

## Good Shepherd Lutheran Church, Sutherland

# Constitution

### 1. Name

The name of the Congregation is The Good Shepherd Lutheran Church, Sutherland, Incorporated, hereinafter referred to as “the Congregation”.

### 2. Confession

The Congregation declares:

- 2.1 It accepts without reservation the Holy Scriptures of the Old and New Testaments as a whole and in all their parts, as the divinely inspired, written, and inerrant Word of God and as the only infallible source and norm for all matters of faith, doctrine, and life.
- 2.2 It acknowledges and accepts as true expositions of the Word of God and as its own confession all the Symbolical Books of the Evangelical Lutheran Church contained in the Book of Concord of 1580, namely, the three Ecumenical Creeds: The Apostles’ Creed, the Nicene Creed, and the Athanasian Creed; the Unaltered Augsburg Confession; the Apology of the Augsburg Confession; the Smalcald Articles; the Small Catechism of Luther; the Large Catechism of Luther; and the Formula of Concord.
- 2.3 In common with the Church the Congregation regards unity in doctrine and its application in practice as the necessary prerequisite for church fellowship, and it rejects religious syncretism or unionism in all its forms. It therefore adheres to the principle: Lutheran pulpits are for Lutheran pastors only; Lutheran altars are for Lutheran communicants only. Any exception to the application of this principle belongs to the sphere of privilege, not of right; and the determination of any such exception is to be made in consonance with the above by the conscientious judgment of the Pastor, as the case arises.
- 2.4 It regards as anti-Christian any organisation or society, secret or open, which while practising forms of religion does not confess faith in the Triune God and in the Lord Jesus Christ as the only Saviour from sin, and which in teaching or in practice substitutes salvation by works for salvation in Christ; and it warns its members to beware of any affiliation with such organisation or society.

2.5 It requires that all instruction and practise of the congregation shall conform to Article 2 of this constitution.

### **3. Relationship to the Church.**

The Congregation, as a member of the Lutheran Church of Australia, hereinafter called 'the Church', and of the Lutheran Church of Australia, New South Wales District; hereinafter -called 'the District':

- a) accepts the Constitution and By-Laws of the Church and of the District;
- b) undertakes to participate in the work of the Church and of the District and to promote their Objects;
- c) agrees that in the event of a separation of members it will submit the question of ownership and control of the property of the Congregation to the judicial system of the Church for determination;
- d) agrees to submit to the President of the District any amendments, alterations, additions, and deletions which it may make from time to time to its Constitution for determination by the Church Council of the District that the amended Constitution remains in conformity with Article *IV* clause 1 of the Constitution of the Church.

### **4. Objects**

The objects of the Congregation are:

- a) to glorify the Triune God in its worship and in its work;
- b) to bear witness to the Lord Jesus Christ through the proclamation of the Gospel in accordance with the Confession and practice of the Church;
- c) to gather into the Congregation such persons as are, or desire to become, members of the Church for their edification through the Word and Sacraments;
- d) to help the members to dedicate their God given spiritual, material and physical gifts to the service of their Lord;
- e) to reach out into the community as bearers of the Good News of God's salvation in Jesus Christ for all men;
- f) to exercise discipline over its members in conformity with the Scriptures and the Confession of the Congregation;
- g) to join with the Church and District in building and extending the Kingdom of God;
- h) to acquire, dispose of or otherwise deal with real and personal property in the interest of the work of the Church and the Congregation.

## 5. Membership

5.1 The Congregation shall comprise baptised, confirmed, and voting members. Baptised Members are all those:

- a) who have been baptised in the Congregation;
- b) who have transferred as baptised members from another congregation of the Church;
- c) who have been baptised in accordance with the institution of Christ and have placed themselves or have been placed under the spiritual care of the Congregation.

Towards these, the Congregation recognises a continuing spiritual ministry as long as they remain in the community served by the Congregation.

**Confirmed Members** are all those:

- a) who have been confirmed in the Congregation;
- b) who have been received as confirmed members by transfer from another congregation of the Church;
- c) who, after instruction in the Christian faith, and acceptance of it, have been received into the Congregation by adult reception according to the rites and practice of the Evangelical Lutheran Church.

Confirmed Members shall accept the Constitution of the Congregation.

**Voting Members** shall be confirmed members. The voting rights shall be defined in the By-Laws.

5.2 The duties of the members shall be:

- a) to strive to remain true to the baptismal covenant,
- b) to make diligent use of the Means of Grace, joining regularly in hearing the Word of God and partaking of the Lord's Supper;
- c) to lead a Christian life in love, humility, and peace, endeavouring through admonition, consolation and encouragement to edify one another;
- d) to present their children for Holy Baptism in early infancy and diligently to nurture them in the Christian faith in the home and in the schools provided by the Congregation;
- e) to study the Scriptures in private and family devotions in the home;
- f) to promote the unity and welfare of the Congregation as a family of God;

- g) to express their gratitude to God for his material gifts and blessings by contributing regularly towards the financial support of the Congregation and of the Church as the Lord has prospered them;
- h) to support the Pastor in his work in the Congregation and community through prayer and personal concern for his spiritual and material welfare;
- i) to avoid holding membership in anti-christian societies.

5.3 Membership in the Congregation shall terminate:

- a) when a person is received into membership in another congregation of the Church after having obtained a Letter of Transfer from the Congregation;
- b) when a person joins another church outside the fellowship of the Evangelical Lutheran Church;
- c) when the whereabouts of a person are unknown and cannot be established, in which case the name of such person shall be removed from the list of members;
- d) when a person is excommunicated or excludes themselves.

5.4 Any action involving excommunication shall be determined according to the principles of scripture contained in Matthew 18:15-20 and related passages. A person who refuses to accept brotherly/sisterly admonition and to discuss their case with the Congregation or its representatives thereby excludes themselves.

5.5 Upon termination of membership such members right, title, interest or claim in, to, and upon any property of the Congregation shall cease and they shall have no claim to compensation for contributions made by them.

## 6. The Ministry

6.1 The Congregation recognises and upholds the Office of the Ministry as the office divinely instituted for the public administration of the Means of Grace.

6.2 The Pastor of the Congregation shall be a man whose soundness in faith, aptness to teach, and educational qualifications have been examined and approved by the Church.

6.3 The ***duties of the Pastor*** shall be:

- a) to preach the Word of God and administer the Holy Sacraments according to the Confession of the Congregation (Article 2);
- b) to exercise pastoral oversight over all organisations and activities of the congregation;
- c) to live an exemplary *life*;
- d) to visit the sick, the infirm, the destitute, and the afflicted and to exercise pastoral care among the members of the Congregation;
- e) to devote himself diligently to the instruction and training of the young;
- f) to comfort, instruct, reprove, admonish, and warn, both publicly and privately, the members of the Congregation as the Word of God directs (2 Timothy 4:1-5);
- g) to equip and help the members to fulfil their Christian ministry for the *edifying* of the body of Christ;
- h) to be mindful of his calling as a winner of souls, both within and without the congregation;
- i) to be responsible for the keeping and preservation of accurate congregational records;
- j) to exercise as much as possible his right to attend the meetings of all committees and organisations of the Congregation;
- k) to submit a written pastoral report to the annual meeting of the Congregation.

## **7. Powers of the Congregation.**

- 7.1 The Congregation as a body, through the voting members, shall have supreme power to administer and manage all its affairs. The establishment and conduct of all institutions and societies within the Congregation shall at all times be subject to the approval and supervision of the Congregation. The Congregation, however, shall not be empowered to decide anything contrary to the Word of God and the Confession of the Congregation (Article 2), and any such decision shall be null and void.
- 7.2 The right of calling pastors and of calling or appointing teachers or other helpers shall be vested in the Congregation. The Congregation shall exercise this right of call, where applicable in association with other congregations, in consultation with the President of the District or his deputy and with due regard to the regulations of the Church and District.

- 7.3 Matters of doctrine and conscience shall be decided by the Word of God; other matters shall be decided by the Congregation by a majority vote of those present and entitled to vote unless otherwise specified by the Constitution or By-Laws.
- 7.4 Officers or committees, whether elected or appointed by the Congregation, shall have no authority beyond that which has been conferred upon them, and whatever power may have been delegated to them may at any time be varied or revoked by the Congregation.
- 7.5 Any pastor, teacher or officer may be removed from office by the Congregation in Christian and lawful order in accordance with the rules of the Church, for one of the following causes: (1) persistent adherence to false doctrine; (2) scandalous life; or (3) wilful and persistent neglect of his official duties. In any such procedure voting shall be by ballot.

## **8. Meetings.**

- 8.1 The Congregation shall hold a regular annual meeting for the management of its affairs as prescribed in the By-laws.
- 8.2 The Congregation may hold other meetings from time to time as prescribed in the By-laws.

## **9. Officers and Administration.**

- 9.1. The Congregation shall appoint a committee of management, called the Church Council, which shall consist of the pastor, the chairperson, the secretary, the treasurer, and as many others as shall be prescribed in the By-laws.
- 9.2 The Congregation shall appoint such other officers, committees and persons as need and occasion require for the proper conduct of its worship and the management of its affairs as prescribed in the By-laws or as determined from time to time by congregational resolution.

## **10. Dissolution.**

Any decision to dissolve the Congregation shall be taken only after consultation with the President of the District and shall require a two-thirds majority vote, the quorum for such meeting being one third of all members entitled to vote. Such a decision shall not become operative until the sanction of the Church Council of the District has been obtained. In the event of such dissolution, the Congregation may give indication regarding the use of its assets by the District and/or the Church. Where no such indication is given they shall be transferred to the District absolutely.

## **11. By-Laws.**

The Congregation shall have power, by majority vote of the quorum prescribed in the By-laws for the transaction of ordinary business, to make, repeal alter or amend By-laws not inconsistent with these or any amended rules for the regulation of its proceedings and the management of its business and affairs and for giving effect to the rules. Notice of any such change shall either be given at a prior duly called meeting of the Congregation or be published on two immediately preceding Sundays.

## **12. Alteration to the Constitution.**

- 12.1 The Congregation shall have power by a two-thirds majority vote, the quorum for such meeting being one quarter of the members entitled to vote, to repeal, alter, amend or add to these rules, at a duly convened meeting of the Congregation, subject to Article 3 (d) and provided that notice of the proposed repeal, alteration, amendment, or addition has been presented in writing and read to the Congregation at a prior duly called meeting.
- 12.2 Article 2 and Article 12 clause 2 shall be considered fundamental and shall not be repeated, added to, altered, or amended so as to alter their intent and meaning.

## By-Laws

### 1. Membership

- 1.1 Voting members are all confirmed members who have reached the age of eighteen years. It shall be the duty of voting members to attend the meetings of the Congregation, and there shall be no voting by proxy.

### 2. Church Discipline

- 2.1 The Congregation shall exercise church discipline in all evangelical manner in accordance with the procedure laid down in Matthew 18:15,17. At all stages of the procedure, the purpose of all church discipline, "to gain thy brother," is to be observed.

- 2.2 The stages of discipline are:

- a) personal admonition and endeavour to convince the erring member of their fault;
- b) admonition in the presence of witnesses with the same endeavour;
- c) admonition by the Congregation which, after it has become evident that the erring member is impenitent and unheedful of the admonition, will lead to the final step of exclusion through excommunication pronounced by the Pastor as the called and ordained servant of the Word. If the stages of the discipline cannot be carried out because the erring member refuses to submit to the discipline of the Congregation, they shall be declared to have excluded themselves from membership in the Congregation.

- 2.3 The exercise of church discipline shall give due regard to the procedure adopted by the Church in its regulations under the Commission on Adjudication and Appeals.



### 3. Meetings

- 3.1 The annual general meeting of the congregation shall normally be held in July, August or September.
- 3.2 Special meetings of the Congregation may be called by the Pastor, the Pastoral Care Team, the Church Council, and shall be called upon the written request of any three voting members.
- 3.3 Notice of meetings shall be by announcement at two services preceding the meeting, the first announcement being at least one *week* before the date of the meeting.
- 3.4 The chief business to come before the meeting shall be announced at the same time that the notice of meeting is given.
- 3.5 A quorum of one seventh of all voting members shall be required for the transaction of normal business. A quorum of one fifth of all voting members shall be required for the calling of a Pastor, for the calling (or appointing) of a Teacher or other salaried church worker, for the buying or selling of property, for the acceptance of building contracts or any action which would mean the undertaking of a large financial commitment by the Congregation, for the removal from office of the Pastor or other officer, or for the alteration of the Constitution.
- 3.6 The chairman shall have a deliberative vote and, in the case of equal voting, a casting vote.
- 3.7 Unless specified in the Constitution or By-laws, the chairman shall ordinarily decide the manner of voting, whether by show of hands or by ballot, but the meeting may itself decide by special resolution the manner of voting to be adopted.
- 3.8 Points may be placed on the agenda by:
  - a) any voting member;
  - b) any committee appointed by the Congregation;
  - c) any organisation of the Congregation;
  - d) the Pastor.
- 3.9 The conduct of the meetings shall, where applicable, be in accordance with the rules for transacting business adopted by the Church.

3.10 A decision duly arrived at any meeting shall be binding upon all members of the Congregation, whether present or absent, or refraining from voting, providing always that the required quorum was present and provided also that due notice of the meeting had been given.

#### **4 Election of Officers and Committees**

The Nominations Committee hereinafter referred to shall present a list of candidates to the annual meeting of the Congregation. Additional nominations may be made by any voting member at the meeting, provided that the consent of the person nominated has been obtained. Election shall be by ballot. The officers and committee members shall assume their duties at the close of the meeting. In the event of a vacancy occurring in any office, the Church Council shall appoint a successor to serve until the next annual meeting.

#### **5. Officers and Committees**

- 5.1 The elected officers and standing committees of the Congregation shall be: a chairperson; a secretary; a treasurer; a Pastoral Care Team.
- 5.2 Voting members shall be eligible for office on the standing committees.
- 5.3 Confirmed members shall be eligible for appointment to such other committees and special duties as the Congregation may determine from time to time.
- 5.4 All minute books, records, and correspondence of the Congregation, its officers and committees, shall remain the property of the Congregation.
- 5.5 The Pastor, ex officio, may attend all meetings of the committees.

#### **6. Term of Office and Duties of Officers.**

- 6.1 The **Chairperson** shall:
  - a) be elected annually and shall preside at meetings of the Church Council and Congregation;
  - b) ensure that all elected and appointed officers and committees effectively carry out their assigned duties and generally encourage and co-operate with all office bearers;

- c) ensure that an agenda is prepared for the meetings of the Church Council and the Congregation;

6.2 The **Secretary** shall:

- a) be elected annually by the Congregation;
- b) keep an accurate record of all proceedings of the Church Council and Congregation, attend to all correspondence unless it be delegated to another person, prepare an agenda for meetings and see that committees are informed of decisions affecting their function.

6.3 The **Treasurer** shall:

- a) be elected annually by the Congregation;
- b) keep an accurate record of receipts and payments in the form required by the Congregation, pay promptly all accounts authorised by the Church Council or Congregation, remit all moneys for Church and Parish purposes regularly, prepare progress reports on the finances of the Congregation for meetings of the Church Council and Congregation, cooperate with the Church Council in reviewing the financial position of the Congregation, and submit his books for audit as required by the Church Council and Congregation.

- 6.4 The Congregation shall elect one Auditor annually who shall examine thoroughly the books of the Treasurer and vouch for their correctness and otherwise advise on aspects of the Congregations finances.

## 7. The Church Council

- 7.1 The Church Council shall consist of at least the Chairman, Secretary, Treasurer, and as many others as are deemed necessary.

- 7.2 The Church Council shall normally meet once every month to consider all matters pertaining to the general welfare of the Congregation and its program of activities. It shall receive reports from the standing committees and make recommendations to the Congregation. In cases of emergency, it may be called on to act between meetings of the Congregation. In all matters, including the interpretation of policy established by the Congregation, it shall be responsible to the Congregation. It shall fill casual vacancies until the next annual meeting.

## **8. The Pastoral Care Team.**

- 8.1 The Congregation shall elect at least two members of the Pastoral Care Team.
- 8.2 The office of member of the Pastoral Care Team is restricted to confirmed members of the congregation.
- 8.3 The Pastoral Care Team shall be elected annually.
- 8.4 The Pastoral Care Team shall assist the Pastor in all matters pertaining to the spiritual ministry of the Congregation and for this purpose they shall:
- a) concern themselves with the doctrinal and spiritual life of the Congregation and its members;
  - b) visit members and encourage them to be regular in attendance at services, in the use of the Sacraments, and in the support of the Congregation and the Church with their means and talents;
  - c) notify the Pastor of sick and spiritually distressed members;
  - d) support the Pastor in the maintenance of Christian discipline and good order in the Congregation;
  - e) assist the Pastor in arranging for pulpit assistance, special services and guest speakers and in general be concerned that an attitude conducive to worship is maintained in the services;
  - f) be an example of Christian conduct and conversation, observing discrete silence regarding all private matters.

## **9. The Nominations Committee.**

- 9.1 The Nominations Committee shall:
- a) seek and receive nominations from members of the Congregation for all offices and committees of the Congregation;
  - b) nominate such persons as it considers suitable for the various offices and committees in addition to the nominations received, but without the necessity of nominating more candidates than positions to be filled;
  - c) receive from officers intending to decline re-election an indication of such intention in good time;
  - d) ensure that all nominees are willing to accept office.

## 10. Appointment of Ministry Leaders

- 10.1 The clauses set out within this section of the by-laws must be considered in conjunction with the constitution. If there is a conflict between the Constitution and any clause set out in this section, the constitution takes precedence.
- 10.2 The Congregation, without detriment to its power or waiving its rights conferred by sections 7.1, 7.2, 7.3, 7.4, and 7.5 of the Constitution delegates power and confers authority to administer the appoint of ministry leaders to the Pastor of the Congregation in the manner set out in clause 10.3 of the by-laws and to the Church Council as set out in clause 10.4.
- 10.3 The Pastor of the Congregation may use their delegated power and conferred authority to:
- 10.3.1 Create, alter, or close positions for the appointment of voting members as defined by section 1 of the by-laws to carry out a specific function relating solely to an aspect of the ministry of the church subject to prior approval of the Church Council as described in 10.4 of the by-laws.
  - 10.3.2 Determine or alter the scope of the ministry positions described in 10.3.1 and confer authority as well as delegate power to the appointed member of the congregation subject to clause 10.4 of the by-laws subject to prior approval of the Church Council as described in 10.4 of the by-laws.
  - 10.3.3 Appoint any voting member of the Congregation, subject to their acceptance of the appointment to a position described by 10.3.1 of the by-laws for a specified time period, or for an indefinite period of time until revoked in the manner described in clause 10.3.4 of the by-laws.
  - 10.3.4 Extend, shorten or revoke the period of appointment as required to fulfill the ministry needs of the Congregation or to promote the safety, and physical or emotional well-being of the congregation.

- 10.4 The Church Council as an elected representative body of the Congregation shall, in addition to the powers and authority granted to it by the Constitution and other sections of the by-laws holds power and authority superseded only by that of the Congregation to invoke by majority vote at any Church Council meeting one or more of the sub-clauses that follow:
- 10.4.1 Approve the creation, alteration, or closure of a position for the appointment of a voting member as described in 10.3.1.
- 10.4.2 Approve the scope, or approve a revised scope of the role the appointed congregation member will fill and the necessary delegation of power and conferring of authority to that appointed member for their appointed role.
- 10.4.3 Upon review of an appointed member, revoke the appointment in a Christian and lawful manner in accordance with the rules of the Church for, but not limited to one or more of the following causes:
- (a) persistent adherence to false doctrine, or
  - (b) scandalous life, or
  - (c) wilful or persistence neglect of their appointed duties, or
  - (d) fear for the physical or emotional safety and/or wellbeing of the Congregation, or
  - (e) failure to meet requirements imposed by clause 10.4.5 of the by-laws.
- 10.4.4 Upon review of delegated power or conferred authority to an appointed member, the Church Council may decide by majority vote at any time subject to the extent of its power and authority to:
- (a) Revoke, alter, or otherwise increase or restrict delegated power.
  - (b) revoke, alter, or otherwise increase or restrict conferred authority.
- 10.4.5 Impose requirements upon appointed members of the Congregation deemed necessary for Commonwealth or State legislation or regulations, or Lutheran church of Australia national or district requirements imposed upon the congregation.

## **The Covenants of the Letter of Call**

### **The Pastor's Covenants and Duties of Care**

- Preach and Teach the Word of God as revealed in the Old and New Testaments in its truth and purity according to the Confessions of the Evangelical Lutheran Church as contained in the Book of Concord, and administer the sacraments in accordance with their divine institution;
- Conduct regular services as agreed upon with the congregation(s);
- Guard and promote faithfully our spiritual welfare, to this end exercising spiritual oversight over us and ministering to us according to our particular needs;
- Guide us in the exercise of church discipline in accordance with the Word of God;
- Provide and oversee the Christian instruction and nurture of the children and adults in the congregation(s) and prepare the catechumens for communicant membership in the Church;
- Participate in and develop a ministry of pastoral care in the homes of all under the spiritual care of the congregation(s);
- Help us to discover and use for the common good the gifts the Holy Spirit has given, equip us for service, encourage and support us in our Christian vocation;
- Lead us in fulfilling our responsibility to witness for Christ, and promote and guide the mission activity of the congregation in the local community;
- Provide pastoral leadership at meetings of the parish and the congregation(s) and have pastoral oversight of all committees and organizations within the parish and the congregation(s), of the schools and all other activities within the parish;
- Keep your practice in harmony with the Word of God, the Confessions of the Lutheran Church, the Constitution and By-laws of the Lutheran Church of Australia, and the constitutions of the parish and congregation(s);
- Serve as an example in Christian conduct by earnestly endeavouring to live in brotherly unity with us and with fellow workers and sister congregations;
- Stimulate and encourage us to support the work of the Lutheran Church of Australia;
- Participate in the church's program of continuing education for pastors in order to equip yourself better for ministry and adopt a cooperative attitude with us in determining the courses which will best help you develop your ministry;
- Assist us in regular evaluation of the ministry and mission of the parish, including your own role in that ministry and mission;

- Ensure that personal records of the members of the parish are accurately kept; that all baptisms, confirmations, marriages, burials and attendance at the Lord's Supper are promptly and properly recorded; and that the statistics of the congregation(s) are promptly and accurately reported, as required by the Lutheran Church of Australia.

**The Parishioners' Covenants and Duties of Care towards Pastor; that we...**

- Receive you as our pastor, a servant of the Lord Jesus Christ, and accord you the love, respect, goodwill, and cooperation due to your Office;
- Promise you our diligent and faithful assistance and prayerful support;
- Seek your counsel and aid for our spiritual welfare, cooperating in your endeavours to care for us, including pastor visits to our homes;
- Cooperate with you in endeavouring to extend the ministry of the Word to all under the spiritual care of the congregation and in the wider community;
- Obligate ourselves to make faithful and regular use of the Means of Grace, so that God's enabling power may have free course among us, and that we carry out our God-given ministry to the service and glory of God and the welfare of all;
- Support the work of the Lutheran Church of Australia;
- Receive you as a brother in Christ and provide you and your family with love and care, pledging our support for your welfare as a person, physically, emotionally and spiritually;
- Commit ourselves to assist you in regular evaluation of the ministry and mission of the parish, including your own role in that ministry and mission;
- Provide for your proper maintenance according to our ability, and annually review your salary, housing arrangements, and all allowances;
- Pay you a salary in accordance with the salary scale and conditions set by the Lutheran Church of Australia;
- Provide a residence and keep it in good order.







