Model Rules to form Schedule 2 of the Model Constitution

*(THIS MODEL IS NOT MANDATORY BUT FOR GUIDANCE AND INFORMATION)*

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A General Explanatory Notes

A1 Section B is a Model set of Church Rules. It has been prepared following very lengthy discussions with the Charity Commission as to their view of the governing documentation they would expect to see for a new church.

A2 The Board of FIEC Ltd concluded that the existing model trust documentation it had was not of sufficient quality or extent to meet the newly identified requirements, or the structure/operations of independent evangelical churches in the 21ST century. Accordingly we commissioned the preparation of new model documentation. Alongside the trust deed - now known as the Constitution - it is necessary to have a set of Rules which covers/amplifies certain provisions in the Model Constitution and other Charity Commission expectations. It is that set of Rules which is attached.

A3 In preparing this Model we were very conscious that churches of which we are trustee vary considerably in their practices, structure, organisation and size. Each church has a different perspective on certain areas and we could in no way produce a document that had to be slavishly followed - indeed we recognised that that is probably the last thing that would happen. Nevertheless, we were aware from the number of queries received in the office that there was a need to provide something by way of guidance. Hence the draft. One or two areas have to remain as drafted so as to create the seamless entity with the Model Constitution, but they are few.

A4 We recognise that increasingly we have to face the imposition of legal requirements on Churches and to many the idea of having a set of rules is a practice that they would wish to reject. Some Churches do not currently have any rules. Unfortunately that is a position it is no longer realistically possible to continue to hold and apply.

A5 Section C contains general notes for guidance and understanding and Section D detailed notes relating to specific Rules.

A6 We feel that alongside the Rules, which are as we have already pointed out a formal and legal matter, there is a lot to commend having a note to accompany the Rules which is a pastoral note relating to membership and expectations and a sample of this appears as Section E.

A7 Our general view is that the Rules as drafted are in a form that can and should be supplied to a Member. We do not feel the Member needs to be given a copy of the Constitution which is primarily for the trustees (Church Officers).

A8 Having read the enclosed you may feel that you want some help or just want to talk one or two things over. If this is the case please contact us by telephone or letter - or even e-mail. We would not want this to be a wasted exercise for you just because you could not understand something and could not talk it over. We are here to help.
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Appendix I Basis of Faith

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Part 1 - Principles for Trust Purposes

1.1 The Church is established under a Constitution dated January 14 2009, which contains the main legal provisions governing the Church, its purpose and Basis of Faith, its powers and the use of any property owned by the Church. For ease of reference the Basis of Faith is set out in Appendix 1. The Constitution appoints the Fellowship of Independent Evangelical Churches Limited as Holding Trustee and the Church Officers as the Managing Trustees.

1.2 The Constitution contains provision for the meetings of the Church Officers meeting as the Managing Trustees. These provisions are the minimum requirements for their meetings. They stipulate the following:

1.2.1 There shall be not less than 4 Church Officers.
1.2.2 The meeting shall be chaired by the Senior Pastor or a person appointed by the Church Officers.
1.2.3 They shall meet not less than 4 times a year.
1.2.4 A quorum shall consist of at least two thirds of the Church Officers.
1.2.5 Written minutes of their meetings shall be maintained.
1.2.6 The Pastors and other staff who are Church Officers as required, may be remunerated from church funds provided those paid are not more than one half of the number of Church Officers, but they must not be present in the Church Officers' meetings whenever their salary or financial benefits are discussed.
1.2.7 Subject to 1.2.6 above no Church Officer shall receive any financial benefit from the church funds in connection with his service as an Officer, other than the reimbursement of expenses incurred in carrying out his duties as an Officer or reimbursement of costs of the purchase of goods or services supplied to or for the Church.
1.2.8 No one should qualify as a church officer if they are legally disqualified from being a trustee.

1.3 The Constitution also contains provisions for its amendment.

1.4 These Rules set out the practices of the Church and its method of internal governance, none of which are contrary to any of the provisions of the Constitution referred to in 1.1 above.

1.5 Practices

1.5.1 There are two ordinances that Christians are exhorted to observe; Baptism and the Lord’s Supper. Baptism is a testimony to newness of life and observed once for each believer. The Lord’s Supper is to be observed often to remember the broken body and shed blood of our Lord Jesus Christ.

1.5.2 All acts of public worship of the Church including ordinances should be conducted by an Officer of the Church or by someone approved by the Elders.

1.5.3 Marriage and homosexuality - the Members of the Church agreed in adopting these Rules that in the understanding and application of the statement in the Basis of Faith on the Bible the teaching of the Bible is that all extra-marital sexual practices are sinful and wrong. This includes homosexual practices (Romans 1v24-32; 1 Corinthians 6v9-11). The Bible also teaches that we must not be actively or passively complicit in sin...
(1 Corinthians 6v18-20; 1 Timothy 5v22; 1 Samuel 2v12-36) and that faith without works is dead (James 2v17). It is therefore part of our doctrine that in relation to any activities of this church we must in no way condone, promote, assist or encourage homosexual practices.

1.5.4 Ecumenism – the Church’s position on ecumenism is that contained in the Statement on Ecumenism agreed unanimously at the Annual Assembly of The Fellowship of Independent Evangelical churches in April 1996 as set out in Appendix 3.

1.5.5 Amendment to this Rule 1.5 shall only be permitted where the provisions of Rule 2.10 have been satisfied.

1.6 These Rules were initially adopted by the Members on ............... Any amendments since that date will have been approved as provided for under Rule 2.10. Any new Member, including the Pastor and his wife, to be appointed under Rule 2.1 must confirm in writing their wholehearted agreement to the Basis of Faith and acceptance of the provisions of these Rules in their entirety before their admission to membership.

Part 2- Rules for the Internal Governance of the Church

2.1 Members and Membership

2.1.1 Any person is eligible for membership who:
...has repented of their sin and put their trust in the Lord Jesus Christ.
...has been baptised and is in agreement with the doctrines and aims of this church.
...is willing to submit themselves to the authority and discipline of those in office in the Church. (Hebrews 13:17)
Members should be committed to regular attendance at Church, daily Bible reading and prayer and actively and passively witnessing for Christ through public testimony and private lifestyle. Members should also be concerned regarding the giving of time and money to God’s work as is encouraged in the Scriptures. (Malachi 3:8-10; 1 Corinthians 16:2)

2.1.2 Members of the Church shall be those persons who have confirmed in writing their unreserved agreement to the Basis of Faith and their acceptance of these Rules in their entirety and whose Membership has been approved and has not been suspended or terminated, all in accordance with the provisions of this Rule 2.1.

2.1.3 Membership brings with it certain privileges and responsibilities. The privileges are identified as membership of the local Body of Christ in all its work and worship, to be able to partake in discussing and agreeing the way in which the local church should move forward and fulfil its Biblical role in the local community and the benefit of Pastoral care. Each of these privileges brings with it the additional responsibilities to participate in the work of the Church and its activities, to regularly attend meetings, to bear each other up before the Lord in prayer, and to share in the financial needs of the Church; all to be done within the confidentiality of Church membership.

Admission to Membership

2.1.4 Any person applying for Membership must be at least 18 years of age. They should contact a Pastor or Elder and complete the appropriate application form. Applicants must satisfy the Elders concerning their Christian experience, doctrinal beliefs and commitment to support wholeheartedly the ministry of the Church. The Elders will then present the application to the Members at a Church meeting. If an objection is
raised the matter will be investigated by the Elders who will then re-affirm or withdraw their recommendation. Membership is granted if it is endorsed by the votes of 75% of the Members present.

2.1.5 The Pastor and his wife shall be received into Membership on the taking up of his appointment as Pastor subject to their compliance with Rule 2.1.2.

2.1.6 The appointed officer shall maintain a written register of all Church Members.

Suspension from Membership
2.1.7 A Member may be suspended from Membership where the disciplinary procedure set out in Rule 2.6 has been followed and the Members approve such a course of action at a General Church Meeting.

2.1.8 While a Member is suspended he or she will have no right to receive notices of any Church Meeting or to attend and vote at any such meeting, nor will they be entitled to partake in the Lord’s Supper without the approval of the Church Officers, unless and until their suspension is rescinded and they are restored to full Membership.

Termination of Membership
2.1.9 A Member may voluntarily resign by submitting in writing a letter to that effect to one of the Church Officers.

2.1.10 A Member may be removed from Membership by the application of the disciplinary procedure set out in Rule 2.6.

2.1.11 A Member shall be removed from Membership where they are unable to confirm in writing their unreserved agreement to the Basis of Faith and respect of these Rules when asked to do so.

2.1.12 The Pastor shall automatically cease to be a Member upon his termination of office as Pastor unless he wishes to remain in the Church and the Church agrees to that effect at a Church Members Meeting.

2.1.13 A person whose Membership has been terminated pursuant to Rules 2.1.10 or 2.1.11 will not be entitled to attend the Lord’s Supper unless otherwise approved by the Elders.

2.2 Baptism

2.2.1 From Scripture we learn that believers should be baptised. Baptism is therefore a logical requirement of Church Membership. (Matthew 28:19, Acts 8:36-38). Any person wanting to be baptised who professes repentance towards God and faith towards our Lord Jesus Christ, and whose life makes that profession credible (Matthew 3: 7,8), should contact one of the Elders. The applicant is required to satisfy the Elders concerning their Christian experience and understanding of the ordinance of Baptism.

2.2.2 Baptism does not of itself have any saving merit (Ephesians 2:8-9) For believers, Baptism is a sign of repentance, personal faith in Christ and a witness to the world of identification with Christ who died, was buried, and rose again (Romans 6:3-4)

2.2.3 While we practise Baptism of believers only, we do not want to divide the Church of Christ by excluding from membership those believers who conscientiously adhere to
the paedobaptist position both for themselves and their children.

2.2.4 Parents who wish publicly to give thanks to God following the birth of a child should consult one of the Elders and a Thanksgiving can be arranged as part of a Sunday service.

2.3 The Lord’s Supper

2.3.1 The Lord’s Supper is to be celebrated in thanksgiving for the Son of God who loved us and gave himself for us. It is a service of remembrance of, and communion with, the risen Lord by those who have been saved. Believers are reminded of His one perfect and all-sufficient sacrifice for sin on their behalf (Hebrews 10:12-18). In obeying Christ’s commission to do this in remembrance of Him, we proclaim the Lord’s death until He comes. (1 Corinthians 11:23-26). Scripture indicates that the Lord’s Supper should be a regular part of Church worship (Acts 2:42; 20:7)

2.4 Church Officers

2.4.1 Jesus Christ alone is the Head of the Church. However Scripture teaches us that within the Church, Elders and Deacons should be appointed to oversee the spiritual and administrative welfare of the Church. The duly appointed and/or elected Pastors, Elders and Deacons forming the Church Council as set out below are the Officers of the Church and are therefore the Managing Trustees as laid down in the Constitution. Under English law certain persons are not allowed to be a trustee. The Constitution sets out the exclusions (set out in Appendix 2 to these Rules for ease of reference) and these must always apply unless the Charity Commission has agreed otherwise in writing. The Church Members and Officers may appoint other officers to the Church. Such appointees may be co-opted on to the Church Council but are not eligible to vote as trustees

Elders

2.4.2 Elders are responsible for the spiritual welfare of the Church. They should fulfil their duties of caring and discipline according to the scriptural precedents found in such passages as Acts 20:17 and 28-31 and 1 Peter 5:1-4. To qualify for the office, an Elder must have the personal, domestic and ministerial qualities found in 1 Timothy 3:1-7 and Titus 1:5-9.

Pastors

2.4.3 Among the Elders will be at least one Minister or Pastor. A Pastor will as far as possible be supported by the Church materially in order that he can more adequately be engaged in prayer and the study of God’s Word. He will be fully involved in the preaching and pastoral work of the Church.

Deacons

2.4.4 Deacons are responsible for the practical and administrative affairs of the Church. They must display the qualities found in Acts 6:3 and 1 Timothy 3:8-13

2.4.5 The appointment of Elders and Deacons is the responsibility of the local Church under the guidance of the Holy Spirit. This is a matter of such importance that it should be dealt with only after much prayerful consideration including the study of the relevant Scriptures. There shall not be less than 2 nor more than 7 Elders, not less than 2 nor more than 10 Deacons, depending on the size and needs of the Church.

2.4.6 Normally the appointment of Elders and Deacons is dealt with at the Annual meeting
of the Church. Nominations for new Elders are made by the existing Elders. Nominations for new Deacons are made by a special committee appointed by the previous quarterly church meeting. This committee will consist of representatives of the Elders together with up to 5 other members. Care should be taken that these members are representative of the Church regarding age, gender etc.

2.4.7 Nominations for new Elders and Deacons will be circulated to Church Members at least one month before the date of the meeting. The nominee(s) and immediate family members should leave the room and relevant passages from 1 Timothy 3 and Titus 1 read and discussed with regard to the necessary qualifications of each nominee. A secret ballot will then be taken. Nominations will be approved by the votes of 75% of Members present.

2.4.8 On appointment, the new Elder or Deacon is formally set apart for his duties by the laying on of hands of the Elders.

2.4.9 Confirmation of Officers – Each year one third of the existing Elders and Deacons are required to be confirmed at the annual church meeting. These will be the longest serving officers since their appointment or the last confirmation. This will be done by secret ballot. The Elders and Deacons are confirmed by the votes of 50% of the full members present. The Pastor(s) are excluded from the reconfirmation procedure and shall remain in their appointment subject to paragraph 2.4.10 and 2.4.11.

2.4.10 The Pastor or Assistant / Associate Pastor shall be removed from his position if he ceases to hold to the basis of faith or is guilty of conduct bringing serious dishonour to the name of the Lord. This will be determined after investigation by the Elders, or in the event of there being only one Elder by the Elder and Deacons and a resolution of a Special Church Meeting which shall be by secret ballot and require the votes of more than two thirds of the membership. [see also clause 2.6.9].

2.4.11 If there is sufficient concern that the Pastor (or Assistant / Associate Pastor) is not considered to be adequately carrying out his responsibilities, representations should be made to the Elders or, in the event of there being only one Elder, to the Elder and Deacons, who will investigate the matter. If the concerns are upheld a resolution for the termination of the Pastor’s appointment should be brought to a Special Church Meeting. This should not be considered as a disciplinary procedure. The Pastor will be entitled to make representations to the Elders and to address the Special Church Meeting.

2.4.12 Treasurer – The Church Treasurer will be appointed by Members at a Church Meeting. The treasurer will be authorised to sign cheques on behalf of the Church along with any others so authorised by the Church members.

2.4.13 For Pastors and any other newly appointed paid member of staff a suitable service contract will be prepared.

2.4.14 An Officer will immediately relinquish his position on ceasing to be a Church Member for whatever reason. He may also resign his office while remaining a Church Member. If an officer is unable to fulfil his responsibilities as a result of incapacity due to ill health or age he will be required to offer his resignation.

2.4.15 In the event of the Church being deprived through whatever cause of all its Elders, it will be the duty of the Deacons to propose to the Church, if possible, at least two suitable men who should be considered by a Special Meeting for appointment to the office of Elder by the laying on of hands of an appropriate number of Deacons of the Church. If possible, Elders from other Evangelical Churches should be invited to
share in the laying on of hands. In the event of there being insufficient suitable candidates, Elders from another like-minded Church may be asked to help in a temporary capacity having sought permission from the Members of that Church.

2.5 The Church Council

2.5.1 The Church Council is appointed to oversee the day to day running of the Church as managing trustees. Council Members should approach their responsibilities prayerfully, being guided by the Holy Spirit and Scripture.

2.5.2 The Church Council will normally consist of Pastors, Elders and Deacons although others may be co-opted by the Church Members and Officers for a specific period. Co-optees would not be qualified to vote as trustees.

2.5.3 The Council will appoint a Chairman (see 1.2.2). Another council member should also be appointed as Minutes Secretary.

2.5.4 The Council will normally meet as required, subject to 1.2.3, to deal with Church business. Three-quarters of Council Members must be present to constitute a quorum. For a motion to be approved it must have the support of two-thirds of the Members present.

2.5.5 The Council shall not encumber, transfer, sell or purchase any landed property for the Church, except by the express authorisation of the Church members. Similarly, no expense shall be incurred exceeding £1000 without such authorisation unless the item appears on the Church approved budget.

2.6 Disciplinary Procedure

2.6.1 The procedure set out in this Rule 2.6 shall be followed where any Member is accused of immorality, disunity, failure to accept the Basis of Faith or any other action or behaviour that brings dishonour to the name of the Lord. The purpose of Church discipline is to enable the Church to function as taught in 1 Corinthians 12:12-27. Every member will then be satisfied with their place and we shall all grow in grace and the knowledge of our Lord Jesus Christ. By such observance the Church can build up its members and use the talents of both old and young. All who have been redeemed should live for Him and not for themselves.

2.6.2 Corrective discipline - has for its aim the glory of God, the welfare and purity of the Church and the spiritual growth of the member. Such action may include exclusion from the Lord’s Table and suspension from Church responsibilities. According to Scripture any person who persists in holding false or heretical doctrine, or who disrupts the peace of the Church, or whose life is in violation of Christian morality, or is inconsistent with a Christian profession will be removed from Membership on recommendation of the Elders and the approval of Members. (Matthew 18:15ff; Romans 16:17; 1 Corinthians 5: 1-5; 2 Thessalonians 3:6,14,15.)

2.6.3 The Elders should be informed where it is believed this procedure should be followed due to a Member’s views or behaviour. Where such a report is received or where they themselves believe such a situation to exist the Elders shall appoint two of their number to meet with the Member to enquire into the matter and report the facts to a meeting of the Elders following which they may put a resolution to the Members at a
General Church Meeting that the person be suspended or removed from Membership. However no offence shall be brought before the Church until the instructions of Christ have first been followed (Matthew 5:23, 24; 18:15)
If the person concerned persists in their error the Elders shall make an appropriate recommendation to the members for their action at a Church meeting (Matthew 18:17). The Church shall have the right to suspend or remove a Member by a 75% vote of the full Members present.

2.6.4 Where a Member has been absent from the services of public worship on Sundays for more than six months the Elders shall appoint two of their number to interview that person and if no valid reason, in their judgement, is given for the absence then they may recommend to the Church Officers that a resolution be put to the Members at a General Church Meeting that the person be suspended or removed from Membership.

2.6.5 Where a Member has been suspended the Church Officers shall ensure that they review the situation at least at six monthly intervals.

2.6.6 The Member concerned shall be entitled to make reasonable representations at a meeting of the Church Officers or Members where his or her possible suspension or removal from Membership is discussed.

2.6.7 The Member shall be informed of the decision of the Members by the Elders and the register of Members amended accordingly where suspension or termination of Membership is to be applied.

2.6.8 Restoration to Church Membership – the right to exclude Members or the withdrawal of fellowship (2 Thessalonians 3:6; 1 Corinthians 5:12-13) is in harmony with the teaching of the New Testament (Matthew 18:16, 17). The Church also had the right to restore those who gave satisfactory evidence of being penitent (2 Corinthians 2:6-8). The object of the discipline having been accomplished, the Church may restore the penitent member to Full Membership by a 75% vote of Full Members present at a Church Meeting.

2.6.9 The Church Officers may feel that there are reasons for seeking to terminate the Pastor’s appointment other than immorality, disunity or no longer adhering to the Basis of Faith or behaviour that brings dishonour to the name of the Lord. If this is so then this is not to be considered a disciplinary termination and the Church Officers should follow the provisions set out in Rule 2.4.2

2.7 Church Business Meetings

2.7.1 General Church Meetings shall be held normally four times a year on dates determined by the Church Officers. The Church Officers shall appoint one of their number to be Chairman of any General Church Meeting. If no Officer is prepared or is not available to act as Chairman then the Members attending the Meeting may appoint a Chairman from amongst their number by a simple majority of those voting.

2.7.2 One of the General Church Meetings shall be the Annual General Meeting and there shall not be more than 15 months between any two such meetings. The Church Officers shall present their Annual Report and the Annual Accounts of the church funds at the Annual General Meeting. The Chairman of the Church Officers, or failing him another Church Officer agreed by the Church Officers, shall be the Chairman of the Annual General Meeting.
2.7.3. Meetings may be called by at least 10% of the Church Members and such meetings will be Special Church Meetings. The Chairman of a Special Church Meeting shall be such person as is elected by a simple majority of the Members present at the beginning of the meeting and voting. Only business set out in the notice calling the meeting can be discussed at a Special Church Meeting.

2.7.4. Subject to the provisions of Rule 2.10.3 at least two weeks’ notice in writing shall be given to all Members of any General or Special Church Meeting. The Notice will set out the business to be discussed at that meeting. The Chairman of a General Church Meeting shall determine whether or not to permit any other item of business to be discussed but not if it requires a vote of the Members. Failure to be able to give notice to individual Members because they are out of the country or away from the Church on holiday or for any other reason shall not constitute failure to give proper notice under this Rule.

2.7.5. In order to constitute a quorum at Church Business meetings there must be at least 50% of members present. However in reaching this figure it is not necessary to count members who cannot normally attend because they are known to be suffering from long term illness or old age. It is important that all other members should make Church Meetings a priority and any Member who is habitually absent from Church meetings without good cause may lose his Membership by exclusion.

2.8 Voting

2.8.1. Unless otherwise set out in these Rules all votes at a General or Special Church Meeting shall be carried by a two thirds majority of those Members present and voting in favour of the proposal.

2.8.2 A secret ballot may be held on any item where a vote is to be taken where the Chairman agrees or where any Member so requests in advance of the meeting. Only those Members present at the Meeting shall be entitled to vote.

2.9 Church Property

2.9.1 The Constitution governing the Church lays down the uses to which property owned or leased by the Church may be used. These uses are widely drawn. The Church Officers are required to ensure that no use of the property is outside the provisions of the Constitution. Where a new meeting on a regular basis is proposed the Church Officers are expected to seek the approval of the Members at a General Church Meeting to the proposed meeting. The Church Council will be responsible for day to day decisions about who can use the property. In the event of serious or controversial requests the Council should refer the decision to the holding trustee and the Church Members.

2.9.2 Where the Church wishes to buy new property or sell existing property the Holding Trustee, as the registered title holder of property for the Church, will require a resolution of the Members approving the Church Officers’ recommendation for that transaction.

2.10 Amendment of the Rules
2.10.1 Other than Rules 1.1 and 1.2 of Part 1, any Rule can be amended by the Managing Trustees under the authority of a resolution of the Members of the Church approving such a change at a General Church Meeting, provided that the proposed amendment shall not be such as would cause the Church to lose its charitable status. Rules 1.1 and 1.2 can only be amended where the provisions of the Constitution referred to in those Rules have been amended.

2.10.2 A majority of 75% of those Members present at the Church Meeting and voting in favour is required to approve a proposed amendment to any Rule excepting Rules 1.1 and 1.2 where the amendment will automatically follow the amendment of the Constitution without the need for a vote.

2.10.3 Notice of any proposed amendment together with the specific wording of the proposed change must be given in writing to all Church Members at least one month before the meeting at which the proposal will be put to the vote. Failure to be able to give notice to individual Members because they are out of the country or away from the Church on holiday or for any other reason shall not constitute failure to give proper notice under this Rule.

2.10.4 No amendment may be made under this Rule to any provision of the Constitution, including the Basis of Faith, to any other trust deeds in relation to the Church property, or be such as would be contrary to any provision in the Constitution.

2.11 Closure of the Church

2.11.1 In the event of the dissolution of the Church any net assets remaining after satisfaction of all debts and liabilities shall not be distributed amongst the Members but will be given to some other charitable institution or institutions with objects similar to those of this Church in accordance with the provision of the constitution. In the event of strong disagreement the Fellowship of Independent Evangelical Churches shall be asked to arbitrate.
1. **GOD**

   There is one God, who exists eternally in three distinct but equal persons: the Father, the Son and the Holy Spirit. God is unchangeable in his holiness, justice wisdom and love. He is the almighty Creator, Saviour and Judge who sustains and governs all things according to his sovereign will for his own glory.

2. **THE BIBLE**

   God has revealed himself in the Bible, which consists of the Old and New Testament alone. Every word was inspired by God through human authors, so that the Bible as originally given is in its entirety the Word of God, without error and fully reliable in fact and doctrine. The Bible alone speaks with final authority and is sufficient for all matters of belief and practice.

3. **THE HUMAN RACE**

   All men and women, being created in the image of God, have inherent and equal dignity and worth. Their greatest purpose is to obey, worship and love God. As a result of the fall of our first parents, every aspect of human nature has been corrupted and all men and women are without spiritual life, guilty sinners and hostile to God. Every person is therefore under the just condemnation of God and needs to be born again, forgiven and reconciled to God in order to know and please him.

4. **THE LORD JESUS CHRIST**

   The Lord Jesus Christ is fully God and fully Man. He was conceived by the Holy Spirit, born of a virgin, and lived a sinless life in obedience to the Father. He taught with authority and all his words are true. On the cross he died in the place of sinners, bearing God's punishment for their sin, redeeming them by his blood. He rose from the dead and in his resurrection body ascended into heaven where he is exalted as Lord of all. He intercedes for his people in the presence of the Father.

5. **SALVATION**

   Salvation is entirely the work of God's grace and cannot be earned or deserved. It has been accomplished by the Lord Jesus Christ and is offered to all in the gospel. God in his love forgives sinners whom he calls, granting them repentance and faith. All who believe in Christ are justified by faith alone, adopted into the family of God and receive eternal life.

6. **THE HOLY SPIRIT**

   The Holy Spirit has been sent from heaven to glorify Christ and to apply his work of salvation. He convicts sinners, imparts spiritual life and gives a true understanding of the Scriptures. He indwells all believers, brings assurance and produces increasing likeness to Christ. He builds up the church and empowers its members for worship, service and mission.

7. **THE CHURCH**

   The universal church is the body of which Christ is the head and to which all who are saved belong. It is made visible in local churches, which are congregations of believers who are committed to each other for the worship of God, the preaching of the Word, the administering of Baptism and the Lord's Supper, for pastoral care and discipline, and for evangelism. The unity of the body of Christ is expressed within and between churches by mutual love, care and encouragement. True fellowship between churches exists only where they are faithful to the gospel.

8. **BAPTISM AND THE LORD'S SUPPER**

   Baptism and the Lord's Supper have been given to the churches by Christ as visible signs of the gospel. Baptism is a symbol of union with Christ and entry into his Church but does not impart spiritual life. The Lord's Supper is a commemoration of Christ's sacrifice offered once for all and involves no change in the bread and wine. All its blessings are received by faith.

9. **THE FUTURE**

   The Lord Jesus Christ will return in glory. He will raise the dead and judge the world in righteousness. The wicked will be sent to eternal punishment and the righteous will be welcomed into a life of eternal joy in fellowship with God. God will make all things new and will be glorified for ever.
A person is disqualified from being a trustee (of any charity) under Section 72 of the Charities Act 1993 if:

a) he or she has been convicted of any offence involving dishonesty or deception;

b) he or she has been adjudged bankrupt or sequestration of his/her estate has been awarded and (in either case) he/she has not been discharged;

c) he or she has made a composition or arrangement with, or granted a trust deed for, his/her creditors and has not been discharged in respect of it;

d) he or she has been removed from the office of charity trustee by an order of the Charity Commissioners or of the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he/she was privy, or which he/she by his/her conduct contributed to or facilitated;

e) he or she has been removed under Section 7 of the Law Reform (Miscellaneous Provisions)(Scotland) Act 1990 from being concerned in the management or control of any body; or

f) he or she is subject to a disqualification order made under the Company Director’s Disqualification Act 1986 or the Insolvency Act 1986.

The Charity Commission has discretionary power to waive the disqualification and they must be approached with the facts and their written approval sought.
C  Explanatory Notes – General Guidance and Understanding

C1 You will find that there are areas in the model where we have not gone into detail. The reason for this is because we recognise that these are areas where churches are very different in the ways they approach the relevant areas. All we have done, therefore, is put in a series of headings and suggested areas to cover in each.

C2 We have used Pastor/Assistant Pastor in the model as perhaps the most commonly used words to describe that office but recognise others are in use such as Minister, Teaching Elder. Use that which your church prefers. We have also ventured to include Rules on Baptism and the Lord’s Supper which you may feel are too brief, insufficient or not properly descriptive of your position. Again we ask for your understanding in that we had to produce a model, and suggest you amend the wording to reflect your position.

C3 Considerable thought has been given to including, within the provisions for the suspension or termination of membership, steps which would hopefully save the church facing claims of acting contrary to the individual’s Human Rights whether or not churches are bound by such provisions. Some may feel that in such matters the Church should be free to take whatever steps it felt. We feel churches should show that they are seeking to be fair and open in setting out their position and hence the reason for the provisions as framed.

C4 In the Model there are a number of items in square brackets. Where this appears it is intended to indicate that you might wish to give thought to the precise words you want to reflect your wishes. Where there are words or numbers currently shown in the brackets then that is because in many cases they are set down in the Model Constitution and if you wish to change them then you will also need to change the Constitution e.g. in Rule 1.2.1 the minimum number of Church Officers is stated to be “3” but if you wish to have more as a minimum then you can change it.

C5 The Charity Commission have insisted that they must approve in writing certain amendments to the Constitution and there are certain provisions in the Constitution that they will not allow to be amended. The restrictions are all set out in the Constitution. Therefore when considering any amendment you may wish to make to the Rules, and in particular to those items in square brackets which mirror the same provision in the Constitution e.g. the minimum number of Church Officers then you will need the Charity Commission’s agreement to change it in the future should you find it difficult to meet the number you have chosen.
D Explanatory Notes – on Specific Rules

D1 Although the Rules will be a Schedule to the Constitution they have been drafted so as to be issued as a separate document to Members and hence the reason for Part I which is a brief summary of the Constitution. That is not to prevent you issuing the whole document to members if that is your wish, but we feel that the Constitution is, by its very nature, such a legal document that it would be unhelpful to give it to most Members. It is the governing document that the Managing Trustees i.e. the Church Officers, have to apply.

D2 Rule 1.1 - the Basis of Faith will be a Schedule to the Constitution, but it is considered that it should also be included as an Appendix to the Rules as an essential item Members should have available to them. Members have to confirm their acceptance of the Basis of Faith and agreement to the Rules before becoming a Member.

D3 Rule 1.1 The Model assumes FIEC Ltd will be the Holding Trustee but if you choose to have another body, or individuals, then you should change both Constitution and Rules.

D4 Rule 1.1 For the purposes of the Model and the discussions with the Commission we assumed the Basis of Faith would be that of the FIEC and FIEC Ltd. If your church wishes to insert your own alternative then you can do so. If you do then you will need to reflect on the need to amend or delete Rule 1.5. We would urge a degree of caution here. Sometimes there is a desire to be very specific because of the origins of the church or the strong views held by one or more individuals. Where these influence the wording then difficulties could arise in the future where the then members all have a slightly different view on what might be considered to be a secondary matter. However, it could be impossible to amend the Constitution to reflect the then members’ views (because the Commission refused) and that would leave the church in a difficult position - a situation many churches currently face with older deeds. We are not suggesting here that you compromise doctrinally, but exercise a degree of wisdom and caution. As you will see we have sought to provide a way of dealing with such issues by including in the Basis of Faith the absolute essentials and in Rule 1.5 a way of defining your position on what may be viewed as secondary matters.

D5 Rule 1.2.1 Decide on the minimum number of Church Officers. Under the Constitution these persons are the Managing Trustees and by legal definition are the persons who are responsible for the day-to-day management and administration of the Church. See also the note below on Rule 2.4.1.

D6 Rule 1.2.3 Decide on the minimum number of meetings the Church Officers should hold in a year. We recognise that for churches which have Elders and Deacons who meet separately this may present a practical problem. All trustees should be present at any meeting where they discuss the management and administration of the church and make such decisions. Practically the Elders may hold separate meetings to discuss spiritual matters whilst the Deacons meet to discuss financial matters. A way around this may be for them to meet jointly to discuss the matters that they need to cover under their joint responsibility as trustees and separately to cover matters which are not trustee matters e.g. the pastoral issues relating to a Member which would be a matter for Elders and not a trustee matter.
D7 Rule 1.2.6 The issue of payment of the Pastor and others has caused some concern. A general principle of charity law is that a trustee should not receive financial benefit from the funds of which he/she is a trustee. The Commission has limited powers to approve arrangements where certain trustees can receive remuneration. In our negotiations with the Commission we have obtained their agreement to provide in the Constitution for the remuneration of the Pastor, Assistant Pastor and Church Administrator (however defined), if there are any such persons and by doing so avoiding the need to obtain the Commission’s approval to the specific arrangements. However, the number of those remunerated must not exceed 50% of the Church Officers.

D8 Rule 1.2.8 There are statutory provisions that prohibit certain persons from acting as a trustee. The Constitution sets these provisions out and Guidance Note 1.7 (obtainable from FIEC Ltd if you do not have a copy) gives a more detailed explanation of the statutory provisions. These provisions mean that it may not be possible for the church to elect a member a Church Officer that it would wish to. We have, however, included in the Constitution a proviso that would enable a church to put an individual case to the Charity Commission and ask them, if they are prepared and able to, to exercise their discretionary power and permit the appointment.

D9 Rule 1.5 is a pivotal Rule as it enables each church that wishes to use this set of Model Rules to set out its distinctive doctrinal position but in a way that will not cause potential problems in the future. As referred to in D4 we have adopted an approach that sets out the FIEC Basis of Faith in the Appendix although you can insert your own if you wish. Through the drafting of that which a church wishes in this Rule 1.5 the specific position the church holds on those matters in the Basis of Faith (be it the FIEC’s or your own) which are set out in general terms, if any, can be defined. If you follow this proposal then it will avoid the regular problems we face where the original trust had too tightly drawn a set of doctrines very often reflecting the specific circumstances which caused the church to come into being but which the present church do not feel they can agree to. This is not a matter of doctrinal compromise but an attempt to avoid a church being unduly constrained by the views of the original founders. For instance in the 1700’s paedo-baptism was the norm and the Baptists were in a minority. Many churches formed in the 1700’s therefore have a paedo-baptistic trust deed which forces the present church, if it wishes to continue to meet in the property held under the trust, to hold to that view even though now the members have a contrary view. I am sure our paedo-baptist brothers would accept, as we do (if we take the opposite view), that there is no single view of baptism held throughout the church. The church can adopt under this Rule amplifications of the doctrines set out in the Basis of Faith and these would bind the church unless and until the majority of members as set out in Rule 2.10.2, decide otherwise at some time in the future. We have set out in Rules 1.5.1 and 1.5.2 two examples covering Baptism and the Lord’s Supper. Others you may wish to address are your view of the second coming of our Lord, gifts of the Spirit etc. Again the wording is but a sample and you should ensure that you are happy with the finished product. If you change Rule 1.5.1. then you may also need to amend Rule 2.2.2. Under Rule 2.10.2 you will observe a requirement to achieve a higher than normal majority vote “75%” to amend any of the practices set out in Rule 1.5. You may wish to increase this figure to an even higher number.
D10 Rule 1.5.1 If the approval of the members is not to be sought to any alternative mode of Baptism then you should delete the second phrase in square brackets and also make a similar deletion in Rule 2.2.2.

D11 Rule 2.1.3 We have made no attempt to draft the specific rules relating to membership but suggest that you include your own rules using appropriate Rule numbers which cover:
- Who receives applications
- Who interviews applicants
- What is required of applicants - testimony, baptism, experience
- Who recommends applicant’s application to whom
- Who approves application and what majority required
- Whether members are permitted to vote at meetings forthwith or need to be a member for a fixed period before being able to vote and above a certain age.

D12 Rule 2.1.4 We have merely stated that the Pastor and his wife should be received into Membership. We see many church constitutions that have a gap in them regarding the Pastor and Membership. You need to think through how the provisions you make in response to D11 above should apply or otherwise to the Pastor and his wife e.g. do they have to apply etc?

D13 Rule 2.1.8 Some consider that a Member should not have the freedom to resign Membership where he/she is subject to discipline. We do not share that view and therefore have made provision for voluntary resignation.

D14 Rule 2.1.11 This is drafted on the assumption that the general position where a Pastor ceases his ministry is that he moves to another church and therefore his Membership is automatically terminated on this happening. We have, however, also provided for those who wish to remain in the Church.

D15 Rule 2.2.2 You will need to determine to whom a person applies for baptism and the process you wish to follow from that application to the event and in particular where the Officers recommend a form of baptism other than immersion - assuming you have accepted the drafting of Rule 1.5.1. The drafting is but a suggestion. If the form of church government you have is to give the Membership the final authority you need to determine if this is one of those areas the Members need to approve.

D16 Rule 2.3 It is recognised that there are many variations and many strong views relating to the Lord’s Supper held in genuine sincerity by His people. What is set out is but one view and in no way is it intended that this should be accepted as the right way or incapable of change. This is your set of Rules and should reflect your views on this very important aspect of our worship and witness. Please change it to your satisfaction.

D17 Rule 2.4.1. You must not change 2.4.1 other than to remove the square brackets to ensure the references are to the posts you wish to include in the definition and delete those to be excluded. Do not exclude a post if it is not currently filled as the definition must cover all persons at any time in the future who will act as a Managing Trustee. The definition is critical as it ties back to the Constitution and the requirement that one identifies who the Managing Trustees are. By legal definition the Managing Trustees are those persons in your church who are responsible for the day-to-day management and administration of the church. If you do not wish to include Appendix 2 in your Rules then delete the reference to it in square brackets and amend the Index.
D18 In deciding how to deal with Rules 2.4.2/2.4.3/2.4.4/2.4.5/2.4.6 bear in mind the Constitution’s requirements as per Rule 1.2 which are a minimum and cannot be breached. There has been more than one case where a church had suffered a decline in numbers and was not able to elect the minimum number of Church Officers. This gives rise to considerable difficulties. If you have Pastor/Elders and/or Deacons one way around this potential problem is to insert under Rule 2.4.6 the following wording:-

“Where there are less than [3] Church Officers as required under the Constitution (Rule 1.2.1) then the Members shall be able to elect not less than [3] and not more than [7], inclusive of any Church Officers elected under Rules [2.4.2 to 2.4.5], of their number to act as a Church Council and the members of the Church Council shall then constitute the Church Officers until such time as those persons elected under Rules [2.4.2 to 2.4.5] shall in total equal or exceed [3].”

D19 Having decided which type/types of Church Officers you have (and those indicated at Rules 2.4.2 to 2.4.6 are not exhaustive, only indicative) you need to cover the following areas in each of the Rules for each of the different types of Officer:-

Appointment and termination/resignation
Whether appointment is for a fixed period of
Whether a maximum limit of time serving as an Officer is to apply
What area(s) of responsibility apply to the type of Officer
Whether a greater majority of votes than 50% is needed for appointment
Whether to impose a minimum number of meetings in a year and any particular rules to apply to such meetings e.g. minutes to be maintained.

Note: Disciplinary termination is not covered under these Rules as it is covered under Rule 2.6, but you might feel it advisable to include within 2.4.2-2.4.6 a provision to take account of the possible need to remove an officer where he is no longer able to fulfil his duties e.g. due to failing health and he will not resign.

D20 Rule 2.4.2 When considering the rules relating to the Pastor you may wish to consider other provisions that should relate only to the Pastor. For instance termination by the Church other than for disciplinary reasons.

D21 Rule 2.5 We understand some churches appoint either the Church Secretary and/or the Church Treasurer from amongst the Members without them being a Church Officer. We have drafted the Rules on the basis that they are Church Officers as we see it hard for them not to meet the definition of a Managing Trustee i.e. they are, in part, responsible for the day-to-day management and administration of the church.

D22 Rule 2.6 The whole disciplinary procedure has been drafted on the basis that any member who is to be disciplined should be given the right to answer the charges firstly to the Officers looking into the allegations, secondly to the Officers at a meeting if the Officers are being asked to recommend suspension/termination to the members, and finally to the members before any vote is taken. We do not expect that the person to be disciplined will exercise the right to appear and defend him/herself at each stage but feel it is most important that the right exists. We feel the interests of fairness demand the right be given the individual, let alone any legal requirement. Lack of such a right could give rise to accusations of the church acting improperly and denying the member his rights. It could be argued that the lack of the right to appear and defend oneself was a denial of one’s Human Rights. We have been advised that we cannot be certain that the Human Rights legislation does not apply to Independent churches but it is believed that it does not.
D23 Rule 2.6 If you have Elders you may feel they should carry out the first stage of meeting the Member to invite his/her comments and deciding whether or not to recommend action to the Members. However, we believe the Church Officers i.e. the Managing Trustees should all be party to the recommendation to the Members.

D24 Rule 2.6 You may wish to consider in this section the wisdom of adding a provision for the need when interviewing ladies to have a lady “officer”, or similarly when interviewing a member of an ethnic minority to have an ethnic minority “officer” present. We have not included it on the grounds that the Church Officers will use wisdom here when seeking to interview a member.

D25 Rule 2.6.3 you must determine the period of absence from Sunday meetings to trigger the disciplinary procedure if you agree with the principle. If you do not agree with the principle then you should delete this Rule.

D26 Rule 2.6.3 If you feel that a majority greater than a simple majority should apply for a recommendation to apply suspension or termination of membership then you should include the appropriate wording in this Rule, otherwise Rule 2.8.1 (simple majority) will apply.

D27 Rule 2.6.4 You must determine the frequency of review of suspension. We believe it important that reviews are carried out by the Officers as the individual may have shown true repentance of the acts that gave rise to the suspension or, on the other hand, have hardened their views to the point where it may be felt that the Members should be recommended to terminate Membership.

D28 Rule 2.6.6 You must decide who is to notify the Member of the decision to suspend or terminate Membership. We have suggested the Church Secretary only because that person has to maintain the written record of the names of Members under Rule 2.1.5.

D29 Rule 2.6.7 You need to determine the inclusion or exclusion of this Rule, although we believe it should be included. In Chapter 2 of the FIEC “Churches Handbook” there are several circumstances set out as being such as could possibly lead to the termination of the Pastor’s appointment. It is not considered suitable to include these here in this Rule but they form the background to the reason why we believe this Rule should be included (see also D19. and D20 above).

D30 Rule 2.7 General Meetings are those called by the Officers and Special Meetings are those called by the Members. You may feel such a distinction is unnecessary and delete all references to “General” and “Special”.

D31 Rule 2.7.1 It is for you to decide how frequently Members meet, but the agreement with the Commission looks for at least two. You may wish to leave it as drafted and nothing will prevent you from calling more in practice if that is your wish.

D32 Rule 2.7.3 You need to decide the number and/or percentage of Members who can call a meeting. The option of having a percentage or number is for the benefit of smaller churches where a percentage could result in only two members being needed to call a meeting. The problem in determining the number is that in a small church a few members (representing a large proportion) could hold this power whereas in a larger church the same number would represent a very small proportion of the membership. As the Members have called the meeting it is considered that one of them should chair it.
D33 Rule 2.7.4 Some prefer to be able to give at least two weeks’ notice of a meeting by way of an announcement at Sunday services. However, the general weakness of this option is that members do not know the nature of any business to be conducted (especially where there are resolutions to be proposed) and cannot therefore pray over the specifics. Rule 2.10.3 and the Constitution demand proposals to amend the Rules to be put to a meeting must be in writing and circulated to all Members at least [3] weeks in advance of the meeting so an oral announcement would not suffice.

D34 Rule 2.8.2 Two options are suggested .with the first being a simple prohibition of proxy votes. However, some feel that a proxy vote should be permitted for a husband/wife where the wife/husband cannot attend a meeting due to the need to look after children. In this case the casting of the vote should be left to the discretion of the person holding the proxy so that it can be cast in the light of any discussion on the topic at the meeting. Our lawyers have pointed out that in providing for a proxy vote, unless every member is allowed a proxy, it could be argued as being discriminatory. On balance therefore we would urge caution and a full discussion on the pro’s and con’s before you decide to permit proxy votes.

D35 Rule 2.8.3 If you wish to permit secret ballots then you will need to determine the number/percentage of Members who can request such a ballot, unless you choose to make all votes cast in this way.

D36 Rule 2.8.4 If you wish to postal ballots then you will need to determine the number/percentage of Members who can request such a ballot.

D37 Rule 2.9 As FIEC Ltd is the Holding Trustee it is necessary to seek its approval to any letting, sale, purchase etc involving the property. In practice this can be simplified, but not eliminated.

D38 Rule 2.9.1 This is drafted on the assumption that the Members should have the right to decide who should be able to use the property and any changes in meetings. If this is not the way you operate then please amend the wording. If a third party (someone not connected with the church) wants to use the property then again you must decide whether or not the Members should approve such use. As drafted the Members could give a “blanket” authority to the Officers to cover certain types of activities and reserve to themselves approving any use outside those general activities.

D39 Rule 2.10.1 This is one of those Rules that have to appear to meet the Commission’s requirements.

D40 Rule 2.10.2 You must decide whether to change the majority needed to amend the Rules or to amend Rule 1.5. The Constitution authorises the Church Officers to amend the Constitution, which also includes the Rules, only where the Members have passed a resolution approving the proposed amendment.

D41 Rule 2.10.3 It is a requirement of the Constitution that 3 weeks’ notice is given. If you want to change it (upwards only) then you must also amend the Constitution to avoid a conflict.

D42 Rule 2.10.4 This is one of those Rules that have to appear to meet the Commission’s requirements. The reference to trust deeds is included in case you have any other property trusts held under Schedule 3 of the Constitution.
E  PASTORAL STATEMENT

[                          CHURCH]  
Notes for those considering application for membership

The Bible teaches that the Church is the whole company of believers in Christ, those who have repented of their sin and have received the Lord Jesus by faith, and who have personally committed their lives to Him as their Lord and Saviour. (1 John 1:9, John 1:12, Eph. 2:19-22). Membership of a local church is only appropriate for those who have taken this step of faith and commitment.

Scripture also teaches that a believer should be baptised. (Matt. 28:19, Acts 2:38)

Membership also involves other responsibilities:-

2. Regular personal prayer and Bible study. (2 Tim 3:15-17, Phil. 4:6)
3. Regular attendance, when possible, at the main weekday meeting of the church for prayer, Bible study and fellowship. (Acts 1:14, 2:42)
4. Sharing in the life, work and witness of the local church. (Rom. 1:16, 1 Cor. 15:58)
5. Regular giving to the local church and the Lord’s work in general. (1 Cor. 16:2, 2 Cor. 9:6-7)
6. The showing of Christian love and concern, both for the members of the church family and for the community at large. (John 13:35, 1 Thess. 3:12)
7. An endeavour to live a life consistent with the faith we profess. (Rom. 6:1-2, Eph. 4:1)
8. Regular attendance at the Lord’s Supper – the pattern of frequency being a matter for the individual member to decide. (Acts 2:42, 20:7)

The statement of faith in the Rules has been adopted as the doctrinal basis to which applicants for membership of [                     CHURCH] are asked to give their wholehearted assent. Should you wish to discuss any particular clause with a [pastor] [elder] [deacon] please notify the church secretary.

The Rules of the church are enclosed and you are asked to study them before applying for membership.

APPLICATION FOR MEMBERSHIP OF [                      CHURCH]

Name: ...........................................................
Address: ................................................................

I would express my relationship to God in the following way. (Please answer in one or two brief sentences):

I have read the notes on the responsibilities of church membership set out above, together with the Rules. I have studied the Scripture references. I am willing to accept the responsibilities and I agree wholeheartedly with the Basis of Faith and acceptance of the Rules in their entirety. [I am 16 years of age or over.]

If I am accepted into membership I undertake to abide by the decisions of the Church Officers and to acknowledge their authority, in so far as the decisions and the exercise of their authority are in accordance with the teaching of Scripture and the Rules of the church.

In applying for membership I affirm that I have personally repented of sin and put my trust in Jesus Christ as my Lord and Saviour.

Date: ........................................

Signature: ........................................