

**Constitution
of the
Enmore Spiritualist Church**

Name:

1. The name of the Church shall be the Enmore Spiritualist Church.

Objects:

2. (a) This Church is an association to propagate the knowledge of Spiritualism, the philosophy of which is to be understood as recognising the following principles:
 1. Fatherhood of the Infinite God.
 2. The Brotherhood of Man.
 3. The communion and ministry of Spirits.
 4. The continuity of life.
 5. Personal responsibility.
 6. Compensation and retribution for all deeds done on the material plane.
 7. Eternal progression possible to all.
- (b) The Church shall promote the advancement of Spiritualism by holding services, by literary and philosophical research and by encouraging methods of investigation.
- (c) The Church shall provide opportunities to members for the study of the facts, including phenomena of Spiritualism and every possible aid shall be given to the cultivation of spiritual gifts.
- (d) The Church steadfastly desires to keep an open mind to further revelation of light and truth, to assist in procuring religious equality, to promote spiritual growth, moral and social reforms and in the doing of all and any such things that may assist in spreading abroad information regarding the facts and philosophy of Spiritualism.

Constitution:

3. This document shall comprise the Constitution of the incorporated association known as Enmore Spiritualist Church. It shall determine the appointment, election and or dismissal of the Members of the Church. It shall provide for the appointment

of a Committee and Directors of the association to undertake the administration of the Church, its property and its affairs. It shall determine the rules for the election and dismissal of the members of the Committee and any one or more of the Directors and the powers, duties and prohibitions in respect of the members of the Committee and any one or more of the Directors.

Membership:

4. All those who are financial Members of the Church at the date of the acceptance of this Constitution who have paid all contributions due to the Church and who have voted for the acceptance of this new Constitution shall continue to be Members of the Church.
5. The names of Church Members shall be recorded in a Roll of Members. A person shall be a Member of the Church from the date his or her name is recorded on the roll, and shall cease to be a Member from the date his or her name is removed from the roll. Members must pay an annual subscription fee by no later than the first Thursday in February each year. The amount of such subscription fee is to be determined by the Committee and notified to the members by the fifteenth day of January in each year.
6. New Members may be admitted to the Church by the Committee. A person intending to become a Member of the Church must notify the Committee of his or her intention to join the Church by submitting an appropriate Application Form provided by the Church. In that Application Form the intending Member must state whether he or she has previously been a Member of the Church. On receiving such advice the Committee shall, at its next Meeting, search the Roll of Members in order to determine if the proposed Member had previously been a Member of the Church. If the proposed Member had previously been a Member of the Church, then the Committee shall decide whether to admit, reject or defer the Application by the Member concerned to be entered on the Roll of Members. If the Committee is satisfied that the person has not previously been a Member of the Church then the Committee shall consider the Application and resolve to admit, reject or defer the application by the Member to be entered on the Roll of Members.
7. The Committee may remove the name of a Member from the Roll if that Member:
 - (a) fails to attend services of the Church, or undertake work for the Church for a continuous period of six months without reasonable excuse.
 - (b) acts contrary to or enters into a course of conduct in the opinion of the Committee likely to prejudice the interests of the Church or bring the Church or its objectives into disrepute.
 - (c) is in arrears of his or her membership subscription payment for more than three months after the due date.

8. Any dispute between Members of the Church concerning Membership or the functions of the Church or as to any issue between those Members and/or the Committee shall be referred to the Committee for determination. In the event that the Committee is unable to resolve the dispute then the Committee shall appoint a Sub-Committee comprising at least three Members of the Church in order to mediate the dispute. If the Sub-Committee is unable to resolve the dispute then the dispute is to be submitted to Mediation by a professional independent mediator appointed by The Accord Group Sydney (www.accordgroup.com.au).
9. On being entered on the Roll of Members of the Church every Member shall be provided with a copy of this Constitution and shall agree to abide by the provisions of this Constitution.
10. Any Member may at any time by giving notice in writing to the Secretary resign as a Member of the Church and the name of the Member shall be removed by the Secretary from the Roll of Members.

The Committee:

11. The Committee shall be responsible for the administration of the Church.
12. The Committee is to consist of up to eight persons. The Membership of the Committee shall consist of the following office bearers, all of which are to be held by a Member of the Church:
 - President
 - Vice President
 - Secretary
 - Treasurer
13. **The President** shall be entitled to exercise a casting vote in the event that the Committee is unable to agree in relation to any issue and/or resolution before the Committee. The President shall chair meetings of the Committee when present.
14. **The Vice President** is to act in the place of the President in his or her absence, and is entitled to exercise the same powers as the President.
15. **The Secretary or in his or her absence the Acting Secretary** is to attend all Committee meetings, to keep all minutes of meeting and to report the receipt and dispatch of correspondence to meetings of the Committee, to notify Committee Members of meetings and Members of Annual and Special General Meetings, to receive nominations for new Members and prepare the agenda for meetings of the Committee and the Church. The Secretary is to submit the agenda for all meetings being both Committee meetings and General meetings to the President prior to the meetings.

16. **The Treasurer** or in his or her absence some other Committee Member nominated by him or her, is to attend all Committee meetings. The Treasurer is empowered to collect all moneys to be received by the Church, including Members' annual subscription fees, to keep a record of all moneys received, to give receipts for the same where appropriate, to be responsible for the banking of monies received for and on behalf of the Church, to keep true books of account of all moneys received or expended by the Church and the manner in which such receipts and expenditure take place including full details of all receipts and expenditure connected with the activities of the Church and, subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with this Constitution shall permit Members of the Church to inspect the books of account at any reasonable hour upon request in writing by the Member addressed to the Treasurer.
17. All Members of the Committee, except the President, are to be elected by a majority vote of the members of the Church at the Annual General Meeting. All Members of the Committee, except the President are to offer themselves for re-election at each Annual General Meeting. The President shall be elected by a three-fifths majority vote of the Members of the Church at the Annual General Meeting (unless the candidate for the office of the President is also the Minister of the Church in which case a simple majority vote of the Members of the Church at Annual General Meetings shall be sufficient for election to the office of President). The office of President shall not be open for re-election at each Annual General Meeting unless a majority of Members at the Annual General Meeting resolve that the office of President be vacated at that meeting.
18. A Member of the Committee shall cease to be a Member of the Committee:
 - (a) by resolution of the Committee provided that notice of the intended resolution of the Committee be given to the Member prior to the meeting of Committee which is to consider the resolution or removal of the Committee Member.
 - (b) on death.
 - (c) on receipt by the Committee of the resignation in writing from that Member.
 - (d) if a Member becomes bankrupt or makes any arrangement or composition with his creditors generally.
 - (e) if the Member becomes mentally ill or a person and/or that person's estate who is liable to be dealt with in any way under the laws relating to mental health.
 - (f) if the Member is absent for more than six months without leave of the Committee from meetings of the Committee held during that period.

- (g) upon resolution being passed by a two-thirds majority of members present at a properly constituted special general meeting called for the purpose of considering a resolution to remove a Member from the Committee.

19. The Committee shall be entitled to exercise the following powers:

- (a) to issue debentures, to borrow money for purchase of land or buildings, to renovate or alter any property of the Church purchased for Church purposes.
- (b) to hold and conduct Meetings and to conduct business in the buildings of the Church.
- (c) to purchase or acquire by lease any land and to build upon the same, and to sell, exchange, mortgage or lease to any other person or entity the whole or any part of such land.
- (d) to provide receipts and to delegate to any Officer of the Church to provide a receipt.
- (e) to apply for, secure, acquire by grant, legislative enactment, assignment, transfer, purchase, or otherwise, and to exercise, carry out, and enjoy any charter, licence, power, authority, franchise, concession, right or privilege, which any government or authority or corporation or other public body may be empowered to grant; and to pay for, aid and contribute towards carrying the same into effect; and to appropriate any of the Church's assets to defray any of the necessary costs, charges and expenses thereof.
- (f) to apply for, promote, and obtain any statute, order, regulation, or other authorisation or enactment which may seem to directly or indirectly benefit the Church; and to oppose any bills, proceedings, or applications which may prejudice the Church's interests.
- (g) sell, improve, manage, develop, exchange, lease, dispose of, turn to account, or otherwise deal with all or any part of the property and rights of the Church subject to the provisions of paragraph 27.
- (h) to take or hold mortgages, liens and/or charges and to secure payment of the purchase price or any unpaid balance of the purchase price of any part of the Church's property sold by the Church and owing by the Purchaser of the property, or any moneys due to the Church by any person or persons.
- (i) to take, or otherwise acquire and hold shares, debentures, or other securities in any company.
- (j) to enter into any arrangement with any government or authority, municipal, local or otherwise, that may be conducive to the Church's objects or any of them; to obtain from any such government, or authority the rights, privileges, and concessions which the Church may seem desirable to obtain, and to carry

out, exercise, and comply with any arrangements, rights, privileges, concessions.

- (k) to subscribe money for charitable objects.
- (l) to purchase, take on lease, or in exchange, hire and otherwise acquire any real or personal property and any rights or privileges which the Church may think necessary or convenient for its purposes, and in particular any lands, buildings, easements, machinery, plant and stock in trade.
- (m) to take out and hold policies of insurance against the loss, destruction or diminution in value of any property of the Church, and against loss or damage incurred in any way relating to any proceedings, suits, actions or claims against the Church or its officers in their capacity as officers of the Church.
- (n) to invest and deal with the money of the Church not immediately required in such manner as from time to time approved by resolution of the Committee.
- (o) to borrow, raise or secure the payment in such manner as the Church may think fit and to secure the same or the repayment or performance of any debt, liability, contract, guarantee or other engagement incurred or entered into by the Church in any way, and to purchase, redeem or pay off any such securities provided that the Church building at 2 London Street, Enmore or such other property as may be acquired by the Church may only be used at collateral security if the funds so borrowed or secured by the Church are used for the purpose of improvements to the property at Enmore or to acquire another property for the Church in place of the Enmore property.
- (p) to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.
- (q) to sell or dispose of the undertaking of the Church or any part thereof for such consideration as the Church may see fit subject to the provisions of paragraph 27.
- (r) to receive and hold all property given to the Church by will of any person, or gift, whether by deed or gift or otherwise, made by any person or incorporated associations to be held in accordance with the powers conferred pursuant to the terms of the will, deed or gift.
- (s) to institute, maintain, defend and or apply to be joined as a party to any suits, actions, proceedings, or claims in any Court or any administrative or quasi-judicial tribunal, which affects or may affect the interests or property of the Church or its Members in their capacity as Members of the Church.
- (t) to make rules for the procedure at its own Meetings.

- (u) to appoint Sub-Committees for any purpose and to delegate to any sub-committee such powers as the Committee may think fit and to revoke or alter any such appointment or delegation and to require that the Sub-Committee report to the Committee on a regular basis.
 - (v) to determine the amount of the annual subscription fee to be paid by the Members of the Church.
 - (w) to remove the name of any Member of the Church from the Roll of Members.
20. A Member of the Committee shall be indemnified by the Church in respect of the Member's reasonable costs and expenses which any Member of the Committee may incur or become liable to pay by reason of any contract entered in to by such Member or act or thing done by such Member for and on behalf of the Church with the approval of the Committee.

Auditor:

21. The books of account and other financial records of the Church shall be audited at least once every twelve months by a registered auditor. The report of the auditor shall be presented to the Committee, the Directors and the Annual General Meeting of the Church. The Committee are to arrange for the attendance of the auditor at the Annual General Meeting of the Church if necessary or required.

Meetings:

22. There shall be an Annual General Meeting of all Members of the Church to be held on the first Thursday in February each year. At such meetings the following matters shall be dealt with;
- (a) the names of the Members present shall be read out, minutes of the previous Annual General Meeting shall be read and confirmed by vote of the Members present at the Annual General Meeting.
 - (b) the reports of the President, Secretary and Treasurer shall be read and tabled at the Annual General Meeting.
 - (c) the report of the auditor shall be read and tabled at the Annual General Meeting.
 - (d) the chairman or such other Officer of the Church shall present a report as to the activities of the Church during the past year prior to the Annual General Meeting.
 - (e) election of Members of the Committee.
 - (f) election of the President.

- (g) any other business as shall be determined by the Committee and/or the President, Secretary and Treasurer.

The Annual General Meeting shall be chaired by the President of the Church or in the President's absence the Vice President.

- 23. There may be Special General Meetings of all Members of the Church. These shall be called by the Committee. The body calling the Special General Meeting shall give at least two weeks' written notice to every Member on the Roll of Members, specifying the date, time and place of the Meeting and a short summary of the business to be dealt with at the Meeting. The Committee shall call a Special General Meeting on receipt of a request to do so signed by not less than twenty Members of the Church. The Committee may also call a Special General Meeting on its own motion.
- 24. The Members of the Church present at a general meeting of the Members shall be empowered to pass any resolution subject to this Constitution which are in accordance with the powers of the Committee as set out in paragraph 20 of this Constitution.
- 25. The procedure for convening Special General Meetings shall be as follows;
 - (a) the period of notice of the date of the General Meeting shall be fourteen (14) clear days from the date of the notice.
 - (b) neither the accidental omission to give notice of a General Meeting to any Member nor the non-receipt of a notice of a meeting by any Member shall invalidate proceedings of any General Meeting.
 - (c) every notice convening a General Meeting shall be given to those Members appearing in the Roll of Members who are entitled to attend and vote at General Meetings.
 - (d) only financial Members shall be entitled to vote at General Meetings.
 - (e) at any Annual General or Special General Meetings, fifteen (15) Members entitled to attend and vote at General Meeting and present in person shall constitute a quorum.
 - (f) the quorum necessary for Meeting of members of a Committee may be fixed by the Committee but shall not be less than five (5) in number.
 - (g) a Member may appoint in writing a proxy to attend any Annual General or Special General Meetings, provided that such proxy must be a current member of the church and has been a member of the church for the preceding two years, or the Member may forward a proxy in writing to the chairman of the meeting.

The Special General Meeting shall be chaired by the President of the Church or in the President's absence the Vice President.

Alteration of Constitution:

26. This Constitution may be amended or repealed in the following manner only: The proposal to amend or repeal must be read before the Committee then sitting. The Committee must then call a Special General Meeting of all the Members of the Church, which may be concurrent with the Annual General Meeting, giving at least three weeks' written notice of the proposed amendment or repeal to every Member on the Roll of Members. The proposal to amend or repeal this Constitution must be passed by a majority of not less than three-quarters of the Members present at such General Meeting.

Dissolution:

27. No resolution for dissolution of the Church or the selling, disposing of all or any part of the property of the Church shall be effective until it has been approved by a vote of nine tenths (9/10) of the Members on the Roll of Members present at three prior consecutive Special General Meetings duly convened for that purpose. A Member shall not be entitled to a vote for any one or more of the resolutions contemplated in this paragraph unless he or she has been a Member for a period of two years

Income and Property of the Church:

28. The income and property of the Church howsoever derived shall be applied solely towards the promotion of the objects of the Church set forth in this Constitution and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to or amongst the Members of the Church, provided that nothing herein contained shall prevent the payment in good faith of interest to any such Member in respect of moneys advanced by such Member to the Church or otherwise owing by the Church to such Member or of remuneration to any Member of the Church or other person in return for any services actually rendered to the Church or the payment of any honorarium to any such Member in respect of special honorary services rendered or the repayment to any Member of out-of-pocket expenses after approval by the Committee.
29. The liability of the Members is limited to the amount of their Membership fee.
30. If upon the winding-up or dissolution of the Church there remains after satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed amongst the Members of the Church but shall be given or transferred to some other institution or institutions having objects similar to those of the Church and which shall prohibit the distribution of its or their income and property amongst its or their Members, and if this provision cannot be satisfied then to some charitable object.

Responsibilities of Minister or Ministers at Enmore Spiritualist Church:

31. (a) The Minister or Ministers shall be responsible to the Committee and Members of the Church.
- (b) The Minister or Ministers of the Enmore Spiritualist Church may hold the office of President. If the Minister or Ministers of the Enmore Spiritualist Church choose not to be the President, a President shall be elected at the Annual General Meeting.
- (c) The Minister or Ministers are responsible to uphold the philosophy and teachings of spiritualism.
- (d) The Minister or Ministers are to abide by the seven principles.
- (e) The Minister or Ministers are to conduct services in the Church.
- (f) The Minister or Ministers are to conduct funerals, naming services, christenings, dedications, ordinations and weddings (if a registered celebrant under the Marriage Act).
- (g) The Minister or Ministers shall conduct or organise classes to propagate the development and teachings of spiritualism in the Church.

Application to become a Minister of Enmore Spiritualist Church:

32. (a) The appointment of a Minister shall be decided by a resolution of the Members of the Committee. The Committee shall call a Special General Meeting of Members for the purpose of seeking the approval by special resolution of that meeting for the appointment of a Minister.
- (b) The office of the Minister of the Church becomes vacant if the Minister resigns by notice in writing addressed to the Committee, if he or she dies or is removed by resolution of an Annual General Meeting or Special General Meeting.

Criteria for the person applying for position of Minister of Enmore Spiritualist Church:

33. (a) A person applying for the position of Minister of the Church must be a regular attendee at services and other functions at the Church, must have been a Member of the Church for three years and served an additional period of two years as a Committee Member.
- (b) A person applying for the appointment of a Minister must complete such application and supply such references and other information as required by the Committee.