

LAUNCESTON CHRISTIAN SCHOOL CONSTITUTION



LAUNCESTON
CHRISTIAN
SCHOOL

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1. THE NAME OF THE ASSOCIATION

The name of the Association shall be "Launceston Christian School (Inc.)" (hereinafter called "The Association").

2. INTERPRETATION

- (1) In this Constitution (where the context so admits):-
 - "Board" means the Board of Directors of the Association;
 - "General Meeting" means a General Meeting of the members convened in accordance with Clause 14;
 - "Members of the Board" means a Member of the Board to whom sub-clause (1) of Clause 23 relates; and
 - "Public Officer" means Public Officer as defined in Sections 14 and 15 of the Associations Incorporation Act 1964; and
 - "Member" includes "Associate Member".
- (2) In this Constitution, expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in visible form.
- (3) Words or expressions contained in this Constitution shall be interpreted in accordance with the provisions of the Acts Interpretation Act 1931 and the Act as in force on the date on which this Constitution is adopted by the Association.
- (4) The Three Forms of Unity are the Belgic Confession, the Heidelberg Catechism and the Canons of Dort.

3 ASSOCIATION'S OFFICE

The Association's office shall be at Launceston in Tasmania or such other place as the Board may, from time to time, determine.

4 OBJECTS OF THE ASSOCIATION

The Objects of the Association shall be:

- (1) To establish and maintain in Launceston and district, a school or schools to provide daily Christian education for children, based upon the divinely inspired, inerrant Word of God, as interpreted by the Belgic Confession, the Heidelberg Catechism, the Canons of Dort and/or the Westminster Confession and the Educational Creed set out in the Schedule hereunder.
- (2)
 - (a) The compliance with any law or statutes in force in Tasmania relating to the conduct and running of schools for the education of children.
 - (b) That the Association is not an ecclesiastical body nor shall be subject to any denominational organisation.
 - (c) That all things have been created by God to the end that the Triune God may be glorified in and through them.
 - (d) That God has appointed the parents to be responsible for the training and education of their children to obtain the highest standard of education in order to fit them to take a worthy place as Christians in Church, state and society.
 - (e) That the training and education of the children shall be continued under the parents' responsible supervision in a day school which carries out the basic God Honouring, God centred programme begun in the home.

5 POWERS OF THE ASSOCIATION

In addition to the powers provided by Section 12 of the Association's Incorporation Act 1964, the Association shall have the following powers:

- (1) The holding, purchase, taking on lease or hire, sale, exchange, mortgage, assignment by way of security, granting on lease or hire, or otherwise dealing with any personal property of whatsoever nature and kind soever.
- (2) The buying, selling and supplying of and dealing in goods of any kind.
- (3) The construction, maintenance and alteration of buildings or works necessary or convenient for any of the objects or purposes of the Association.
- (4) The accepting of any gift, whether subject to a special trust or not, for any one or more of the objects or purposes of the Association.
- (5) The taking of such steps from time to time as the Board or the Members in the General Meeting may deem expedient for the purpose of procuring contributions to the funds of the Association whether by way of donations, subscriptions or other lawful means.
- (6) The printing and publishing of such newspapers, periodicals, books, leaflets, or other documents as the Board or the Members in the General Meeting may think desirable for the promotion of the objects and purposes of the Association.
- (7) The borrowing and raising of money in such manner and on what terms both as to security or otherwise as the Board may think fit or as may be approved or directed by resolution passed at the General Meeting.
- (8) Subject to the provisions of the Trustee Act 1898 the investment of any of the moneys of the Association not immediately required for any of its objects and purposes in such manner as the Board may from time to time determine.
- (9) The making of gifts, subscriptions or donations to any of the funds, authorities or institutions to which Section 30.15 of the Income Tax Assessment Act of 1997 relates.
- (10) The establishment and support, or aiding in the establishment and support, of the Associations, institutions, funds, trusts, schemes and conveniences calculated to benefit servants or past servants of the Association and their dependants, and the granting of pensions, allowances or other benefits to servants or past servants of the Association and their dependants, and the making of payments towards insurance in relation to any of these purposes.
- (11) The establishment and support, or aiding in the establishment or support, of any other Association formed for any of the basic objects of the Association.
- (12) The purchase or acquisition and undertaking, of all or part of the property, assets, liabilities and engagements of any association with which the Association may at any time become amalgamated in accordance with the provisions of the Act and Constitution of the Association.
- (13) To charge fees, subscriptions or other dues for the tuition and education of any child or children or for any other service supplied or provided to any person or persons whether of adult age or not.
- (14) To determine educational and other policies relating to any school established and maintained by the Association.
- (15) To advertise for, select, appoint (on such terms as the Association shall decide) and dismiss educational, professional and other staff.
- (16) To pay remuneration to any educational, professional and other staff or servant of the Association or of any school established and maintained by it.
- (17) To pay remuneration to any auditor of the Association.
- (18) The doing of all such other lawful things including the making of Rules and By-Laws as are incidental or conducive to the attainment of the basic objects of the Association or any of the objects and purposes specified in the foregoing provisions of this clause.

6 ASSOCIATION

- (1) Membership of the Association shall be open to professing Christians who sign the following declaration:

"I declare my faith in the Lord Jesus Christ as my Saviour, Lord and God and my whole-hearted acceptance of and agreement with the Objects of the Association as defined in Clause 4 of this Constitution."

- (2) A person not able to sign the declaration under sub-clause (1) of this clause may be accepted as an Associate Member. The Associate Member shall have the same rights and duties as a Member except that he or she need not sign the declaration and cannot be elected or vote on the elections of the Members of the Board or vote on an amendment pursuant to Clause 36 hereof.

BY LAW NO. 1

The Board shall not exercise its discretion to accept an applicant as an Associate Member of the Association, pursuant to Clause 6 of the Constitution unless that applicant lodges with his application for Associate Membership a declaration in the following terms:

"I declare my faith in the Lord Jesus Christ as My Saviour, Lord and God and my whole-hearted acceptance of and agreement with the Educational Creed annexed to the Constitution of this Association".

- (3) A person who is not a Member of the Association at the time of the Incorporation of the Association shall not be admitted to Membership or Associate Membership unless:

- (a) he or she applies as provided in sub-clause (4) of this clause; and
(b) his or her admission as a Member or Associate Member is approved by the Board.

- (4) An application of a person for Membership or Associate Membership of the Association:

- (a) shall be made on the approved form and signed by the applicant; and
(b) shall be lodged with the Secretary of the Association.

- (5) As soon as is practicable after the receipt of the application the Secretary shall refer the application to the Board. The Board may in its absolute discretion refuse to admit any applicant to Membership or Associate Membership as the case may be without assigning or giving any reason for such refusal.

- (6) Upon the application being approved by the Board, the Secretary shall, with as little delay as possible, notify the applicant in writing, that he or she has been approved for Membership or Associate Membership of the Association, and upon receipt of the sum payable by or on behalf of the applicant as his or her first year's subscription, shall enter the applicant's name in a Register of Members to be kept by the Secretary, whereupon the applicant becomes a Member of the Association and is thereupon bound by the Constitution and Rules of the Association.

- (7) A Member or Associate Member of the Association may, at any time resign from the Association by delivering or sending by post to the Secretary a written note of resignation.

- (8) Upon receipt of a notice under sub-clause (7) of this Clause, the Secretary shall remove the name of the Member or Associate Member by whom the notice was given, from the Register of Members, whereupon that Member ceases to be a Member or Associate Member of the Association.

- (9) A right, privilege, or obligation of a person by virtue of his or her Membership or Associate Membership of the Association:

- (a) is not capable of being transferred or transmitted to another person; and
(b) terminates upon the cessation of his or her Membership or Associate Membership, whether by death, resignation, or otherwise.

- (10) In the event that:
- (a) the Association shall in writing request direct or approve of any Member (in this sub-clause called "the Paying Member") giving or granting to any corporation or person a guarantee (whether for the payment of money or otherwise) of performance of any obligation or contract given, made, incurred or entered into by the Association with any such corporation or person or an indemnity against present or future failure of observance or performance by the Association of any obligation or duty on its part to be observed or performed, and;
 - (b) the Paying Member actually gives or grants to such corporation or person such a guarantee or indemnity then:
 - (b.1) it shall be deemed in all respects that the Paying Member has given or granted such guarantee or indemnity on behalf of the Association and all other Members thereof for its benefit and the benefit of all other Members and pursuant to and in accordance with the Objects and Powers of the Association, and;
 - (b.2) in the event that the Paying Member shall be called upon to and shall actually pay any moneys or perform or observe any obligation incurred by the Paying Member pursuant to any such guarantee or indemnity (as the case may be) then and in such event each and every other Member of the Association shall be called upon so to do in that behalf by the Paying Member:
 - (b.2.i) pay or make contribution to the Paying Member of such amount not exceeding the total amount paid by the Paying Member pursuant to such guarantee or indemnity as the Paying Member shall require; or
 - (b.2.ii) shall assist the Paying Member in the case of the performance or observance of an obligation on his part to be performed or observed pursuant to any such guarantee or indemnity not involving the payment of moneys in such reasonable manner and to such extent as the Paying Member shall then require as the case may be.
- (11) In the event of the Association being wound up:
- (a) every Member of the Association; and
 - (b) every person who, within the period of twelve months immediately preceding the commencement of the winding up, was a Member of the Association, is liable to contribute to the assets of the Association for the payments of the debts or liabilities of the Association and for the costs, charges, and expenses of the winding up and for the adjustments of the rights of the contributories among themselves such sums, not exceeding \$10.00, as may be required, but a former Member is not liable so to contribute in respect of any debt or liability of the Association contracted after he or she ceased to be a Member.

7 SUBSCRIPTIONS OF MEMBERS

- (1) Members of the Association shall pay such annual subscription as the Board shall determine from time to time PROVIDED THAT:
 - (a) in the case of pensioners or special cases the minimum subscription may be varied at the discretion of a panel consisting of the Chairman and the Treasurer. Each case to be considered on its merits.
 - (b) Notwithstanding anything contained in this Constitution a husband and wife who are both members of this Association shall only pay half the usual subscription payable by a Member as the case may be.
- (2) The annual subscription of a Member or Associate Member is due and payable on or before the first day of the financial year of the Association or payable by

instalments. An applicant for membership or Associate Membership shall pay his or her subscription with his or her application for such membership for the financial year applicable thereto. If such application is refused the subscription so paid shall be returned to the applicant.

- (3) If the subscription of a Member shall remain unpaid at the end of the financial year, during which it becomes due then the Member may after the notice of the default shall have been sent to him by the Secretary or Treasurer, be debarred by resolution of the Board from all privileges of Membership and his or her name may be removed by the Board from the register of Members, provided that the Board may reinstate the Member and restore his or her name to the Register on the payment of all arrears if the Board thinks fit so do to.

8 INCOME AND PROPERTY OF THE ASSOCIATION

- (1) The income and property of the Association, however derived, shall be applied solely towards the promotion of the Objects of the Association and no portion thereof shall be paid or transferred directly or indirectly, by dividend, bonus or otherwise to any Member of the Association.
- (2) The Association shall not:
 - (a) appoint a person who is a Member of the Board to any office of the Association to the holder of which there is payable any remuneration by way of salary, fees, or allowances; or
 - (b) pay to any such person any remuneration or other benefit in money or money's worth (other than the repayment of out-of-pocket expenses).
- (3) Nothing in the foregoing provisions of this Rule prevents the payment in good faith to the Servant or Member of the Association of:
 - (a) remuneration in return for services actually rendered to the Association by the Servant or Member, or for goods supplied to the Association by the Servant or Member in the ordinary course of business;
 - (b) interest at a rate acceptable to the Board on moneys lent to the Association by the Servant or Member; or
 - (c) a reasonable and proper sum by way of rent for premises let to the Association by the Servant or Member.
- (4) Subject to the provisions of Section 33 of the Act and to an order of a Judge of the Supreme Court of Tasmania pursuant to that Section, if upon the winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the Members of the Association, but shall be given or transferred to some other institution or institutions, being carried on in Launceston or the surrounding district or in the event that no such institution shall be carried on in Launceston or the surrounding district without any limitation upon the situation of such institution or institutions, having objects similar to the objects of the Association, and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as is imposed on the Association under or by virtue of Clause 5 hereof such institution or institutions to be determined by the Members of the Association at or before the time of dissolution.

9 ACCOUNTS OF INCOME, EXPENDITURE ETC.

- (1) True Accounts and proper books of account shall be kept:
 - (a) of all sums of money received and expended by the Association and the matter in respect of which the receipt or expenditure takes place; and
 - (b) of the property, assets and liabilities of the Association.
- (2) The Treasurer of the Association shall faithfully keep all general records, accounting books, and records of income and expenditure connected with the transactions of the Association in such form and manner as the Board may direct.

- (3) The accounts, books and records referred to in sub-clause (1) and (2) of this clause shall be kept at the Association's Office or at such other place as the Board may decide and shall be open to the inspection of the Members of the Association at any time subject to such reasonable restriction as to time and manner of his inspecting them as the Board shall from time to time decide.

10 AUDITOR

- (1) At each Annual General Meeting of the Association, the Members present shall appoint a person as the Auditor of the Association upon such terms as the Members shall determine.
- (2) A person so appointed shall hold office until the Annual General Meeting next after that at which he is appointed, and is eligible for re-appointment.
- (3) The first Auditor of the Association may be appointed by the Board on such terms as the Board shall determine before the first Annual General Meeting, and, if so appointed shall hold office until the first Annual General Meeting, unless previously removed by a resolution of the Members at a General Meeting, in which case the Members at that Meeting may appoint an auditor to act until the first Annual General Meeting.
- (4) If an appointment is not made at an Annual General Meeting the Board shall appoint an Auditor of the Association for the current financial year of the Association.
- (5) Except as provided in sub-clause (3) of this clause, the Auditor may only be removed from office by resolution of the Members.
- (6) If a casual vacancy occurs in the office of Auditor during the course of a financial year of the Association, the Board may appoint a person as the Auditor upon such terms as the Board shall determine and the person so appointed shall hold office until the next succeeding Annual General Meeting.

11 AUDIT OF ACCOUNTS

- (1) Once at least in each financial year of the Association, the accounts of the Association shall be examined by the Auditor.
- (2) The Auditor shall certify as to the correctness of the accounts of the Association and shall report thereon to the Members present at the Annual General Meeting.
- (3) In his report, and in certifying to the accounts, the Auditor shall state:
 - (a) whether he has obtained the information required by him;
 - (b) whether, in his opinion, the accounts are properly drawn up so as to exhibit a true and correct view of the financial position of the Association according to the information at his disposal and the explanation given to him and as shown by the books of the Association; and
 - (c) whether the provisions of this Constitution relating to the administration of the funds of the Association have been observed.
- (4) The Secretary of the Association shall cause to be delivered to the Auditor a list of all accounts, books and records of the Association.
- (5) The Auditor:
 - (a) has a right of access to the accounts, books, records, vouchers and documents of the Association;
 - (b) may require from the Servants of the Association such information and explanations as may be necessary for the performance of his duties as Auditor;
 - (c) may employ persons to assist him in investigating the accounts of the Association; and
 - (d) may, in relation to the accounts of the Association, examine any Member of the Board or any Servant of the Association.

12 ANNUAL GENERAL MEETING

- (1) The Association shall, in each year, hold an Annual General Meeting.
- (2) The Annual General Meeting shall be held on such day (being not later than five (5) months after the close of the Financial Year of the Association) as the Board may determine.
- (3) The Annual General Meeting shall be in addition to any other General Meetings that may be held in the same year.
- (4) The Annual General Meeting shall be specified as such in the notice convening it.
- (5) The Ordinary business of the Annual General Meeting shall be:
 - (a) to consider and if thought fit to confirm the Minutes of the last preceding Annual General Meeting and of any other General Meeting held since that meeting;
 - (b) to receive from the Chairman, Treasurer and Auditor of the Association full and accurate reports of the position, progress and standing of the Association during the last preceding financial year;
 - (c) to elect Members to the Board of Directors; and
 - (d) to appoint the Auditor.
- (6) The Annual General Meeting may transact special business of which notice is given in accordance with this Constitution.
- (7) All General Meetings other than the Annual General Meeting shall be called General Meetings.

13 GENERAL MEETINGS

- (1) The Board shall convene a General Meeting of the Association prior to the end of a financial year to present a budget and to consider any other business as needed.
- (2) The Board may, whenever it thinks fit, convene any other General Meeting of the Association.
- (3) The Board shall, on the requisition in writing of not less than ten (10) members, or if required to do so by Clause 36, convene a General Meeting of the Association.
- (4) A requisition for a General Meeting shall state the objects of the Meeting and shall be signed by the requisitionists and deposited at the Office of the Association and may consist of several documents in the like form, each signed by one or more of the requisitionists.
- (5) If the Board does not cause a General Meeting to be held within twenty one (21) days from the date on which a requisition thereof is deposited at the Office of the Association, the requisitionists, or any of them, may convene the General Meeting; but any General Meeting so convened shall not be held after three (3) months from the date of the deposit of the requisition.
- (6) A General Meeting convened by requisitionists pursuant to this clause shall be convened in the same manner as nearly as possible as that in which General Meetings are convened by the Board, and all reasonable expenses incurred in convening the General Meeting shall be refunded by the Association to the persons incurring them.

14 NOTICES OF GENERAL MEETINGS

The Secretary of the Association shall, at least fourteen (14) days before the date fixed for holding a General Meeting of the Association issue written notice to all members of the Association specifying the place, date and time for the holding of the meeting, and the nature of the business to be transacted thereat.

15 BUSINESS AND QUORUM AT GENERAL MEETINGS

- (1) All business that is transacted at a General Meeting and all business that is transacted at the Annual General Meeting, with the exception of that specially referred to in this Constitution as being the ordinary business of the Annual General Meeting, shall be deemed to be special business.
- (2) No item of business shall be transacted at a General Meeting unless a quorum of Members entitled under this Constitution to vote is present during the time when the Meeting is considering that item.
- (3) Ten Members whose current subscriptions have been paid personally present (being Members entitled under this Constitution to vote thereat) constitute a quorum for the transaction of the business of a General Meeting.
- (4) If within thirty minutes after the appointed time for the commencement of a General meeting a quorum is not present, the meeting, if convened upon the requisition of Members, shall be dissolved; and in any other case it shall stand adjourned to the same day of the next week, at the same time and (unless another place is specified by the chairman at the time of the adjournment or by written notice given before the day to which the meeting is adjourned) at the same place, and if at the adjourned meeting a quorum is not present within thirty minutes after the time appointed for the commencement of the meeting, the meeting shall be dissolved.

16 CHAIRMAN TO PRESIDE AT GENERAL MEETINGS

- (1) The Chairman, or in his absence, the Vice-Chairman shall preside as Chairman at every General Meeting of the Association.
- (2) If the Chairman and the Vice-Chairman are absent from a General Meeting, the Members present shall elect one of their number to preside as Chairman thereat.

17 ADJOURNMENT OF GENERAL MEETINGS

- (1) The Chairman of a General Meeting at which a quorum is present may, with the consent of the Meeting, adjourn the Meeting from time to time and place to place, but no business shall be transacted at an adjourned Meeting other than the business left unfinished at the Meeting at which the adjournment took place.
- (2) Where a Meeting is adjourned for fourteen (14) days or more, the like notice of the adjourned Meeting shall be given as in the case of the original Meeting.
- (3) Except as provided in the foregoing provisions of this Clause, it is not necessary to give any notice of an adjournment or of the business to be transacted at an adjourned Meeting.

18 DETERMINATION OF QUESTIONS AT GENERAL MEETINGS

A question arising at a General Meeting of the Association shall be determined on the voices or a show of hands and unless before the declaration of the result of the voices or the show of hands a poll is demanded, a declaration by the Chairman that a resolution has on the voices or a show of hands, been carried, by a particular majority, or lost, and an entry to that effect in the Minute Book of the Association is evidence of that fact, without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.

19 VOTING

- (1) Upon any question arising at a General Meeting of the Association a Member has one vote only.
- (2) Votes may be given either personally or (except in the case of a vote cast by a member in respect of any special resolution proposed to be passed at a General Meeting of the Association in which case votes shall only be given or cast personally by such members who are entitled to vote and who are actually present at such General Meeting) by proxy but no Member shall be entitled to exercise more than three votes, including his personal vote.
- (3) The instrument appointing a proxy shall be in writing under the hand of the appointer. A person appointed to be a proxy shall be a Member of the Association and qualified to vote.
- (4) The instrument appointing a proxy shall be given to the Secretary or the Chairman of the Association not less than twenty four (24) hours before the time for holding the Meeting at which the person named in such instrument proposes to vote.
- (5) Any instrument appointing a proxy shall as nearly as circumstances will permit be in the following form:
I, of being a Member of Launceston Christian School (Inc.), hereby appoint..... of as my proxy to vote for me and on my behalf at the ordinary (or extra-ordinary as the case may be) General Meeting of...../...../.....
- (6) The Chairman shall have no casting vote but shall always be entitled to exercise his vote as a Member of the Association.

20 TAKING OF POLL

If at a Meeting a poll on any question is demanded it shall be taken at that Meeting in such a manner as the Chairman may direct and the result of the poll shall be deemed to be the resolution of the Meeting on that question.

21 WHEN POLL TO BE TAKEN

A poll that is demanded on the election of a Chairman, or a question of adjournment, shall be taken forthwith, and a poll that is demanded on any other question shall be taken at such time before the close of the Meeting as the Chairman may direct.

22 THE BOARD OF DIRECTORS

- (1) The affairs of the Association shall be managed by a Board of Directors constituted as provided in Clauses 23-24 hereof.
- (2) The Board:
 - (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to this Constitution, exercise all such powers and functions as may be exercised by the Association, other than those powers and functions that are required by this Constitution to be exercised by General Meetings of Members of the Association;
 - (c) subject to the Act and this Constitution, has power to perform all such acts and things as appear to the Board to be essential for the proper management of the business and the affairs of the Association.

- (3) In particular and without prejudice to the generality of the provisions of sub-clause (2) of this Clause, the Board shall:
 - (a) determine school policies in harmony with the Constitution and in accordance with decisions made at General Meetings of the Association, to be maintained in a Board Policy Handbook of which a copy shall be kept at the registered office of the Association and made available to members to view securely online;
 - (b) select, appoint and dismiss the Principal, Business Manager and senior executive staff;
 - (c) devise ways and means for obtaining the necessary funds for operating any school and determining how those funds may be distributed;
 - (d) assure itself of the faithful carrying out of the schools educational programme and policies; and
 - (e) propagate the cause of Christian Education in the community by means of public meetings, propaganda, literature and the like.

23 NUMBER OF BOARD MEMBERS AND TERM OF OFFICE

- (1) Unless otherwise determined by the Association the Board of Directors shall consist of not less than seven (7) or not more than ten (10) members (the number of which shall be determined by the Board prior to each Annual General Meeting) who shall be elected at the Annual General Meeting of the Association and shall hold office for the period of three (3) years but shall be eligible for re-election.
- (2) The provisions of the sub-clauses (2), (3) and (4) of Clause 25, as far as they are applicable and with the necessary modifications, apply to and in relation to the election of persons to any of the offices mentioned in sub-clause (1) of this Clause.
- (3) Prior to his election and subsequently thereto being not later than fourteen (14) days thereafter, every Member elected to the Board shall subscribe to the following declaration and hand the same to the Secretary:

"I declare my faith in the Lord Jesus Christ as my Saviour, Lord and God, and my whole-hearted acceptance of and agreement with the Objects of the Association as defined in Clause 4 of this Constitution."

A Member who defaults in furnishing such declaration within the requisite period (which may be extended by resolution of the Board for a further period not exceeding one month) shall be deemed automatically to be no longer a Member of the Board and his office vacated.

24 APPOINTMENT OF OFFICERS AND PUBLIC OFFICER

- (1) The Board of Directors shall annually appoint the following officers: Chairman, Vice-Chairman, Treasurer and Secretary from its own Members to hold office for one (1) year.
- (2) In the event of a casual vacancy in any office mentioned in sub-clause (1) of this clause, the Board of Directors may appoint one of its Members to the vacant office, and the Member so appointed may continue in office up to and including the conclusion of the Annual General Meeting next following the date of his appointment.
- (3) In the event of a casual vacancy occurring in the office of an ordinary Board Member, the Board of Directors may appoint a Member of the Association to fill the vacancy, and the Member so appointed shall hold office subject to this Constitution until the conclusion of the Annual General Meeting next following the date of his appointment.
- (4) In compliance with Sections 14 and 15 of the Associations Incorporation Act 1964 the Board shall appoint a person to the position of Public Officer who shall in writing notify the Registrar of his appointment and full name, address and occupation within fourteen (14) days of his appointment. Such Public Officer shall give notice to the Registrar, in writing of any change in address.

- (5) Unless otherwise determined by the Board the Public Officer shall be the Secretary of the Association.

25 NOMINATIONS AND ELECTION OF BOARD MEMBERS

- (1) Nominations of candidates for the election as Members of the Board:
 - (a) shall be in writing and signed by two Members and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
 - (b) shall be delivered to the Secretary of the Association at least seven (7) days before the date fixed for the holding of the Annual General Meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated shall be deemed to be elected and further nominations shall be received at the Annual General Meeting.
- (3) If the number of the nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.
- (4) If the number of nominations exceeds the vacancies to be filled, a ballot shall be held.
- (5) The ballot for the election of Members of the Board shall be conducted at the Annual General Meeting in such usual and proper manner as the Chairman may direct.

26 VACATION OF OFFICE

For the purpose of this Constitution, the office of a Member of the Board or a Committee becomes vacant if the Member:

- (a) dies;
- (b) becomes bankrupt or applies to take or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with his creditors, or makes any assignment of his estate for their benefit;
- (c) becomes of unsound mind;
- (d) resigns his office by writing under his hand addressed to the Board of Directors;
- (e) ceases to be permanently resident in the state;
- (f) fails, without leave granted by the Board to attend three (3) consecutive Meetings of the Board;
- (g) ceases to be a Member of the Association;
- (h) fails to pay all arrears of subscription due by him within fourteen (14) days after he has received a notice in writing in that regard signed by the Secretary; and
- (i) fails in the opinion of the Members as expressed by resolution of the Members at a General Meeting of the Association, to adhere to the basic Objects of the Association.

27 MEETINGS OF THE BOARD OF DIRECTORS

- (1) The Board of Directors shall meet at least once in every two (2) months at such place and at such times as the Board of Directors may determine.
- (2) Meetings of the Board of Directors may be convened at any time by the Chairman or any four (4) of its Members.
- (3) At least two-thirds of the number of Members of the Board of Directors constitute a quorum for the transaction of business of a Meeting of the Board of Directors.
- (4) No business shall be transacted unless a quorum is present and, if within half an hour of the time appointed for the Meeting, a quorum is not present, the Meeting shall stand adjourned to the same place and at the same time of the same day in the following week.
- (5) At Meetings of the Board of Directors:
 - (a) the Chairman, or in his absence the Vice-Chairman; or

- (b) if the Chairman or the Vice-Chairman are both absent, such one of the remaining Members of the Board as may be chosen by Members present, shall preside.
- (6) Questions arising at a Meeting of the Board of Directors or any Committee appointed by the Board of Directors shall be determined on the voices or a show of hands, or if demanded by a Member, by a poll taken in such manner as the person presiding at the Meeting may determine.
- (7) Each Member present at a Meeting of the Board of Directors or of any Committee appointed by the Board (including the person presiding at the Meeting) is entitled to one vote only at their respective Meetings.
- (8) At the conclusion of each Meeting the Board shall determine the date and the place of the next Meeting of the Board. The Secretary shall give notice of the date and place to absent Board Members.
- (9) The Chairman shall have no casting vote but shall always be entitled to exercise his vote as a Member of the Board.

28 DISCLOSURE OF INTEREST IN CONTRACTS ETC

- (1) A Member of the Board who is interested in any contract or arrangement made or proposed to be made with the Association shall disclose his interest at the first Meeting of the Board at which the contract or arrangement is first taken into consideration, if his interest then exists or, in any other case, at the first Meeting of the Board after the acquisition of his interest.
- (2) If a Member of the Board becomes interested in such a contract or arrangement after it is made or entered into he shall disclose his interest at the first Meeting of the Board after he becomes so interested.
- (3) No Member of the Board shall vote as a Member of the Board in respect of any such contract or arrangement in which he is interested and if he does so vote his vote shall not be counted.

29 SUB-COMMITTEES AND EXECUTIVE COMMITTEE

- (1) The Board of Directors may at any time appoint a sub-committee to investigate and make recommendations in respect of any matter relating to the affairs of the Association as it thinks fit. All sub-committees are advisory in nature and must be chaired by a member of the Board of Directors or a person approved by the Board of Directors.
- (2) All members of any Board sub-committee must be approved by the Board of Directors.
- (3) A sub-committee shall consist of at least three (3) Members and a simple majority of the sub-committee shall constitute a quorum at a meeting of the sub-committee provided that there shall always be at least one Member of the Board of Directors present at such meeting of the sub-committee.
- (4) Sub-committees shall themselves elect a Secretary. Subject as aforesaid sub-committees may regulate their own procedure.
- (5) Sub-committees shall report to, and are responsible to the Board.
- (6) Sub-committees must keep written minutes of all meetings, noting any recommendations for Board of Directors approval, and these are to be provided to the Secretary within seven days following each meeting for forwarding to the Board of Directors at their next meeting.

- (7) The Executive consists of the Officers of the Board as defined in Clause 24 (1). Three Members shall constitute a quorum. The Executive may issue instructions to the Secretary and the Principal in matters of urgency connected with the management of the affairs of the Association during intervals between meetings of the Board. Where any such instructions are issued they shall report thereon to the next meeting of the Board.

30 FINANCIAL YEAR

The financial year of the Association is the period beginning on the first (1st) day of January in each year and ending on the thirty first (31st) day of the following December.

31 NOTICES

A notice may be served by or on behalf of the Association upon any Member either personally or by sending it through the post in a pre-paid letter addressed to the Member at his usual or last known place of abode.

32 EXPULSION OF MEMBERS

- (1) Subject to this Clause, the Board may expel a Member from the Association if, in the opinion of the Board, the Member has been guilty of conduct detrimental to the interests of the Association.
- (2) The expulsion of a Member pursuant to the sub-clause 1 of this Clause does not take effect:
 - (a) until the expiration of fourteen (14) days after the service on the Member of a notice under sub-clause (3) of this Clause; or
 - (b) if the Member exercises his right of appeal under this Clause until the conclusion of the General Meeting convened to hear the appeal, whichever is the later date.
- (3) Where the Board expels a Member from the Association, the Secretary of the Association shall, without undue delay, cause to be served on the Member, a notice in writing:
 - (a) stating that the Board has expelled the Member;
 - (b) specifying the grounds of expulsion; and
 - (c) informing the Member that, if he so desires he may, within fourteen (14) days after the service of the notice on him, appeal against the expulsion as provided in this Clause.
- (4) A Member on whom a notice under sub-clause (3) of this Clause, is served may appeal against the expulsion to a General Meeting by delivering or sending by post to the Secretary of the Association, within fourteen (14) days after the service of that notice, a requisition in writing demanding the convening of such a Meeting for the purpose of hearing his appeal.
- (5) Upon receipt of a requisition under sub-clause (4) of this Clause, the Secretary shall forthwith notify the Board of its receipt and the Board shall thereupon cause a general Meeting of Members to be held within twenty one (21) days after the date on which the requisition is received by the Secretary.
- (6) At a General Meeting convened for the purpose of this Clause:
 - (a) no other business other than the question of the expulsion shall be transacted;
 - (b) the Board may place before the Meeting details of the grounds of the expulsion and the Board's reasons for the expulsion;
 - (c) the expelled Member shall be given opportunity to be heard; and
 - (d) the Members present shall vote by secret ballot on the question whether the expulsion shall be lifted or confirmed.

- (7) If at the General Meeting a majority of the Members present vote against the expulsion of the Member, the expulsion shall be deemed to have been lifted and the expelled Member is entitled to continue his Membership of the Association.
- (8) If at the General Meeting a majority of the Members present vote in favour of the confirmation of the expulsion, the expulsion takes effect and the expelled Member ceases to be a Member of the Association.

33 DISPUTES

- (1) Subject to this Clause, a dispute between a Member of the Association, in his capacity as a Member, and the Association shall be determined by arbitration in accordance with the provision of the Arbitration Act 1892.
- (2) Nothing in this Clause affects the operation of Clause 32.

34 SEAL OF THE ASSOCIATION

- (1) The Seal of the Association shall be in the form of a rubber stamp, inscribed with the name of the Association encircling the word "Seal".
- (2) The Seal of the Association shall not be affixed to any instrument except by the authority of the Board, and the affixing thereof shall be attested by the signatures of either two Members of the Board or one Member of the Board and Secretary of the Association or such persons as the Board may appoint for that purpose, and that attestation is sufficient for all purposes that the Seal was affixed by authority of the Board.
- (3) The Seal shall remain in the custody of the Secretary.

35 SCHOOL STAFF

- (1) The Board of Directors shall appoint or remove the Principal. The teaching staff shall be appointed or removed by the Principal in consultation with the Board. Careful consideration will be given to their spiritual, academic and their physical qualification and they must be church members and lead exemplary lives. They shall be appointed for such terms and for such salary and other conditions (except as herein expressly provided) as the Board may determine. Unsuitably qualified staff may not be appointed.
- (2) No person shall be appointed to the staff of the school excepting that he or she declare his or her whole-hearted acceptance of and agreement with the Objects and Purposes of the Association and of the basis thereof as defined in Clause 4 of this Constitution. Each member of the teaching staff shall be required to subscribe to the following Declaration:

"I declare my faith in the Lord Jesus Christ as my Saviour, Lord and God, and my whole-hearted acceptance of and agreement with the Objects of the Association as defined in Clause 4 of this Constitution".
- (3) Where a Member of the teaching staff (other than the Principal) cannot subscribe to the Declaration referred to in Clause 35, sub-clause (2) then he or she will be required to sign the following:

"I declare my faith in the Lord Jesus Christ as my Saviour, Lord and God and my whole-hearted acceptance of and agreement with the Educational Creed annexed to this Constitution and further declare that I will teach nothing contrary to the Objects of the Association as defined in Clause 4 of this Constitution."
- (4) A course of study shall be prepared by the Principal/s in collaboration with the teaching staff. After approval by the Board of Directors such course of study shall govern all instruction in the school.

- (5) The Principal/s in each school (subject to the approval of the Board) shall lay down rules for the conduct, control and discipline in each school and shall be responsible for the adherence thereto.
- (6) The Principal shall be an ex-officio Member (full member but without a formal vote) of the Board. The Principal does not form part of the quorum required for a Board Meeting.
- (7) The Principal shall upon receipt of any report from Officers of the State or Federal Departments of Education, ensure that a copy thereof is supplied to the Secretary of the Association who shall forthwith table such document/s at the next meeting of the Board of Directors.

36 AMENDMENTS TO CONSTITUTION

- (1) Notwithstanding the provisions of Clause 15, any Clause of the Constitution of the Association may be amended by resolution of a General Meeting, and such resolution shall be passed if:
 - (a) a simple majority of full Association Members are present in person at such General Meeting; and
 - (b) the proposed resolution is passed by not less than three-quarters of the votes cast in person or by proxy at such General Meeting.
- (2) When an amendment under this Clause is proposed the Board shall cause full details of such amendment to be given in a Notice of the Meeting, and in accordance with Clause 31, to each Member, and such Notices shall be despatched at least twenty eight (28) days before such Meeting takes place.

ANNEXURE

LAUNCESTON CHRISTIAN SCHOOL EDUCATIONAL CREED



LAUNCESTON
CHRISTIAN
SCHOOL

Reprinted August 2011

1 OUR COMMON FAITH

As a community united in Christ for the education of youth we confess with the church universal that there is one God, eternal and indivisible, in whom are three persons, Father, Son and Holy Spirit, which three persons are really, truly and eternally distinct, each one truly God, yet without in any way destroying the unity of the one and only God, who is one and not three;

That this one God is the Creator of all things, visible and invisible;

That man was created in the image of God with dominion over the creation;

That man sinned by disobeying the express command of God, so repudiating his Creator and bringing God's wrath and curse on himself and on the whole creation over which he rules;

That by the curse of sin justly imposed every man is cut off from communion with God and is dead in sin, wholly corrupt throughout the whole man, and utterly indisposed, disabled and made opposite to all good and wholly inclined to all evil;

That God in His love for the world, sent His only Son, Jesus Christ our Lord, to be born to the virgin Mary, being conceived by the Holy Spirit, to live and suffer on this earth as a man under the curse of sin, to endure the fullness of God's curse on sin in His death on the cross and a ransom for many, laying down His life for the sheep so that all who believe in Him should receive without regards to their works or merit, full and free pardon, the riches of God's favour as His sons and heirs, and eternal life in Christ, being renewed by the Holy Spirit in Christ's likeness;

That the Lord Jesus Christ having died for our sins, rose again the third day by the power of God, ascended to Heaven and is now seated at the right hand of God the Father Almighty who has put all things in subjection under His feet, appointing Him to be head of all things to the church, which is His body;

That at the time appointed by God and known to no man, this very same Jesus shall come the second time in power and great glory to judge all men, living and dead, and, having destroyed this present world, to establish the new heavens and new earth in which righteousness has permanent home;

That when the Lord Jesus comes again all the dead shall be bodily raised, those who, by faith, have done well, to eternal life, and those who, through unbelief, have done evil, to eternal condemnation;

That the risen Christ has sent the Holy Spirit into the world that by Him redemption might be effectually applied, the divine purpose of salvation accomplished, and the church equipped for its mission on earth;

That the redemptive activity and gracious favour of God, Father, Son and Holy Ghost, is essential for the fulfilment of man's life;

2 THE WORD OF GOD

We confess that the Scripture of the Old and New Testaments, acknowledged in the confessions of the Reformation, is, in all things, our supreme standard by which all we do is to be judged;

That this Scripture, written by men moved by the Holy Spirit is itself God's Word written, God Himself being the author;

That Scripture is the integral divine Word by which God, through His Spirit, draws us to and enlightens us in the truth, which is Jesus Christ our Lord, the eternal Word of God;

That the same eternal Word who reveals Himself in Scripture reveals Himself in all that He has created so that the revelation of God is one;

That Scripture is indispensable and determinative for our knowledge of God, of ourselves, and of the rest of creation, and also for the whole educational task;

3 MAN'S LIFE

We confess that man, as God's image-bearer, is given dominion over the creation to rule it, manage it, and develop it for God, who is King over kings and Lord over lords;

That man's life is fulfilled only in a life of free, willing submission to God; a life lived in harmony with the Law of God for His creation made known in the integral revelation of the Word of God;

That, being now fallen into sin, man can attain this fulfilment only, through renewal by the Holy spirit after the image of his Creator;

That for man to attempt anything at all in independence of God or in ignorance of God's revelation is inherently destructive of man and of the creation over which he is given dominion;

That it is man's glory, as God's image-bearer to do everything so that the glory of God is revealed in his doing;

That the development of the child as the image-bearer of God is a central concern of the educational task;

4 SIN AND EDUCATION

We confess that human life in its entirety is religion, unfolding itself as service of the one true God or of a God-substitute;

That in sin man has repudiated God in favour of God-substitutes with the result that he is cut off from the knowledge of God, of himself, and of the meaning of creation, so that the light that he supposes he has is darkness and his wisdom is folly;

That, apart from the man Christ Jesus, no man is exempted from this falsifying of knowledge through sin but all alike grope in darkness, being blinded to the meaning of life, of the world and of man himself;

That no area of human knowledge is free of this sinful falsifying;

That true education is possible only where the fear of God is re-established by God's grace in the heart of man as the indispensable foundation of all wisdom and knowledge;

5 REDEMPTION IN CHRIST

We confess that God in Christ by the cross has restored the whole creation to harmony with himself, making all things new in Christ;

That, although the fulfilment of this restoration awaits the future revelation of Christ in glory, yet, in principle, by the present work of the Holy Spirit in the world, it is a present reality to be reckoned with in faith in every area of life;

That Christ in His redemption, by His Holy Spirit, is creating a new regenerated humanity bound in covenant community to Christ as head;

That this covenant community is God's appointed means, through the power of the Holy Spirit within the community, for communicating the redemption of Christ to the world;

That although, by the grace of God, men who reject the Word of God as the ordering principle of life provide many valuable insights into the common structure of reality, yet the religious direction of their thought remains radically opposed to that of the covenant community in Christ, so that there can be no possibility of a synthesis of their systems of thought with the scripturally directed thought which Christ's covenant community is called to pursue;

6 MAN'S TASK

We confess that the whole cosmos is the creation of God remaining under His government, upheld by His power, and existing for His glory;

That the cosmos is neither chaotic nor meaningless, but ordered and pregnant with meaning by the creative act of God, graciously preserved and sustained by Him in spite of the disruptive effects of man's sin, and subject to the law of the Creator in all things;

That it is man's task to unfold the meaning that God, the Creator, has given to the creation;

That man can fulfil his task only as, dependent on the Holy Spirit, he functions in subjection to the law by which God orders the creation;

That the law of the Creator ensures a rich diversity within the unbreakable unity of the cosmos;

That the whole creation finds its coherence and meaning in Christ who is the first and the last, the beginning and the end of the creation of God;

That true education is the unfolding to the child of the creation in harmony with the order and meaning it has in Christ so that the child may be prepared and equipped for his office and calling in this world as God's image-bearer and steward;

7 THE SPECIAL TASK OF THE SCHOOL

We confess that the covenant community redeemed in Christ expresses itself in the field of education in the school where Christ is confessed as the head of the educational task in harmony with Scripture;

That the school is only one of several ways in which the covenant community expresses itself in this temporal world, each one displaying in a distinctive manner the rich fullness of Christ's redemption;

That it is the special task of the school to open out to the child the meaning from Scripture of the creation under the guidance of the Word of God as part of the equipment of the child for his/her calling in life in subjection to Christ as King;

That the school, under Christ and by His Holy Spirit, is to advance the reign of Christ on earth in the field of education so that His Kingdom may come to expression here and now, though with much imperfection and weakness, and so that our Lord may find us busy in His garden when He comes in glory;

8 THE SCHOOL COMMUNITY

We confess that parents united in Christ for the educational task, together with their children and with teachers and others who share with them a common confession of faith constitute a school community which is not in subjection to church, state or any other societal structure but to Christ alone who only rules as King over all;

That, as it expects for its own sovereignty under Christ so the school is bound to respect and uphold the sovereignty of family, church, and state, as well as every other societal structure, each in its own sphere under Christ, and to encourage such respect in the child;

That this respect for the sovereignty of the societal structures under Christ requires that the school direct all its efforts towards its own special task, refraining from activities that infringe on the special tasks of the family, the church, the state or any other societal structure;

That although parents have a primary responsibility for the education of the child, yet, as Christ has one body, and as believers are members together of that one body, the task of the school is the responsibility of the whole body of Christ;

That within the school community the student is subject to the authority of the teacher, whose legitimate authority is to be upheld by the whole school community;

That authority is never to be exercised or maintained for its own sake, but, in the school is only to be used for the effective nurture of the child in harmony with the special task of the school and with an awareness that all authority is of God to whom all who exercise authority must give account;

Confessing Christ as King of kings and Lord of lords, the redeemer and renewer of all our life, we pursue the educational task together with confident hope and humble reliance on God who, for Jesus' sake, sends His Holy Spirit to lead us into the truth, which is Christ, and with glad submission to God's Word as the guide of all our endeavour that in all things God may be glorified through Jesus Christ, whose is the glory and the dominion for ever and ever.

Amen.

