from the Scriptures.

I, the undersigned, freely and voluntarily subscribe to the basic principles set out in this Statement of Faith and understand and consent to the fact that should I violate such principles, I may be required by the Leadership to either accept their counsel and discipline or forfeit my membership.

REV. R. McCAULEY
CHAIRPERSON

REV. A. McCAULEY
BOARD MEMBER

REV. D.M. KHOZA
BOARD MEMBER

REV. H. BLACK
BOARD MEMBER

REV. C. BOWES
BOARD MEMBER

REV. J J DIRKER
BOARD MEMBER