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# **CONSTITUTION OF THE BAPTIST CONVENTION OF SOUTH AFRICA**

## **PREAMBLE**

Whereas, we the officials of the Baptist Convention of South Africa, representatives of its various ministries, relevant departments and delegates from bona fide member churches, gathered at the 1995 Annual Assembly of the Baptist Convention of South Africa appreciating the need to create a body of normative rules that govern the affairs of the Baptist Convention of South Africa, and duly authorized to do so, HEREBY unanimously agree to adopt this constitution, which forthwith repeals and nullifies any previously adopted constitution and supercedes any other body of rules governing or purporting to govern the affairs or business of the Baptist Convention of South Africa. This constitution shall forthwith have the force of law.

### **1. NAME**

The name of body shall be the **BAPTIST CONVENTION OF SOUTH AFRICA**. (Hereinafter referred to as "the Convention".)

### **2. STATEMENT OF FAITH**

- 2.1 We believe in the Scriptures of the Old and New Testaments in their original writings as fully inspired of God and accept them as the supreme and final authority for faith and life.
- 2.2 We believe in one God, eternally existing in three Persons – Father, Son and Holy Spirit.
- 2.3 We believe that Jesus Christ was begotten by the Holy Spirit, born of the Virgin Mary, and is true God and true man.
- 2.4 We believe that God created man in His own image; that man sinned and thereby incurred the penalty of death, physical and spiritual; 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.
- 2.5 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 ground of His shed blood.
- 2.6 We believe in the bodily resurrection of the Lord Jesus, His ascension into heaven, and His present life as our High Priest and Advocate.
- 2.7 We believe in the personal return of the Lord Jesus Christ.

- 2.8 We believe that all who receive the Lord Jesus Christ by faith are born again of the Holy Spirit and thereby become children of God.
- 2.9 We believe in the resurrection both of the just and the unjust, the eternal blessedness of the redeemed and the eternal banishment of those who have rejected the offer of salvation.
- 2.10 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 conception of the church spiritual and, therefore, that the new birth and personal confession of Christ is a prerequisite for church membership.
- 2.11 We believe that the Lord Jesus Christ is the Supreme and only Spiritual Head of the Church universal; that He appointed two ordinances – baptism 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 bread and wine as symbolical of the Saviour’s broken body and shed blood, in remembrance of His sacrificial death until He comes.
- 2.12 We believe that all Christians are called to a life of holiness, devotion to the Lord and service for Him. It is the duty and privilege of every believer to witness for Christ and seek to bring others to Him.
- 2.13 We believe in the deity, personality, ministry and abiding presence of the Holy Spirit in the believer.

### 3. **LEGAL STATUS**

- a) The Convention is and shall continue to be a distinct and separate legal entity and body corporate with the power to acquire, to hold and to alienate property of every description whatsoever, and with the capacity to acquire rights and obligations and having perpetual succession.
- b) The Convention shall have full and unfettered locus standing in judicio. All actions or proceedings at law or any arbitration shall be brought by or against the Convention in its own name.

### 4. **STRUCTURES**

- 4.1 The BCSA shall be composed of the following structures:
- 4.1.1 National assembly
- 4.1.2 National Executive committee (NEC)
- 4.1.3 Regional conference (R.C)

- 4.1.4 Regional Executive Committee (REC)
- 4.1.5 Annual General Meeting (AGM)
- 4.1.6 Local Church Executive committee/Board.
- 4.1.7 **Ministers and spouses**
- 4.1.8 **National Departments**

## 5 **NATURE OF BUSINESS**

Notwithstanding anything to the contrary herein contained:

- a) The Convention is not formed and does not exist for the purpose of carrying on any business that has for its object the acquisition of gain for the Convention or any of its individual members.
- b) The income and assets of the Convention shall be applied solely for investment and for the promotion of the objects for which it is established.
- c) No part of the income or assets of the Convention shall be paid directly or indirectly, by way of dividend, donation or otherwise, to any person; provided that the Convention shall be entitled to pay fees or honoraria to any service provider for services rendered to the Convention.
- d) The BCSA and its structures shall continue notwithstanding changes in the composition of its membership or its office Bearers.

## 6. **MEMBERSHIP**

- a) Every local Baptist Church is entitled to apply for admission as a member of the Convention; provided that all admissions shall be effected by the National Assembly at an Annual Assembly, on the strength of the recommendation made by the National Executive Committee; provided further that the Church desirous to be admitted shall have lodged an application to that effect with the General Secretary at least four months prior to the sitting of the National Assembly. A copy of a similar application shall be served to the Executive of the region where the applicant church is domiciled, for comment.
- b) Should the Executive Committee of the region in question fail or neglect to comment, ratify or object to the application in writing, it shall be deemed that the Executive Committee of the relevant desires that the applicant church be admitted as a member.
- c) Notwithstanding anything to the contrary herein contained, all local Baptist Churches, which became member of the Convention at its inception, and all other local Baptist Churches subsequently admitted as

such, prior to the commencement of this constitution, shall be deemed to be bona fide members of the Convention.

- d) Every local church, which has been admitted as a member of the Convention, shall continue to be a member until such membership is withdrawn by the Convention. The Convention shall withdraw such membership in the event a member conducts itself in a manner unbecoming of a member of the Convention, or prejudicial to the interests and reputation of the Convention.
- e) A member church may also withdraw its membership mero motu, by giving the General Secretary notice to that effect in writing, and providing proof that at least two-thirds of members of such local church have expressed their desire to cause their church to resign from the Convention by means of a special resolution.

#### 6.1 **AFFILIATION FEES**

The BCSA shall have the right to levy affiliation from its member churches, Regions and department. And such fees shall be determined from time to time by the National Assembly.

### 7. **OBJECTS**

- a) To develop and proclaim a holistic, afrocentric and participatory understanding of the Gospel of Jesus Christ.
- b) To equip, enable and empower member churches to practice and exercise the ministry of transformation of communities in which they witness.
- c) To promote and encourage the fellowship of member churches
- d) To develop and foster a distinct and contextual understanding of Baptist principles and polity.
- e) To provide formal theological training and accreditation of ministers.
- f) To provide an enabling environment for local churches to carryout the great commission and plant new churches.
- g) To control admission to and deletion from the Convention's lists of accredited ministers.
- h) To establish projects and ministries aimed at meeting the physical and socio-economic needs of the people of God.
- i) To raise funds for its missions, and projects.

## 8. **POWERS OF THE CONVENTION**

Subject to the provisions of Clause 4, above, the Convention shall have all such powers as are necessary for the proper attainment of the objects set in clause 6, above, and shall, in particular, have the following powers:

- a) To acquire any movable or immovable property for the Convention calculated to benefit the Convention and to advance its objects and to maintain, improve and alter any of the Convention's property.
- b) To institute, conduct, defend or abandon any legal proceedings by or against the Convention or its officers, or otherwise concerning the affairs of the Convention.
- c) To open bank and building society accounts in the name of the Convention and to draw, accept, endorse, make and execute cheques and other negotiable instruments connected with the business and affairs of the Convention.
- d) To invest and deal with any moneys of the Convention not immediately required for the purpose of the Convention.
- e) To borrow or raise money and give security for the same by mortgage of all or any part of the property of the Convention.
- f) Subject to the provision of clause 4, leases and any other forms of contract whatsoever, including sales and purchase of property of any kind whatsoever.
- g) To enter into partnership with like minded organizations and institutions.
- h) To appoint auditors for the BCSA and its organs.

## 9. **GOVERNANCE**

The National Assembly shall be the highest decision-making organ of the Convention.

### 9.1 **NATIONAL ASSEMBLY**

- a) The National Assembly shall consist of the following persons and groups of persons:
  - i) the National Executive Committee
  - ii) delegates of respective member churches
  - iii) a delegate from each national department
  - iv) a delegate from each national ministry

- v) pastors and pastors' spouses who were not otherwise sent as delegates
  - vi) delegates from accredited fellowships
- b) The National Assembly shall meet once a year at such time and place as the National Assembly shall determine; provided that notice of such conferences shall be given by the National Executive Committee at least six months prior to the proposed date of the Assembly.
- c) The following persons and groups of persons shall be entitled to vote at the National Assembly:
- i) all members of the National Executive Committee provided that they were not otherwise elected as delegates by their respective churches.
  - ii) delegates of respective local churches
  - iii) a delegate of each department
  - iv) a delegate of each ministry
  - v) a pastor, a moderator, a bi-vocational minister and spouses such as persons, provided that such persons and their spouses are serving in their member churches in that capacity.
- d) Notwithstanding anything to the contrary contained in clause 8 of this constitution, each member church shall be entitled to no more than four (4) votes at a National Assembly, provided that votes carried by persons described under clause 8.1 a (i) shall not be included in this total.
- e) Notwithstanding anything to the contrary contained in clause 8 of this constitution, member churches, and accredited fellowship, Regions, Department, and Ministries shall forfeit the right to vote if they are not in good standing with the BCSA i.e none payment of affiliation fees, suspension by the BCSA or its structures and/or not adhering to the resolutions taken by the assembly.
- f) The following transactions shall be conducted at the Annual National Assembly.
- i) The National Executive Committee shall present an audited financial statement and budget.
  - ii) Confirmation of minutes of the previous year's National Assembly.
  - iii) Consider the report of the General Secretary, and that of the National President.
  - iv) Consider reports of Regions, departments and respective ministries
  - v) Conduct elections of relevant office bearers

- vi) To consider and to pass, with or without modification, any resolutions concerning the affairs of the Convention of which due and proper notice to members has been given and any other business concerning the affairs of the Convention
  - vii) To recommend to the assembly to add to the ministers list probationary ministers and new fully accredited ministers, and
  - viii) To remove those who are deceased, left the BCSA and those who have been found guilty of misconduct.
  - ix) To ratify board of Directors for Ministries and projects as recommended by the NEC.
- g) Thirty percent of member churches present at a National Assembly shall constitute a quorum.
  - h) The financial year of the BCSA shall commence on the 1<sup>st</sup> July and end on the 30<sup>th</sup> June of the following year.

## 9.2 THE NATIONAL EXECUTIVE COMMITTEE

- a) The National Executive Committee (NEC) shall consist of:
  - i) The National President
  - ii) The National Deputy President
  - iii) The National First President
  - iv) The National Treasurer
  - v) The General Secretary (ex officio)
  - vi) The Minute and Recording Secretary
  - vii) Two elected members from each region, preferably the president and secretary or their deputies
  - viii) Departmental representatives
  - ix) Ministries' representatives
- b) Notwithstanding anything in this constitution contained, ministers shall be eligible for election to the position of National President, National Deputy President and the National First Vice President respectively. The General Secretary who shall be a Minister by qualification, shall however be appointed by the NEC, short term contract of not less than five (5) year.
- (b)(1) At the end of the five year contract the NEC shall recommend to the assembly the extension of the contract for a new term or to advertise the post.
- c) The NEC shall meet at least once per quarter.

- d) Should one of the NEC positions become vacant, between Assemblies, the NEC shall be vested with power to fill such vacancy.
- e) Members of the NEC shall hold office for a period of three (3) successive years
- f) A member of the NEC who fails to attend at least three (3) consecutive meetings without sending an apology shall ipso facto lose his / her position in the NEC.
- g) Without derogation from the executive powers by the constitution conferred, the Executive shall have the following powers:
  - i) To prepare the business and arrange the agenda of the Assembly.
  - ii) To prepare and present to the Assembly audited financial statements.
  - iii) To keep a register of pastors, moderators, bi-vocational ministers, probationer ministers, student ministers, churches, fellowships, regions and provinces.
  - iv) To act on behalf of and in the interest of the Convention between Assemblies.
  - v) To appoint sub-committees, adhoc committees and working committees to meet and deal with matters and falling within its terms of reference.
  - vi) To listen to, mediate and arbitrate in interchurch, interfellowship, interregional and interprovincial disputes.
  - vii) To fill any vacancy occasioned between Assemblies by death, retirement or in capacity of any officer of the Convention, provided that any person so appointed shall hold office until the next Assembly, provided further that the Assembly may ratify such person's appointment or remove him / her from office, as the case may be.
  - viii) To call a special assembly when required to do so, or as demanded/requested by fifty 50% of total member churches, with the agenda and reasons for such meeting. The notice for such meeting shall be given in writing by the NEC at least thirty (30) days before the meeting.
- h) No member of the NEC shall, during his / her term of office serve as a committee member of any of the subordinate structures of the Convention unless otherwise sanctioned by the NEC.
- i) An elected member of the NEC shall not be permitted to hold office for more than two successive terms.
- j) Without derogation from the Executive power by the constitution conferred, NEC members who are regional representatives shall

be responsible for reporting regional specific matters to the executive and for disseminating information from the Executive to the Province / Regions they represent.

- k) Notwithstanding anything contained, the officers, viz National President, National Deputy President, National First Vice President, General Secretary, National Treasurer and Minutes and Recording Secretary of the NEC shall constitute a sub-executive committee of the NEC to act on its behalf and in the interest of the NEC between the non-sittings of the NEC meetings. The sub-executive committee shall review the work of the NEC collectively; work of individual BCSA staff matters provided that meeting in question shall also be used to assist officers in their spiritual and persona developments.

### 9.3 **ELECTION PROCEDURE**

#### 9.3.1 ***NATIONAL EXECUTIVE COMMITTEE***

9.3.1.1 The NEC shall appoint the electoral officer to conduct election and his responsibility will include the following:

- a) Send nomination forms to churches through the General Secretaries office six months before the elections.
- b) Compile the nomination list and ballot paper and present to the NEC for submission to the assembly.
- c) He/she will appoint a team that will assist him with the running of elections at the assembly.
- d) All elections will be by secret ballot.
- e) He will announce the final result to the assembly

#### 9.3.2 ***REGIONAL EXECUTIVE COMMITTEE***

9.3.2.1 Without derogating from its powers the officers shall be vested with powers to run all Regional elections.

### 9.4 ***REMOVAL OF OFFICERS***

The National President, National Deputy President, National First Vice-President, National Treasurer, General Secretary, Minute and Recording Secretary shall vacate their seat during their term of office if:

- 9.4.1 They cease to be members of the BCSA.
- 9.4.2 A motion of no confidence is passed against them by the Assembly.
- 9.4.3 They are found guilty of misconduct/criminal offence.
- 9.4.4 The individual leaves the country and reside in another country.

### 9.5 ***INDEMNIFICATION OF OFFICIALS, OFFICERS AND COMMITTEE MEMBERS.***

9.5.1 The officials, officers and committee members of the BCSA, provided that they have not acted in manner which would constitute misconduct, shall:

- 9.5.1.1 Be indemnified by the BCSA against all proceedings, costs and expenses incurred by reason of any omission, negligence or other act done whilst performing their duties on behalf of the BCSA or churches, and
- 9.5.1.2 Shall not be personally liable for any of the liabilities of the BCSA or any of its churches and structures.

## 9.6 **REGIONS**

9.6.1 The Regional Conference (RC) is a subordinate body to the National Executive Committee (NEC).

9.6.2 The NEC may:

- 9.6.2.1 Designate powers to the R.C.
- 9.6.2.2 Confirm, amend or reverse its decisions,
- 9.6.2.3 Limits its powers and duties by way of resolution.

9.6.3 The RC must:

- 9.6.3.1 Implement the decisions of the National Assembly and NEC.
- 9.6.3.2 Carry out aims and objectives of the BCSA mission in the Region.
- 9.6.3.3 Facilitate and encourage co-operation between churches in the Region.
- 9.6.3.4 Examine regional problems and co-ordinate activities to address such problems.
- 9.6.3.5 Consider reports of activities of churches in the region, and
- 9.6.3.6 Elect a Regional President, Deputy President, Treasurer and Regional Secretary and other members of the REC.
- 9.6.3.7 Interview and recommend Churches, fellowships, probationary Ministers and ordination candidates to the assembly.

## 9.7 **COMPOSITION.**

9.7.1 The RC shall compose of:

- 9.7.1.1 Regional President,
- 9.7.1.2 Regional Deputy President
- 9.7.1.3 Regional Treasurer
- 9.7.1.4 Regional deputy Secretary
- 9.7.1.5 Regional Secretary,
- 9.7.1.6 Delegates from members churches in the Region
- 9.7.1.7 Ministers and Spouses
- 9.7.1.8 Regional Departments delegates viz BMD, BWD, BYD AND Children's Ministries.

## 9.8 **MEETINGS**

9.8.1 The RC must meet at least once per years.

9.8.2 Regional Executive Committee shall convene the conference.

- 9.8.1.1 Must send written notice at least three months (3) to all churches and department in the Region.
- 9.8.1.2 The REC may convene a special Regional Conference on fourteen (14) days written notice.

9.8.1.3 The notice must contain the agenda for the meeting as well as the date ,time and venue.

9.9. ***DUTIES AND POWERS OF THE REGIONAL EXECUTIVE COMMITTEE***

9.9.1 To manages the affairs of the region between meetings of the RC.

9.9.2 To carry out the resolutions and instructions of the National Assembly, NEC, and RC.

9.9.3 If there is conflict between resolutions, instruction of the RC and that of NEC, then the REC must be bound by that of the NEC subject to confirmation by the National Assembly.

9.9.4 The REC must:

9.9.4.1 Consider any matter submitted by a church.

9.9.4.2 Endeavor to settle disputes between churches and Pastors.

9.9.4.3 Approve monthly financial Statement.

9.9.4.4 Open and operate banking account in the name of the region, and

9.9.4.5 Deposit all monies received into this account and any other business.

10. STATUS OF CHURCH STRUCTURES

The Convention shall confer the following forms of status to organs hereunder described, subject to terms and conditions in this clause contained.

10.1 Fellowship

a) Any group of believers who meet regularly to worship under the banner of the Baptist tradition shall constitute a fellowship, provided that the total membership does not exceed 25.

b) A fellowship shall enjoy its status for a period of five (5) years, provided that the Convention shall be entitled to review the status of the Fellowship that has existed for five (5) years. Depending on the merits of each case under review, the Convention may, if deemed proper and fitting to do so, confer to a given fellowship, the status of a fully fledged church even if such church has not satisfied the numerical requirement.

10.2 Church

a) Any group of believers who meet regularly to worship under the banner of the Baptist tradition shall qualify to apply for conferment of a status of a fully-fledged Baptist church provided that their total membership exceeds twenty five (25). Should a fellowship acquire the status of

a fully-fledged church, such status shall not be revoked by virtue of the fact that its total number of congregation has dropped to less than twenty five (25).

- b) Notwithstanding anything in the constitution contained, a group of believers desirous of being recognized as a church shall be so recognized and be admitted as a member of the Convention if they comply with the requirements of section 5.

## 11. ***BCSA PROPERTIES.***

11.1 The BCSA shall appoint a board of trustees to hold all properties in trust for them.

11.2 The board of trustee shall draft a trust deed to hold all church properties in trust of the BCSA.

### 1. ***FUNCTIONS OF TRUSTEES***

- a) Whether individual or Board of Trustees is to act in the name of the church, where legally required to do so;
- b) To ensure that all transactions are to the best advantage of the church.
- c) Trustees cannot override a decision of the church unless the church wants to act contrary to the provisions of the Trust Deeds.
- d) The church is responsible for the general management of its properties, its use and ensures their maintenance.
- e) They deal with purchase and sales of property.
- f) All property transactions are in the name of trustees and the trustees are obliged to ensure that all such transactions are within the terms of the trust and to the best advantage of the church.
- g) No decisions regarding selling, buying, letting or renting property must be taken without consulting trustees and obtaining their approval

## 12. **DISCIPLINE OF COMMITTEE MEMBERS**

- a) Any member of the NEC, National Council, Department, Ministry or any other organ of the Convention who behaves in a manner deemed by the NEC to be unbecoming of a Christian or prejudicial to the reputation of the Convention shall be deemed to be guilty of misconduct.
- b) Should a member of the NEC, National Council, Department, Ministry or any other governing organ of the Convention be found guilty of the offense envisaged in clause 9.b., the NEC shall be certified to expel such member from the Committee in question.
- c) Notwithstanding anything contained in clause 9.a.b., above, a member of a governing organ in respect of whom a case of misconduct is being

investigated shall forthwith relinquish his / her position in such governing organ pending the outcome of such investigation.

- d) Any member of any governing organ of the Convention accused of misconduct shall be entitled to a fair hearing before he / she is expelled. The rule of law pertaining to substantive and procedural fairness including but not restricted to the audi alteram partem and the nemo iudex in sua causa rules shall be applied to determine the guilt or otherwise of anyone accused of an offence.
- e) Notwithstanding anything in clause 9.d. contained, whenever a charge of misconduct is brought against any member of any of the governing organs of the Convention, the NEC shall thereupon appoint an ad hoc arbitration forum to hear and adjudicate over the matter.
- f) Should the person against whom a charge of misconduct is brought, not be satisfied by the verdict and / or sentence of the arbitration forum, the first mentioned may appeal to the National Assembly, whose decision on the matter shall be final.

### **13. AMENDMENT TO THE CONSTITUTION**

No amendments to this constitution shall be valid unless occasioned by means of a resolution passed by at least two-thirds majority of members entitled to vote at a National Assembly, provided that notice of intention to effect an amendment to the constitution is filed with the General Secretary and who shall circulate the same to all member churches, at least three months before the Assembly at which the amendment shall be entertained; provided further that the notice in question shall identify the clause to be amended and disclose the substance of the intended amendment and briefly articulate the justification for the intended amendment.

### **14. DISSOLUTION**

Without derogating from provision of clause 2, and clause 3 of the constitution respectively, the Convention may dissolve if not less than two-thirds of the bona-fide members present and having voting and constitutional powers are in favour of dissolving the Convention provided that:

- At least 5 meetings have been held to amicably resolve any circumstances given rise to such a move –
- A written notice fully setting out details of the grounds leading for intended dissolution should be served on all members six months prior to the sitting of the assembly
- The mover and seconder of such a motion must be a bona fide member of the Convention
- The petition must be supported by 50 % of the Convention members

- The mover and seconder of such a petition should appear before the NEC before the motion is presented at the annual assembly
- The notice referred to earlier should be circulated through the office of the General Secretary

Adopted by the Annual Assembly, on the \_\_\_\_\_ of December 2005.

Signed by:

\_\_\_\_\_  
National President

\_\_\_\_\_  
National Deputy President

\_\_\_\_\_  
General Secretary

\_\_\_\_\_  
National Treasurer

\_\_\_\_\_  
First Vice-President

\_\_\_\_\_  
Recording Secretary